Town of Mesilla, New Mexico

THE BOARD OF TRUSTEES AND PLANNING AND ZONING COMMISSIONERS OF THE TOWN OF MESILLA WILL HOLD A JOINT <u>WORK SESSION</u> ON TUESDAY, OCTOBER 13, 2020 AT 5:00 P.M.

VIA TELECONFERENCE 1-346-248-7799 MEETING ID 983-7900-0389 PASSWORD 971704

1. Discussion of Town of Mesilla Ordinance 18.35; Historical Residential.

THE BOARD OF TRUSTEES OF THE TOWN OF MESILLA WILLHOLD A <u>REGULAR</u> MEETING ON TUESDAY, OCTOBER 13, 2020 AT 6:00 P.M.

VIA TELECONFERENCE 1-346-248-7799
MEETING ID 983-7900-0389
PASSWORD 971704

- 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 cynthias-h@mesillanm.gov an hour before the meeting begins on 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. 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 September 28, 2020
 - b) Case 061027 2765 Boldt Street, submitted by Donna K. Vargas; a request for a zoning permit to install a folding awning over a patio on the rear of a dwelling at this address. Zoned: Historic Residential (HR
 - c) Case 061128 2410 Calle de Principal, Suite C, submitted by Morgan R. Switzer; a request for a sign permit to install a hanging sign for a business ("Be Infused, LLC") at this address. Zoned: Historic Commercial (HC)
 - d) Case 061129 2410 Calle de Principal, Suite C, submitted by Morgan R. Switzer; a request for a sign permit to install a wall sign on a business ("Be Infused, LLC") at this address. Zoned: Historic Commercial (HC)
 - e) Case 061123 WITH CONDITIONS— Properties at and adjacent to 2200 West Union Avenue, submitted by Indalencio Prieto and Ladene Vance; a request for a summary subdivision to adjust the lot lines of three properties to eliminate one lot and to combine part of a lot with a neighboring lot. Zoned: Rural/Agricultural (RA)
- 6. OLD BUSINESS

a) PZHAC Case 061120 – 2230 Avenida de Mesilla, submitted by Jesus Lucero; a request for a zoning permit to allow sections of fencing to be installed around a commercial property at this address for security reasons. Zoned: Historic Commercial (HC)

7. AN APPEAL OF A DECISION OF THE PLANNING, ZONING AND HISTORICAL APPROPRIATENESS COMMISSION:

a) A Public Hearing must be held: on <u>Case 061088</u> a request for a zoning permit to allow the construction of a garage/workshop on a residential property at this address. **Zoned:** Rural/Agricultural (RA) submitted by Ms. CaraLyn Banks on behalf of Mr. Strain.

For Approval/Disapproval: on <u>Case 061079</u>, 2067 Stithes Road and 1780 Calle de El Paso, submitted by Jon Strain; a request to allow a lot line adjustment between these two properties and <u>Case 061088</u> a request for a zoning permit to allow the construction of a garage/workshop on a residential property at this address. Zoned: Rural/ Agricultural (RA) submitted by Ms. CaraLyn Banks on behalf of Mr. Strain. **A resolution stating the board's decision and reasoning shall be approved at the next Board of Trustee meeting**

8. NEW BUSINESS

a) For Approval/Disapproval: of \$110,000.00 agreement between the Department of Finance and Administration, acting through the Local Government Division and the Town of Mesilla to purchase and equip vehicles for the Marshal's Department. *Edward Lerma, Marshal*

9. *STAFF REPORTS:

Community Development Community Programs Finance Department Fire Department Marshal's Department Public Works Department

- 10. BOARD OF TRUSTEE COMMITTEE REPORTS
- 11. BOARD OF TRUSTEE/STAFF COMMENTS
- **12. 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 10/09/2020 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, Ristramnn Chile Co., 2531 Avenida de Mesilla and the U.S. Post Office 2253 Calle de Parian.

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THE BOARD OF TRUSTEES OF THE TOWN OF MESILLA WILLHOLD A REGULAR MEETING ON MONDAY, SEPTEMBER 28, 2020 AT 6:00 P.M.

VIA TELECONFERENCE 1-346-248-7799 **MEETING ID 983-7900-0389** PASSWORD 971704

Nora Barraza, Mayor

Carlos Arzabal, Mayor Pro Tem

Jesus Caro, Trustee

Veronica Garcia, Trustee (absent) Stephanie Johnson-Burick, Trustee

Cynthia Stoehner-Hernandez, Town Clerk/Treasurer

Kevin Hoban, Fire Chief Edward Lerma, Marshal

Rod McGillivray, Public Works Director

Larry Shannon, Community Development Coordinator

Gloria Maya, Recorder

1. PLEDGE OF ALLEGIANCE

Mayor Barraza led the Pledge of Allegiance.

2. ROLL CALL & DETERMINATION OF A QUORUM

Roll Call.

TRUSTEES:

STAFF:

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

3. CHANGES TO THE AGENDA & APPROVAL

Motion: To approve agenda, Moved by Trustee Johnson-Burick, Seconded by Mayor Pro-Tem Arzabal.

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

Mayor Pro-Tem Arzabal Yes

Trustee Caro Yes

Trustee Johnson-Burick Yes

4. PRESENTATIONS:

a) A presentation of Life Saver Awards. - Chief Kevin Hoban.

Fire Chief Hoban presented the Life Save Award to Lieutenant Enrique Salas, Battalion Chief George Klebansky and Lieutenant Dillan Thunhorst, and EMT Basic Ines Thunhorst a CPR save that occurred in November, 2019.

Mayor Barraza congratulated and thanked the officers for their efforts. This represents the commitment and the caliber of these officers that serve the Town of Mesilla.

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 an hour before the meeting begins on 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

No Public Input

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 *):

Mayor Barraza requested removing item e PZHAC Case 061120 from the consent agenda. She noted a correction to the Worksession of September 14, 2020 to indicate that Trustee Johnson-Burick was not in attendance at the September 14th worksession.

Motion: To approve consent agenda as amended, Moved by Trustee Johnson-Burick, Seconded by Mayor Pro-Tem Arzabal.

Mayor Pro-Tem Arzabal asked how PZHAC can place a time limit on a fence.

1 2

Mayor Barraza responded it cannot be infinity.

Mayor Pro-Tem Arzabal asked if there is an ordinance that addresses time limits or did, they just create that.

Mayor Barraza believes both parties were in agreement.

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

Mayor Pro-Tem Arzabal Yes

Trustee Caro Yes

Trustee Johnson-Burick Yes

- a) *BOT Minutes Minutes of a Work Session & Regular Meeting on September 14, 2020. Approved by consent agenda
- b) *PZHAC Case 061046 WITH CONDITIONS 1850 Avenida de Mesilla, submitted by Samantha Simpson for Nancy Clayshulte; a request for a zoning permit to install a farm fence along the east side of a pecan grove on this property. Zoned: Historic Residential (HR) Approved by consent agenda
- *PZHAC Case 061118 WITH CONDITIONS 2900 Avenida de Mesilla Suite A, submitted by Jerry Grandle for Austy, LLC; a request for a zoning permit to allow a temporary patio expansion at the "Spotted Dog Brewery" to be made permanent. Zoned: General Commercial (C) Approved by consent agenda
- d) *PZHAC Case 061119 2149 Calle de Los Huertos, submitted by Gabrielle Quintana; a request for a zoning permit to allow the construction of covered porches over the front and rear entry landings on a dwelling at this address. Zoned: Historic Residential (HR) Approved by consent agenda
- *PZHAC Case 061120 2230 Avenida de Mesilla, submitted by Jesus Lucero; a request for a zoning permit to allow sections of fencing to be installed around a commercial property at this address for security reasons. Zoned: Historic Commercial (HC)

Motion: To approve PZHAC Case 061120 - 2230 Avenida de Mesilla, submitted by Jesus Lucero; a request for a zoning permit to allow sections of fencing to be installed around a commercial property at this address for security reasons. Zoned: Historic Commercial (HC), Moved by Mayor

| 1 2 | Pro-Tem Arzabal, Seconded by Trustee Johnson-Burick. | | | | | |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--|--|--|--|--|
| 3 4 5 6 | Mayor Barraza stated the area will be fenced with different kinds of material; corrugated metal, wire, brick, wood. Reviewed the allowed material list. She is concerned with the appearance and feels they should use the type of material which is on the approved list. | | | | | |
| 7 8 9 | Mayor Pro-Tem Arzabal stated the Planning and Zoning voted 4-0; what did they see that she is not seeing. | | | | | |
| 10 11 12 | Mr. Shannon reviewed the ordinance where there is nothing that limits the type of material. Planning and Zoning decided to allow the fencing only while this business is in operation upon which time the fence will be removed. | | | | | |
| 13 | | | | | | |
| 14 15 16 | Mayor Barraza asked since the fence is not in the front setback there is no limit on the type of material that will be used. | | | | | |
| 17 | Mr. Shannon responded that is how the ordinance reads; referred to Section 18.3.33. | | | | | |
| 18 | Maryan Dawara atatad wa haya daniad ahain link fanaas that are not in the cathooks feels this will get | | | | | |
| 19 20 | Mayor Barraza stated we have denied chain link fences that are not in the setback; feels this will set precedent. | | | | | |
| | precedent. | | | | | |
| 21 22 Mr. Shannon responded chain link fences have been denied since he started with the exception for kennels. Reiterated there is nothing in the code that prohibits this fencing except for what is in Section 18.3.33. We have been consistent not allowed chain link fences. | | | | | | |
| 25 26 27 | Trustee Caro stated he feels if it is not approved material it should not be allowed. | | | | | |
| 28 29 | Mayor Pro-Tem Arzabal stated if this material is not allowed why does Mr. Shannon say it is allowable. | | | | | |
| 30 31 | Mr. Shannon responded the code does not say it is not allowable. | | | | | |
| 32 33 | Mayor Barraza stated she read Section 18.60.330 and there is a limit as to what can be used. | | | | | |
| 34 35 | Mayor Pro-Tem Arzabal recommended attaining a legal opinion. | | | | | |
| 36 37 38 39 40 | Amended Motion: To postpone PZHAC Case 061120 – 2230 Avenida de Mesilla, submitted by Jesus Lucero; a request for a zoning permit to allow sections of fencing to be installed around a commercial property at this address for security reasons. Zoned: Historic Commercial (HC), awaiting legal review, Moved by Mayor Pro-Tem Arzabal, Seconded by Trustee Caro. | | | | | |
| 41 42 | Mayor Barraza stated she is concerned with the different material being used for the fence. We need to look at the development zone. | | | | | |
| 43 44 45 46 | Mayor Pro-Tem Arzabal responded how can the Planning and Zoning and the trustees comprehend a development zone when all this material is allowed. | | | | | |
| 47 48 49 | Mayor Barraza stated there is currently a wood and chain link fence. Feels they should continue to use the wood to continue the look; there needs to be consistency. | | | | | |

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sore.

Trustee Johnson-Burick stated chain link is not an allowable material. We need to follow the ordinances.

She does not agree to the hodgepodge of material, some of which is not allowable, and may create an eye

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

5 Mayor Pro-Tem Arzabal Yes

6 Trustee Caro Yes 7

Trustee Johnson-Burick Yes

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Ms. Lucero stated the Planning and Zoning also had reservations when voting on this case. It was approved based on the fact it would be temporary.

10 11 12

f) *PZHAC Case 061121 – 2185 Calle de Guadalupe, submitted by Richard Moreno; a request for a zoning permit to allow the replacement of all six windows on a dwelling at this address. Zoned: Historic Residential (HR) Approved by consent agenda

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7. AN APPEAL OF A DECISION OF THE PLANNING, ZONING AND HISTORICAL APPROPRIATENESS COMMISSION:

a) A Public Hearing must be held: on <u>Case 061079</u>, 2067 Stithes Road and 1780 Calle de El Paso, submitted by Jon Strain; a request to allow a lot line adjustment between these two properties and Case 061088 a request for a zoning permit to allow the construction of a garage/workshop on a residential property at this address. Zoned: Rural/Agricultural (RA) submitted by Ms. CaraLyn Banks on behalf of Mr. Strain.

Motion: To close Regular Meeting and open Public Hearing for Case #061079, Moved by Mayor Pro-Tem Arzabal, Seconded by Trustee Johnson-Burick.

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

Mayor Pro-Tem Arzabal Yes

Trustee Caro Yes

Trustee Johnson-Burick Yes

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Mr. Shannon gave a summary of Case 061079.

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Motion: To close Public Hearing and open Regular Meeting, Moved by Trustee Johnson-Burick, Seconded by Mayor Pro-Tem Arzabal.

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

Mayor Pro-Tem Arzabal Yes

Trustee Caro Yes 38

Trustee Johnson-Burick Yes

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Opened Regular Meeting 6:43 p.m.

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Ms. Banks stated feels there is a conflict of interest regarding Mayor Barraza and Ms. Lucero, Planning and Zoning representative, being sisters. She reviewed the information on both properties with regards to leech lines, legal addresses, size, and shape of lots. She asked if the additional material sent in the afternoon was made available to the trustees. They were never given a good reason as to why this request was denied. These lots will remain non-conforming, no dwellings will be added. Moving the lot line to be consistent with the New Mexico Environmental rules. Mr. Strain was unable to participate to provide more information.

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| 1 | Mayor Barraza asked Ms. Stoehner-Hernandez. |
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| 2 | |
| 3 | Ms. Stoehner-Hernandez responded yes. |
| 4 | |
| 5 6 7 8 9 | Mr. Cervantes stated he rejects the argument with regards to the Mayor and Ms. Lucero being sisters. The mayor only votes in case of a tie and the bias is when an applicant is related to a voting individual. He reviewed the case, and the time frame required for an appeal. He questioned why one lot is .75 and the other lot would be 2.139 acres; he suspects it may be due to septic tanks regulations. He stated of the members are entitled to vote with the mayor voting in case of a tie. There needs to be 2/3 of the members voting to overturn the Planning and Zonings decision. |
| 11 | |
| 12 13 | Mayor Barraza asked Ms. Lucero to defend the Planning and Zoning's decision. |
| 14 | Ms. Lucero reviewed the Planning and Zonings process that was followed. |
| 15 | |
| 16 | Trustee Johnson-Burick asked Ms. Lucero if there was any basis in denying the lot line adjustment. |
| 17 | |
| 18 | Ms. Lucero responded our decision was based on the RA zoning ordinance. |
| 19 | |
| 20 | Trustee Johnson-Burick asked how the applicant was notified of the denial. |
| 21 | |
| 22 | Mr. Lucero responded Mr. Strain attended the meeting, that question would go to staff. |
| 23 | |
| 24 25 | Trustee Johnson-Burick asked that if the lot line is adjusted it would bring the property up to the New Mexico Environmental requirements. As it is now it is not legal. |
| 26 | |
| 27 | Ms. Banks responded that is correct. |
| 28 | |
| 29 30 | Mr. Cervantes stated there needs to be clarification on which code is being addressed. He addressed the septic systems. |
| 31 | |
| 32 33 34 | Ms. Lucero stated the Planning and Zoning recommended removing the lot line and having one non-conforming lot. |
| 35 36 37 | Trustee Johnson-Burick stated she like the idea of one lot. She asked if leech lines are addressed in the Town of Mesilla's code. |
| 38 39 40 | Mr. Cervantes read the definition of a summary subdivision which the lot line adjustment could be interpreted as. The town does not have that in their codes. |
| 41 42 | Mr. Shannon stated there is no mention of septic tanks in the codes. No new lots are being created so it is |

| 1 2 | Trustee Johnson-Burick asked Ms. Banks which town code would be addressed that would be satisfied through the New Mexico State Environment Division. | | | | | |
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| 3 | | | | | | |
| 5 | Ms. Banks responded the requirement is .75 which is what the small house on Calle de El Paso has. We are not creating new lots or subdivision. | | | | | |
| 6 | | | | | | |
| 7 | Trustee Caro asked if the town has sewer lines on Calle de El Paso. | | | | | |
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| 9 | No one was able to answer the question of the sewer lines on Calle de El Paso. | | | | | |
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| 11 | Trustee Caro stated that may help with the decision. He stated he is going with their appeal. | | | | | |
| 12 | | | | | | |
| 13 | Mayor Pro-Tem Arzabal asked if meeting notices are being sent out on a timely meeting. | | | | | |
| 14 | | | | | | |
| 15 | Mr. Shannon gave the timeline of the postings. He was dealing with the applicant's representative who | | | | | |
| 16 | was aware of the change in meeting time. | | | | | |
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| 18 | Mayor Pro-Tem Arzabal asked who presented the material on their behalf. | | | | | |
| 19 | | | | | | |
| 20 | Mr. Shannon reiterated he spoke to the representative. | | | | | |
| 21 | | | | | | |
| 22 | Mayor Pro-Tem Arzabal asked who presented the information on behalf of the applicant based on this | | | | | |
| 23 | letter it looks like no one did. | | | | | |
| 24 | | | | | | |
| 25 | Mayor Barraza responded staff presents the case, but we encourage the applicant to be present to answer | | | | | |
| 26 | questions. | | | | | |
| 27 | | | | | | |
| 28 29 | Mayor Pro-Tem Arzabal stated the letter states that the applicant was not notified until 2 hours before he was about to board a flight. | | | | | |
| 30 | | | | | | |
| 31 | Mayor Barraza <i>interrupted</i> | | | | | |
| 32 | | | | | | |
| 33 34 | Mayor Pro-Tem Arzabal asked Ms. Banks if she was given adequate time to present this case at the meeting. | | | | | |
| 35 | | | | | | |
| 36 | Ms. Banks stated her client was given a 2-hour notice. | | | | | |
| 37 | | | | | | |
| 38 39 | Mayor Pro-Tem Arzabal responded Mr. Shannon has indicated he was dealing with Mr. Strain's representative. | | | | | |
| 40 | | | | | | |
| 41 42 | Mayor Barraza responded at that time Mr. Shannon was in contact with Ms. Victoria Lucero who was representing Mr. Strain at that time. | | | | | |

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| 2 | Mayor Pro-Tem Arzabal stated he had no idea that there was another person involved until right nov | ν. | | | | |
| 3 | That of the term is a control of the | | | | | |
| 4 5 6 7 8 | Mr. Strain stated the application which had his contact information was submitted on May 15 th ; the first meeting was July 25 th . Ms. Lucero is a mortgage lender; she was trying to make it work. He was not given an opportunity to get on the first meeting and he tried several times. He was notified of the second meeting 2 hours before he was to board a plane back to Denver; not 72 hours. Ms. Lucero was not her representative. He has a chain of emails that should they were not notified. | | | | | |
| 9 | | | | | | |
| 10 11 | Mayor Pro-Tem Arzabal referred to Mr. Cervantes letter and asked if he was in agreement if they we move the lot line. | ere to | | | | |
| | move the lot line. | | | | | |
| 12 | M. C | _ | | | | |
| 13 14 15 | Mr. Cervantes responded the letter was in connection to Case 061088 not to Case 061079. The code would disallow any addition/modification to existing building on the lots. He asked if the first meet was cancelled due to technological issues. | | | | | |
| 16 | was cancelled due to technological issues. | | | | | |
| | Ma Channan manaradad yaq | | | | | |
| 17 | Mr. Shannon responded yes. | | | | | |
| 18 | | | | | | |
| 19 | Mr. Cervantes asked if all scheduled procedures were cancelled. | | | | | |
| 20 | | | | | | |
| 21 | Mr. Shannon responded yes. | | | | | |
| 22 | | | | | | |
| 23 24 | Mr. Cervantes asked if when the meeting was cancelled was there any representation when the meet would be rescheduled. | ing | | | | |
| 25 | | | | | | |
| 26 | Mr. Shannon responded we were not able to contact everyone during the meeting which lasted 10 | | | | | |
| 27 | minutes. | | | | | |
| 28 | | | | | | |
| 29 | Mayor Barraza asked if the property facing Calle de El Paso is on a septic line. | | | | | |
| 30 | | | | | | |
| 31 | Ms. Banks responded it is on a septic line. | | | | | |
| 32 | | | | | | |
| 33 | Mayor Barraza asked where the leech line is on the property. | | | | | |
| 34 | Mayor Barraza asked whole the recent file is on the property. | | | | | |
| 35 | Ms. Banks responded the leech line in on the Stithes property. | | | | | |
| | Ms. Banks responded the recent file in on the Stitles property. | | | | | |
| 36 | Marrie Demonstrated of the Level Line is an the normalist that force Calle de El Demo | | | | | |
| 37 | Mayor Barraza asked if the leech line is on the property that faces Calle de El Paso. | | | | | |
| 38 | | | | | | |
| 39 | Ms. Banks stated the leech line is closer to the Stithes side. | | | | | |
| 40 | | | | | | |
| 41 | Mayor Pro-Tem Arzabal asked why this case did not go to the Board of Adjustments. | | | | | |
| 42 | | | | | | |

1 Mayor Barraza responded the applicant appealed to the Board of Trustees. 2 3 Mr. Strain reviewed the map. 4 5 Trustee Johnson-Burick stated she does not see a survey in their packets verifying the location of the 6 leech lines. 7 8 Ms. Banks stated they can provide a survey map. Inaudible 9 Mr. Strain stated this was done by a survey company. 10 11 Trustee Johnson-Burick stated the application dated February 12th is for a subdivision application. 12 13 Mr. Strain responded that is what he was told to do. 14 15 16 Mayor Barraza asked if that is the same application we are using and why was that information given to the applicant. 17 18 19 Mr. Shannon responded that is the application we are using. The box for summary subdivision is marked. 20 21 Mr. Strain responded he was given that application when we asked for the lot line adjustment. He has spent a lot of money doing what he has been told to do and then he is told it is not right. 22 23 24 Trustee Johnson-Burick stated this is an application for a subdivision; can that be amended to reflect lot 25 line adjustment and not a subdivision. 26 27 Mr. Cervantes stated the note below clarifies the application is for lot lines. Referred to the town code. 28 29 Mayor Pro-Tem Arzabal asked how we can proceed with all the issues that have come up. 30 31 Mr. Cervantes stated this discussion may be a closed session item since there is a threat of litigation. He explained the issue presented is adequacy of notice and procedure. In his opinion this is not an arbitrary 32 or capricious action which is another standard for reversing a decision made by an administrative agency 33 like the Planning and Zoning Commission. 34 35 36 Mayor Barraza stated the Planning and Zoning Commission's vote was based on the non-conforming lots 37 ordinance. 38 39 Ms. Banks asked what is going to happen if we cannot adjust the lot line. She feels there were no basis for the decision made by the Planning and Zoning. Her client did what he was told to do and provided the 40 41 information requested. Inaudible 42

| 1 2 3 4 | Trustee Caro stated he would like to make a motion for approval of the appeal for Case #061079 with the condition that subdivision is removed from the application. Allowing them to adjust the lot lines will make it more of a legal lot even though it will still be non-conforming. |
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| 5 | Mayor Pro-Tem Arzabal asked if motion is only for the lot line adjustment. |
| 6 | |
| 7 | Mayor Barraza responded yes; cases will be voted on separately. |
| 8 | |
| | Ma Charles Hammadan and Consold hammadan and I all and a dark to all and a Dall's Hamiltonia |
| 9 | Ms. Stoehner-Hernandez confirmed there was a roll call vote to close the Public Hearing. |
| 10 | |
| 1 2 3 4 | For Approval/Disapproval: on Case 061079, 2067 Stithes Road and 1780 Calle de El Paso, submitted by Jon Strain; a request to allow a lot line adjustment between these two properties and Case 061088 a request for a zoning permit to allow the construction of a garage/workshop on a residential property at this address Zoned: Rural/ Agricultural (RA) submitted by Ms. CaraLyn Banks on behalf of Mr. Strain. **A resolution stating the board's decision and reasoning shall be approved at the next Board of Trustee meeting** |
| 16 17 18 19 | Motion: To approve Case 061079, 2067 Stithes Road and 1780 Calle de El Paso, submitted by Jon Strain; a request to allow a lot line adjustment between these two properties, Moved by Trustee Caro, Seconded by Mayor Pro-Tem Arzabal. |
| 20 21 | Trustee Johnson-Burick stated she has the most up respect and trust in the Planning and Zoning Commission. She does have concerns they were not presented all the information with regards to Case #061079. |
| 22 | |
| 22 23 24 | Case #061079 Roll Call Vote: Motion passed (summary: Yes =3). |
| 25 | Mayor Pro-Tem Arzabal Yes |
| 26 | Trustee Caro Yes |
| 27 | Trustee Johnson-Burick Yes |
| 28 | |
| 29 30 31 | Motion: To close Regular Meeting and open Public Hearing on Case #061088, Moved by Mayor Pro-Tem Arzabal, Seconded by Trustee Caro. |
| 32 | Roll Call Vote: Motion passed (summary: Yes =3). |
| 33 | Mayor Pro-Tem Arzabal Yes |
| 34 | Trustee Caro Yes |
| 35 | Trustee Johnson-Burick Yes |
| 36 | |
| 37 | Mr. McBurney stated if this case was denied based on non-conforming lot, it will set precedent as there is |
| 38 | a large percentage of non-conforming lots in Mesilla. He asked the board to take that into consideration |
| 39 | when voting on this case. |
| 10 11 | Motion: To close Public Heaving and open Degular Meeting, Moved by Trustee Johnson Duriels |
| 12 13 | Motion: To close Public Hearing and open Regular Meeting, Moved by Trustee Johnson-Burick, Seconded by Mayor Pro-Tem Arzabal. |
| 14 | Roll Call Vote: Motion passed (summary: Yes =3). |
| 15 | Mayor Pro-Tem Arzabal Yes |
| 16 | Trustee Caro Yes |
| 17 | Trustee Johnson-Burick Yes |
| 18 | |

Opened Regular Meeting at 7:30 p.m.

- Motion: To approve Case 061088, a request for a zoning permit to allow the construction of a garage/workshop on a residential property at this address. Zoned: Rural/Agricultural (RA) 3 submitted by Ms. CaraLyn Banks on behalf of Mr. Strain. **A resolution stating the board's 4 5 decision and reasoning shall be approved at the next Board of Trustees meeting**, Moved by
- Trustee Caro, Seconded by Mayor Pro-Tem Arzabal. 6
- 7 Mr. Shannon gave a summary of Case #61088.

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- Ms. Banks stated gave a summary of Mr. Strain's case. Referred to 18.25.20 and 18.25.50. Mr. McBurney made a good comment with regards to precedents. She reviewed prior cases where
- construction applications were approved on non-conforming lots. They are requesting that the town 11 12
 - continue to follow its own precedents and allow residents to for accessory buildings on their properties.
- 13 By approving other applications and denying Mr. Strain would be arbitrary.

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Mr. Cervantes stated he does not know the history of these types of cases. It could be argued in court as to what is arbitrary and capricious. Referred to Chapter 18.60; sections 18.60.050, 18.60.160, 18.60.070, 18.60.080. RA Zone does allow for resident, home occupation and accessory buildings use. The denial was based on the prohibition of enlarging or the expansion of non-conforming use of land or a building.

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Mayor Barraza stated only Historical Residential Cases come to the Board of Trustees. She asked Ms. Banks how many dwellings, besides the home, are on the property.

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Ms. Banks responded the home is the only dwelling on the property.

24 25

Mayor Barraza asked how many accessory buildings are on the property.

26 27

Ms. Banks responded there is a shop, a garage, and the well house. Referred to the photograph of the property.

28 29

Mayor Barraza asked what the large structure is.

30 31

Ms. Banks responded that is the garage.

32 33 34

Trustee Johnson-Burick asked for clarification on the comment made by Ms. Banks that Mr. Shannon had asked Mr. Strain to move the building to the back of the property.

35 36 37

Ms. Banks responded that is what we understood.

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Mr. Shannon responded he was addressing the setbacks; 30 ft. to the back.

41 42 Mayor Barraza asked if he told them that would be approved by the Planning and Zoning.

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Mr. Shannon responded he told them to meet the requirement of the codes it would need to be 30 ft. setback.

44 45 46

Trustee Johnson-Burick stated a business permit does not authorize or grant permission to build more buildings on a lot.

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Mayor Barraza stated ordinances 18.60.050 & 18.60.060 are clear as Mr. Cervantes pointed out to us.

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| 1 | Trustee Caro asked for the size of the building and what material will be used. | | | | | |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--|--|--|--|--|
| 2 3 4 | Mr. Strain responded it will be 30' by 32', will be wood framed with an asphalt shingle roof - matching the existing buildings. | | | | | |
| 5 6 7 | Mayor Barraza asked why the accessory building is not being utilized for what he is requesting. | | | | | |
| 8 9 | Mr. Strain responded the area is the messing building, the new area will be used to do the finish work on projects in a cleaner environment. | | | | | |
| 10 11 12 | Trustee Caro stated he does not have a problem with the proposal. | | | | | |
| 13 14 15 | Mayor Barraza asked the trustees to take into consideration there are already accessory buildings that have not gone through the process. | | | | | |
| 16 17 18 19 | Ms. Banks referred to 18.60.020. One of cases she referenced was a non-conforming lot in the Historical Residential Zone. Mr. Strain provided all the information is requested. Exceptions have been made in the past setting the precedent that needs to be followed. | | | | | |
| 20 21 | Mr. Cervantes addressed arbitrary and capricious. | | | | | |
| Mayor Barraza referenced the letter submitted by Mr. Cervantes. Our ordinances have been in pla long time and we need to continue protecting and preserving the rural area surrounding Mesilla. So hopes the board understands what the purpose is of the ordinances. | | | | | | |
| 26 27 | Motion: To uphold the decision made by the PZHAC and not to approve appeal for Case #061088, Moved by Trustee Johnson-Burick, Seconded by none. | | | | | |
| 28 29 30 | Motion Fails | | | | | |
| 31 32 33 | Motion: To approve PZHAC Case #061088, Moved by Mayor Pro Tem Arzabal, Seconded by Trustee Caro. | | | | | |
| 34 35 | Mayor Barraza asked Mr. Cervantes if we can go into the second motion since the first motion failed. | | | | | |
| 36 37 | Mr. Cervantes responded the board still has consideration for the action. | | | | | |
| 38 39 40 41 | Case #061088 Roll Call Vote: Motion passed (summary: Yes=2, No=1) Mayor Pro-Tem Arzabal Yes Trustee Caro Yes Trustee Johnson-Burick No | | | | | |
| 42 43 | Trustee Johnson-Burick stated that a business license does not allow us to violate our ordinances or not listen to our attorney. | | | | | |
| 44 45 | Mr. Cervantes stated it requires a 2/3 vote to overturn the decision. | | | | | |
| 46 | 8. NEW BUSINESS: | | | | | |
| 47 48 | a) <u>For approval:</u> Ordinance 2020-05: Revising section 18.55.010 Land Uses of the Town of Mesilla Town Code regarding columbariums. | | | | | |

Trustee Johnson-Burick stated our ordinances need to be followed. She commended the Planning and Zoning. Thanked Commissioner Lucero for bringing questions forward.

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Mayor Barraza stated Ms. Stoehner-Hernandez brought something forward to review regarding the 2/3 of members. She will get clarification from the Attorney General's office and legal counsel. She commended staff for a job well done. The Utility Office will be opening October 1st. The court will be closed this week. Ms. Sellers will have activities throughout the month of October. She asked the trustees to send a Ms. Sellers what they want to add to the newsletter. We took an oath to follow the ordinances of the Town of Mesilla. The interpretation and guidance given by the attorney were straight forward. We need to educate ourselves with regards to the ordinances. When we do not follow our ordinances, we are not applying the oath that we took. That why we end up in court litigation.

46 47 48

11. ADJOURNMENT

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

MEETING ADJOURNED AT 8:49 P.M.

APPROVED THIS 13^{th} DAY OF OCTOBER, 2020.

| | Nora L. Barraza Mayor |
|----------------------------------------------------|--------------------------|
| ATTEST: | |
| Cynthia Stoehner-Hernandez Town Clerk/Treasurer | |
| | |
| | |
| | |

BOT ACTION FORM ZONING PERMIT 061127 [PZHAC REVIEW – 10/5/2020]

Items:

Case 061127 – 2765 Boldt Street, submitted by Donna K. Vargas; a request for a zoning permit to install a folding awning over a patio on the rear of a dwelling at this address. Zoned: Historic Residential (HR)

DESCRIPTION OF REQUEST:

The proposed awning is mad of cloth and folding metal bars that will be installed on the rear wall of the dwelling over a rear door. When extended, the awning will meet the required seven foot setbacks from the property lines, and will provide shade to most of the patio at the rear of the dwelling. The color of the shade is a color that is allowed in the catalog of acceptable colors in the Town. Unlike a typical porch or other wooden patio cover, the awning has no supporting upright or columns and there is no standard roof. The proposed awning is not a permanent structure in that it can easily be removed from the dwelling and is available as a kit and is available through most home improvement stores such as Lowes and Home Depot.

ESTIMATED COST: @ \$500.00

Consistency with the Code:

The PZHAC will need to determine that the proposed porches are consistent with the following sections of the Code:

18.06.110 Review of applications within Historical and General Commercial zones - Considerations.

- A. All applications for work in the Historical zones and Commercial zone (not subject to administrative approval) shall be reviewed by the planning, zoning and historical appropriateness commission. The commission shall determine whether the request involved will be appropriate for the purposes of this title. If the request shall be determined to be inappropriate, the board shall determine whether, owing to conditions especially affecting the building or structure involved, but not affecting the historical district generally, such application may be approved without substantial detriment to the public welfare and without substantial derogation of the intent and purposes of this title.
- B. In reviewing an application, the planning, zoning and historical appropriateness commission shall consider in addition to this chapter:
 - 1. The historical and literary value and significance of the site, building, or structure;
 - 2. The general design, arrangement, texture, material and color of the features, sign or billboard involved;
 - 3. The relation of such factors to similar factors or sites, buildings and structures in the immediate surroundings;
 - 4. The appropriateness of the size and shape of the building or structure in relation to:
 - a. The land area upon which the building or structure is situated;
 - b. The landscaping and planting features proposed by the applicant; and
 - c. The neighboring sites, buildings or structures within the historical district.
 - 5. The commission shall also consider the applicable zoning and other laws of the town.

Findings:

- The PZHAC has jurisdiction to review and approve this request.
- The proposed consists of installing a folding awning over a patio at the rear of a dwelling at this address.
- The PZHAC has determined that the proposed work meets all applicable Code requirements.

PZHAC OPTIONS:

- 1. Recommend approval of the requested zoning permit to the BOT.
- 2. Recommend approval of the requested zoning permit to the BOT with conditions.
- 3. Postpone a decision on the request to allow the applicant to modify the request.
- 4. Reject the request.

PZHAC ACTION:

The PZHAC determined that proposed awning will not be out of character with the surrounding area or the Code and voted 5-0 to APPROVE the request as requested.

BOT OPTIONS:

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

BOT ACTION:

AISUIZUZU

Dona County, NM Maps

Doña Ana County, NM

General Reference Maps

2014 Aerial Addresses

ses | County Address Points

Select Search Type: Account Number V 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: R0401045
Parcel Number: 4006137396464
Owner: VARGAS DONNA K
Mail Address: 2765 BOLDT ST
Subdivision: MESILLA FARMS
SUBDIVISION (BK 15 PG 389-390 8822094)

Property Address: 2765 BOLDT ST Acres: 0



SUBJECT PROPERTY FROM BOLDT STREET



RE: The installation of an awning to cover the rear patio of the home at 2765 Boldt Street (Lot 11, Block C, Mesilla Farms Subdivision), Mesilla, NM Owner of Record: Donna Vargas

Dear Board Members and Town of Mesilla,

I have researched the impact of the homeowners' request to add an awning to cover her existing rear patio, which is 14' x 16'. The awning will be 13' x 10', covering only a portion of the patio. There will be no expansion of the home's footprint and will not extend into the home's existing setbacks.

The verbal description of the work to be done furnished indicates the visibility of the installation from the street will be negligible and no more evident than other existing patio cover installations in Mesilla Farms. It is assumed that the work will be performed in a professional manner. The Mesilla Farms Homeowners Association approves the issuing of a permit for the described work from the Town of Mesilla.

Sincerely,

Eric Van Pelt

Mesilla Farms HOA Architectural Committee

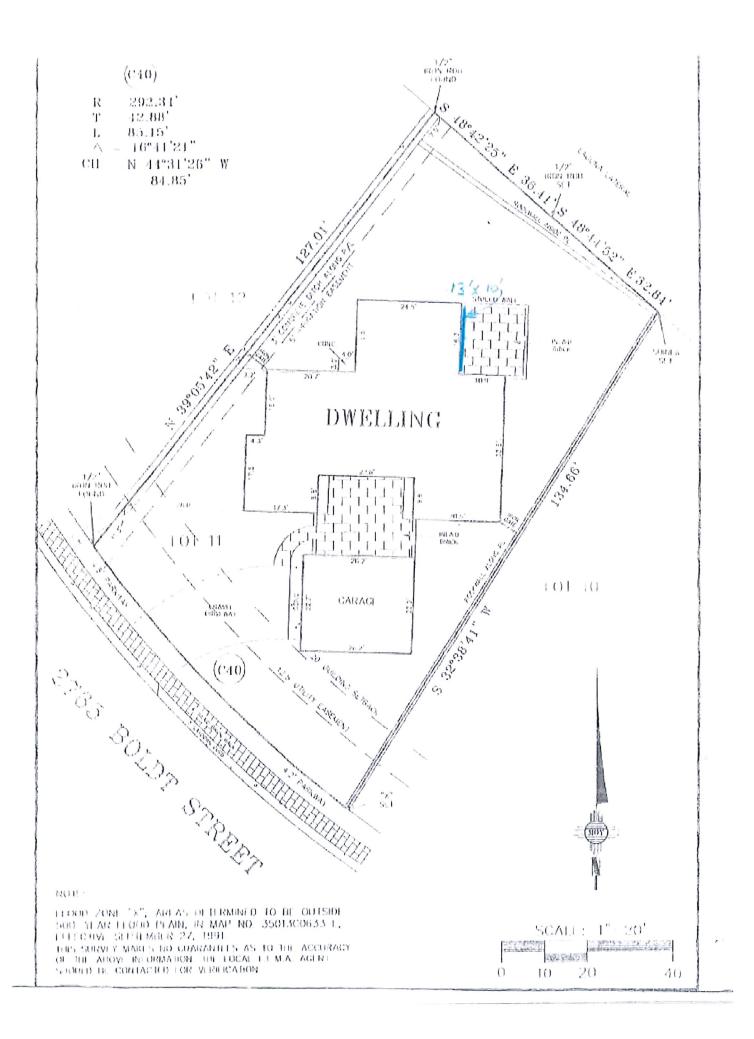
Marin Morney
Concurrence By:

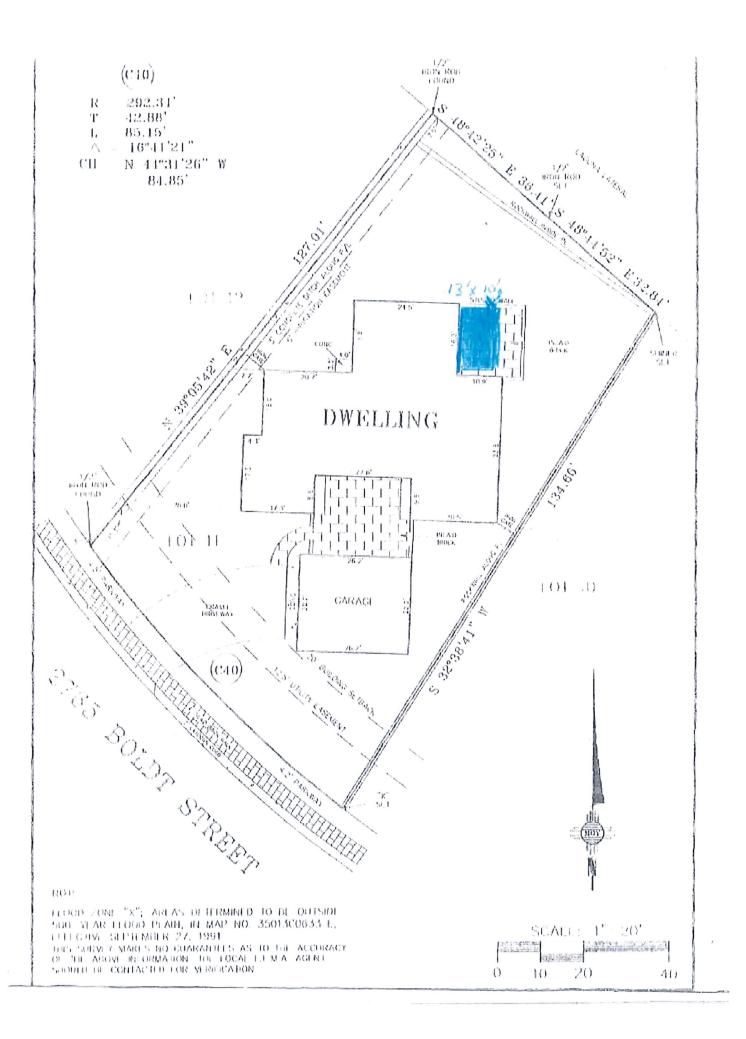
Marcy Toomey

Mesilla Farms HOA President









TOWN OF MESILLA ZONING APPROVAL

OFFICIAL USE ONLY: Case # oG 1127 Fee \$ 45.00

PERMISSION TO CONDUCT WORK OR OBTAIN A COMMERCIAL/RESIDENTIAL BUILDING PERMIT FROM CID

| 2231 Avenida de Mesilla, P.O. Box 10, M | | |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------|
| CASE NO. OL1127 ZONE: HR COD | E:APPLICA | TION DATE: 9/34/20 |
| Donna K. Varges Name of Property Owner 27 12 14 5+ 100 Con | (575) 54 Properly Owner's Teleph | 7-8076 one Number 88005 |
| 2765 Bold F St. Las Cru Property Owner's Mailing Address City | State | Zip Code |
| adobe ville Q gmail. com | 7 | 2. p 2000 |
| Properly Owner's E-mall Address Self 4 forends Contractor's Name & Address (If none, Indicate Self) | | |
| Contractor's Telephone Number Contractor | to the plant of th | tractor's License Number |
| Address of Proposed Work: <u>2765 Boldf</u> | 5+. | 11.00 |
| Description of Proposed Work: <u>Installation</u> | of 13'x 10' retrai | ctableawning |
| on back patio | *************************************** | ~ |
| 500 P (1) 1/1/2 | 7 | 2 Sant 2020 |
| 5500 For awning Albana K Va Estimated Cost Signature of Applicant | Date | |
| | 47 | , |
| Signature of property owner: | Valgar | |
| With the exception of administrative approvals, all permit rec refore issuance of a zoning permit. Plan sheets are to be no | quests must undergo a review pro larger than 11 x 17 inches or shall | ocess from staff, PZHAC and/or Bo to be submitted electronically. |
| FOR OFFI | CIAL USE ONLY | |
| ZHAC Administrative Approval | BOT 🗆 / | Approved Date: |
| Approved Date | | Disapproved Date: |
| Disapproved Date: | | Approved with Conditions |
| Approved with conditions | | , |
| ZHAC APPROVAL REQUIRED. YES NO B | | YESNO |
| CID PERMITAINSPECTION REQUIRED: YES 🗸 N | O SEE CONDITIONS | |
| CONDITIONS PEHAC REVIEW + BOT A | PPROVAL REQUIRED | 1 1 2 - 1 |
| 74 | | |
| | | |
| ERMISSION ISSUED/DENIED BY: | IS | SUE DATE: |
| Plot plan with legal description to show existing s Verification shall show that the lot was LEGALLY existence prior to February 1972. Site Plan with dimensions and details. Floor plan showing rooms, their uses and dimensions. Cross section of walls Roof and floor framing plan Proof of legal access to the property. Drainage plan. Details of architectural style and color scheme (check) Proof of sewer service or a copy of septic tank Public Utility providing water services). Proof of legal access to the property. | Iructures, adjoining streets, drive subdivided through the Town of | Mesilla or that the lot has been |
| Other information as necessary or required by the City | y Code or Community Developmen | nt Department (See other side.) |

BOT ACTION FORM SIGN PERMIT 061128 [PZHAC REVIEW – 10/5/2020]

Case 061128 – 2410 Calle de Principal, Suite C, submitted by Morgan R. Switzer; a request for a sign permit to install a hanging sign for a business ("Be Infused, LLC") at this address. Zoned: Historic Commercial (HC)

Description of Work to be Done:

The applicant would like to install a 22 inch diameter (2.64 square feet) per side circular wooden hanging sign on the side of a commercial building at this address (see attached diagram and photo). The sign will be two sided and have white and black lettering on a turquoise background (see attached photo). The sign will be placed on the north side of the building along with other signs belonging to other tenants of the building. (This same sign was originally approved by the PZHAC in 2018 for the business when it was located on Calle de Santiago about 100 feet east of the northeast corner of the Plaza.)

Consistency with the Code:

The PZHAC must determine that the proposed sign will be consistent with the following Sections of the Sign Code (Chapter 18.65) that specifically apply to this project. (The applicant has been granted a Temporary Sign Permit obtained a permit to hang a temporary banner on the business until she could replace it with a regular sign – see Sign Permit 061129)

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.

[The sign will meet these requirements.]

- B. Projecting signs shall be limited in area as follows:
 - 1. A maximum of four feet projecting from the wall of the building;

[The sign will project less than 3 feet from 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.

[The sign will be 2.64 square feet in size on each side.]

C. 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]

[There will be no supporting wires.]

18.65.220 Number of permitted signs.

A. A total of two exterior signs may be allowed to each store or bona fide place of business.

B. When more than one business occupies a single building each business will be limited to one sign plus a space on a directory sign at each entrance. [Ord. 2008-04 § 11; Ord. 2003-05 § 6; Ord. 94-08; prior code § 11-3-22]

(The set of hanging signs acts as a directory for the businesses in the building.)

Findings of Fact:

- The PZHAC has jurisdiction to review and approve this request.
- The proposed work consists of installing a 2.64 square foot per side 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 determined that proposed hanging sign will not be out of character with the surrounding area or the Code and voted 5-0 to APPROVE the request as requested.

BOT OPTIONS:

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

BOT ACTION:

Doña County, NM Maps 9/28/2020

Doña Ana County, NM

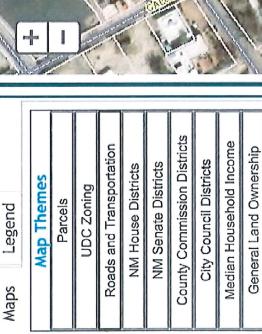
General Reference Maps

Addresses 2014 Aerial

Select Search Type: Account Number Value:

Map Help

County Address Points



Account Number: R0400315
Parcel Number: 4006137229477
Owner: ARMIJO FELIX M &

GUADALUPE R

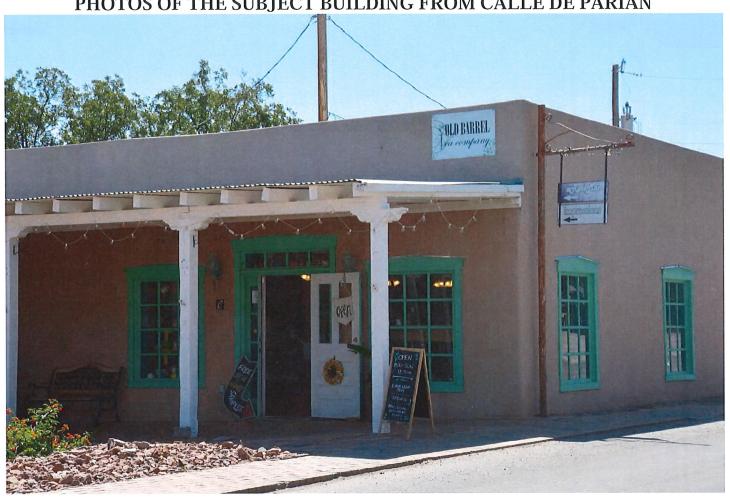
Mail Address: 2004 W UNION

Subdivision:

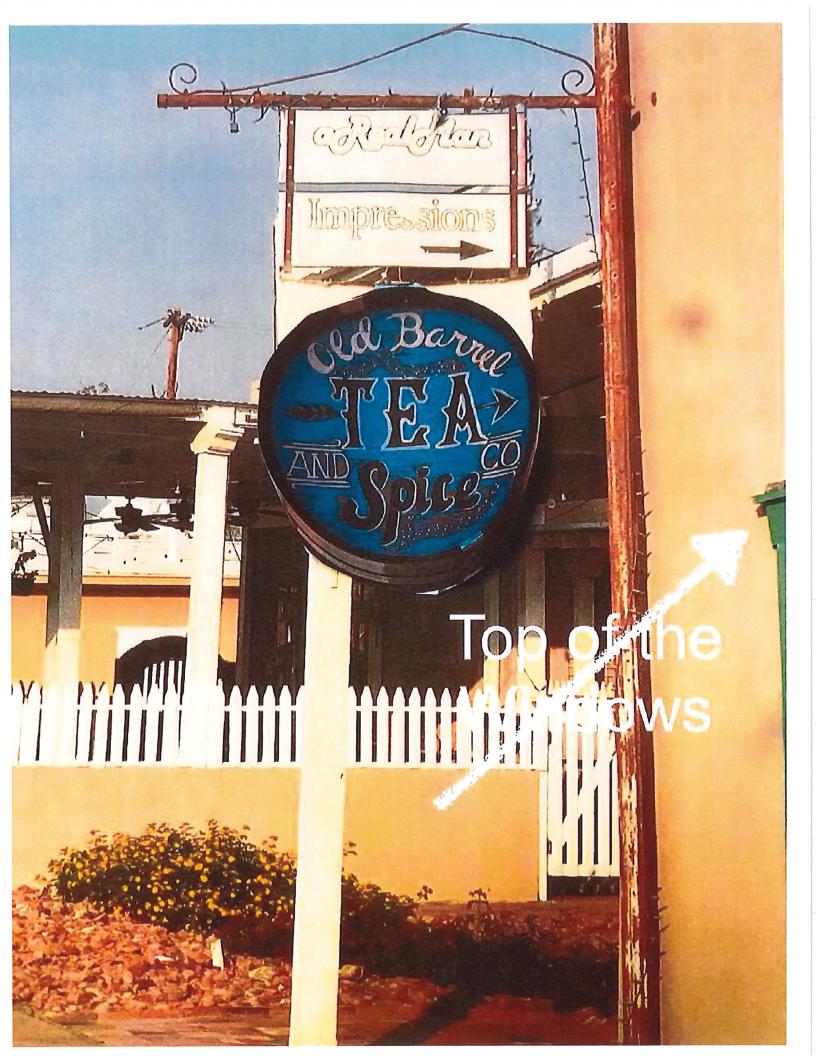
Property Address: 2410 CALLE DE PRINCIPAL Acres: 0



PHOTOS OF THE SUBJECT BUILDING FROM CALLE DE PARIAN









| OFFICIA | AL USE ONLY: | |
|---------|--------------|--|
| Case #_ | 061128 | |
| Fee \$_ | 6,00 | |

| CASE NO. | 611Z8 | ZONE: 4C | A | PPLICA | TION DATE: | 125/20 |
|--------------------------------------------|---------------------------------------------------------------|----------------------|------------------------|---------------------------------|-------------------|-----------------------------------|
| Be Infused L | LC | | | 575-5 | 526-6224 | |
| Business Name | | | | Busine | ss Telephone Nun | nber |
| 2410 Calle d | e Principal, Suite C | Mesilla | | NM | | 88046 |
| Business Addres | SS | City | | State | | Zip Code |
| Morgan R. S | witzer | | | 575-6 | 35-8480 | |
| Applicant Name | | | | Applicant Telephone/Cell Number | | Number |
| PO Box 782 | Mes | silla | NM | 88046 | | 6 |
| Mailing Address | City | | State | | Zip Co | de |
| location to hand | ign: Barrel sign previously d below other Directory Signature | gns. Will still have | over 7 feet | clearanc | e from the bottom | of the barrel for walking traffic |
| | | 2: | 2" round Feet | | | |
| 22" round Feet See attached cut out a pict | | | up - NOT I glued to | to scale the cui | e as we rent | |
| | Golors: Woo | d, turquoise, whil | te/black let | tering | | |
| | | FOR OFFI | CAL US | E ONL | Y | |
| PZHAC | ☐ Administrative App | roval | | вот | ☐ Approved D | ate: |
| | ☐ Approved Date: | | | | ☐ Disapprove | d Date: |
| | ☐ Disapproved Date: | E | | | ☐ Approved w | ith Conditions |
| | ☐ Approved with con- | ditions | | | | |
| CONDITIONS: | PZHAC REVIE | W & BOT APE | ROVAL | | | |
| | | | 1 | _ | | |
| - F | PERMIT ISSUED BY: | | 18 | SSUE DA | NTE: | • |

BOT ACTION FORM SIGN PERMIT 061129 [PZHAC REVIEW – 10/5/2020]

Items:

Case 061129 – 2410 Calle de Principal, Suite C, submitted by Morgan R. Switzer; a request for a sign permit to install a wall sign on a business ("Be Infused, LLC") at this address. Zoned: Historic Commercial (HC)

Description of Work to be Done:

The applicant would like to install a 3 foot by 5 foot (15 square feet) mosaic tile sign with teal/turquoise lettering on a white, black, red, brown and green mosaic tile background (see attached diagram) on the wall at the front of the store above the entrance door and porch (see attached photo).

Consistency with the Code:

The PZHAC will be consistent with the following Sections of the Sign Code (Chapter 18.65) that specifically apply to this project. (The applicant has been granted a Temporary Sign Permit obtained a permit to hang a temporary banner on the business until she could replace it with a regular sign.)

18.65.140 Wall signs.

A. Wall Sign Area.

1. Within the Historical Commercial (H-C) zone, the wall sign area, on any given house or building, shall in no case exceed 10 percent of any wall area including apertures or 15 square feet, whichever is less. Dimensions of painted signs or graphics with no frame shall be determined by measuring the extent of the painted sign or graphic horizontally and vertically and calculating the area

(The proposed wall sign is 15 square feet in area. The sign will not project above the side of the building.)

B. No wall sign shall be permitted to be more than six inches thick. All wall signs shall be safely and securely attached to the building wall. [Ord. 2008-04 § 9; Ord. 2003-05 § 3; Ord. 2000-02 § 1; Ord. 94-08; prior code § 11-3-14]

(The proposed wall sign is less than six inches thick.)

18.65.220 Number of permitted signs.

A. A total of two exterior signs may be allowed to each store or bona fide place of business.

B. When more than one business occupies a single building each business will be limited to one sign plus a space on a directory sign at each entrance. [Ord. 2008-04 § 11; Ord. 2003-05 § 6; Ord. 94-08; prior code § 11-3-22]

(There is a set of hanging signs that acts as a directory for the businesses in the building.)

Findings of Fact:

- The PZHAC has jurisdiction to review and approve this request.
- The proposed work consists of installing a 15 square foot wall sign on the front of a commercial building at this address.
- The subject property is zoned Historical Commercial (HC)
- The proposed signs 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 determined that proposed porches would not be out of character with the surrounding area or the Code and voted 5-0 to APPROVE the request as requested.

BOT OPTIONS:

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

BOT ACTION:

Dona County, NM Maps 9/28/2020

Doña Ana County, NM

General Reference Maps

2014 Aerial

Map Helt

Select Search Type: Account Number V Enter Value: County Address Points Addresses

County Commission Districts

NM Senate Districts NM House Districts

Roads and Transportation

UDC Zoning Parcels

Map Themes

Legend

Maps

Median Household Income

City Council Districts

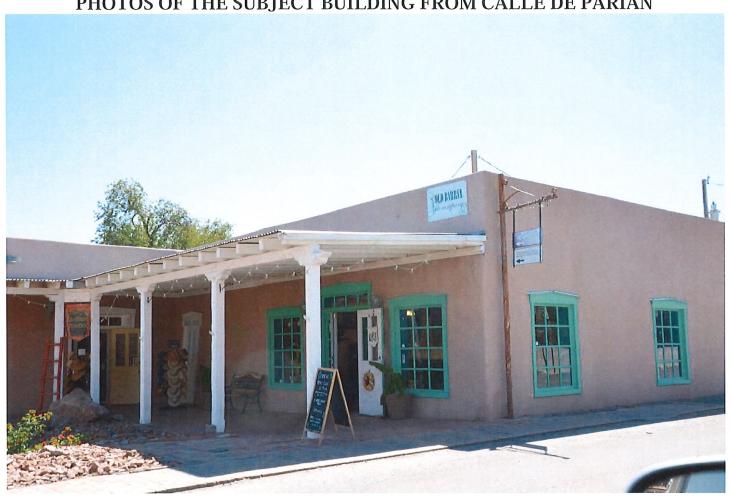
General Land Ownership

Account Number: <u>R0400315</u> Parcel Number: 4006137229477 Owner: ARMIJO FELIX M & GUADALUPE R

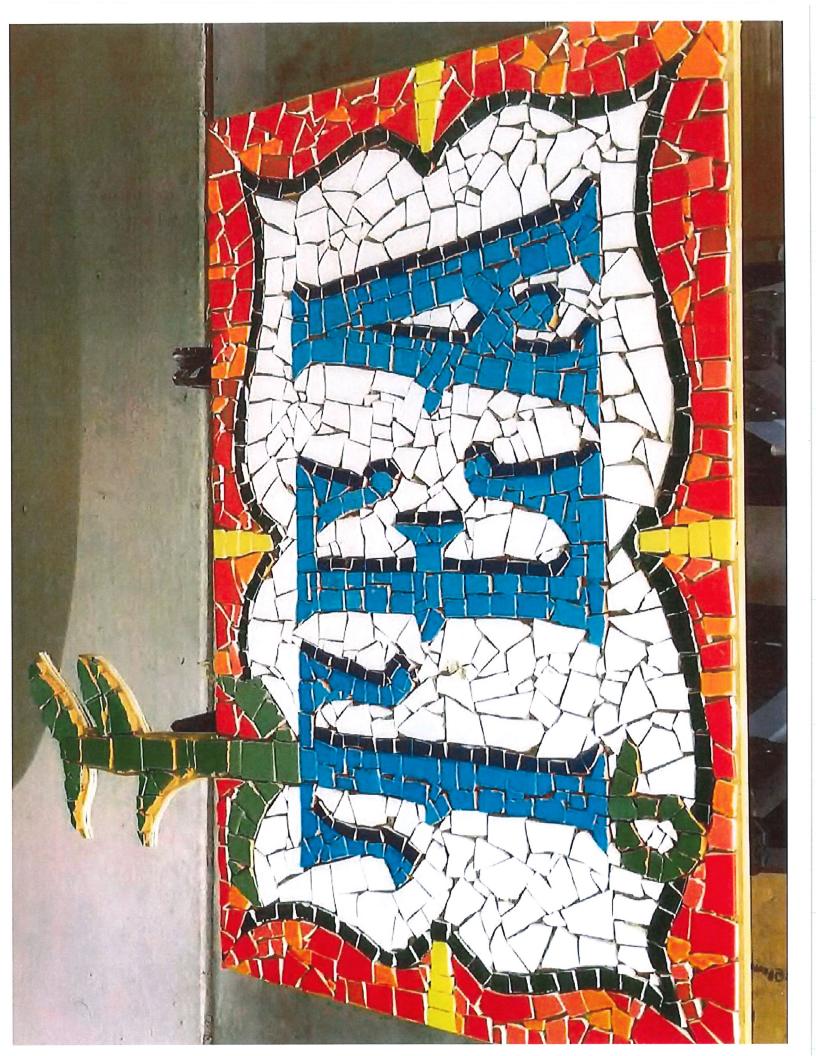
Mail Address: 2004 W UNION

Property Address: 2410 CALLE DE PRINCIPAL Acres: 0 Subdivision:

PHOTOS OF THE SUBJECT BUILDING FROM CALLE DE PARIAN









OFFICIAL USE ONLY:
Case # <u>06 1129</u>
Fee \$ **50,000**

| CASE NO | 061129 | ZONE: NC | APPLICAT | ION DATE: _ | 9/25/20 |
|-----------------|-------------------------------|---------------------------------------|------------------------|------------------|--------------------------------------|
| Be Infused I | LC | | 575-52 | 26-6224 | |
| Business Name | ÷ | , | Busines | s Telephone N | umber |
| 2410 Calle o | de Principal, Suite C | Mesilla | NM | | 88046 |
| Business Addre | ess | City | State | | Zip Code |
| Morgan R. S | Switzer | | 575-6 | 35-8480 | |
| Applicant Name | | | | nt Telephone/C | ell Number |
| PO Box 782 | 2 Me: | silla | NM | 880 | 146 |
| Mailing Addres | s City | | State | Zip C | Code |
| Description of | sign: Mosaic tile featuring o | ur Tea logo. Positi | oning will go where t | he sign was hu | ng by the prior tenant, Adobe Modern |
| The style is ve | ry visually appealing and v | vill flow with the co | lors of the Plaza and | Mesilla. | |
| Please in | clude dimensions, lettering | j, shape, material, | texture, colors, and/o | r finish to be u | sed on the diagram below. |
| 3 | See | attached picture e, Black, Teal/Tu | Feet | n & Green Ti | le. |
| | | FOR OFFI | CAL USE ONLY | | |
| PZHAC | ☐ Administrative App | roval | вот | ☐ Approved | Date: |
| | ☐ Approved Date: | | | ☐ Disapprov | ed Date: |
| | ☐ Disapproved Date: | | | ☐ Approved | with Conditions |
| | ☐ Approved with con- | ditions | | | |
| CONDITIONS | PAMAR REVIE | W 1 BOT APP | ROVAL REGUEN | 69 | |
| | | · | TI | | |
| | PERMIT ISSUED BY: | · · | ISSUE DA | TE: | |

BOT ACTION FORM SUMMARY SUBDIVISION REQUEST CASE 061123 [PZHAC REVIEW – 10/5/2020]

(Decision was based on information presented at Work Session)

Item:

Case 061123 – Properties at and adjacent to 2200 West Union Avenue, submitted by Indalencio Prieto and Ladene Vance; a request for a summary subdivision to adjust the lot lines of three properties to eliminate one lot and to combine part of a lot with a neighboring lot. Zoned: Rural/Agricultural (RA)

Description of Request:

(Discussed during Work Session)

Staff Analysis:

The lot line adjustments were discussed in the PZHAC Work Session held prior to this meeting. If it is determined that the proposal is acceptable for the area as proposed, or if an alternate solution is arrived at, then the case can proceed on the assumption that all requirements of the Code will be satisfied. The PZHAC should continue on to approve the request based on the Findings of Fact stated below.

If, on the other hand, it is determined that the proposed lot line adjustments would not be acceptable to the area, and no other solution can be reached, then the PZHAC should either postpone the case until the applicant can return with a proposal that meets the standards set forth by the PZHAC; or the PZHAC should deny the request based on the request not meeting any or all of the Findings of Fact as listed.

Findings of Fact that need to be met:

- The PZHAC has jurisdiction to review and approve this request.
- There will be no significant negative impacts generated by the proposed lot line adjustment or lot split.
- The proposed lot line adjustment and lot split will not have major negative impacts on Town services to the lot or to the area.
- The proposed lot line adjustment and lot split meet all other applicable Code requirements.

PZHAC ACTION:

The PZHAC determined that proposed expansion of the service area would not be out of character with the Code and voted 4-0 (Commissioner Prieto recused himself from voting on this case) to recommend APPROVAL of this request to the BOT with the following CONDITIONS:

1. The final plat to be filed will show an extension of the existing 20 foot wide easement along the east edge of the Prieto property to Tract 1.

BOT OPTIONS:

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

BOT ACTION:

PZHAC WORK SESSION ZONING PERMITS 061110 [PZHAC REVIEW – 9/21/20]

Item:

Submitted by Indalencio Prieto and Ladene Vance; a request to adjust the lot lines of three properties to eliminate one lot line and combine a portion of an existing lot at 2200 West Union Avenue containing pecan trees with a neighboring lot containing pecan trees (Case 061123). Zoned: Rural/Agricultural (RF)

This case was discussed during the September 21, 2020 PZHAC Work Session, and the main issues that were raised were the fact that the resulting parcel to the north would not have access and would therefore be landlocked, and that the new lot line created to the north of the existing dwelling might violate the rear setbacks for the dwelling. Mr. Prieto pointed out that an existing 20 foot farming easement along the west edge of the Prieto property could be extended to the landlocked property. He also pointed out that the proposed property line near the dwelling was adjusted in the latest survey to address the setback issue. The issue of access to the landlocked parcel was discussed further, and it was determined that the request should be postponed in order to enable the applicants to address the access issue with staff.

Staff discussed the proposed easement with Kevin Hoban, Fire Chief for Mesilla, with respect to the requirements for the creation of a buildable lot. According to Mr. Hoban, the easement as proposed does not meet the requirements for a buildable lot. However, the lot could be considered agricultural and not buildable in which case, the Fire Code would not apply to the lot and access is not required by the Fire Code. If the easement was increased to 30 feet wide, the PZHAC would need to determine what improvements will be necessary to make the easement acceptable for the proposed creation of the lot. Typically, the following requirement from Chapter 17 – Subdivisions would apply:

17.30.040 Subdivisions - Street and alley standards.

I. The road cross-section of all subdivisions shall comply with the following standards:

| Average Daily Traffic | Standard Cross- section |
|-----------------------------|----------------------------|
| 0 – 150 | 30-foot roadway width |
| | plus curb and gutter |

Description of Request:

Two of the applicants, Debra and Ladene Vance, own two properties in the RA zoning district having a total of 12 acres. Pecan trees make up a large part of these properties. The applicants would like to combine the two properties, and then split off the portions of the properties that contain the pecan trees. Mr. Prieto, the neighbor to the east, operates a number properties that contain pecan trees, and is interested in acquiring the land containing the pecan trees. The Vances will retain the remainder of the land (3.10 acres). This property will have direct access to Calle del Sur. All opf the resulting lots will meet the three acre size required by the RA zoning of the properties.

The primary issues with the request were that the northernmost property (4 acres), would be land locked and would not have access to a street. The applicants were informed of this and are in the process of extending an existing 20 foot wide easement to the property. This easement will need to meet Fire Code standards to allow emergency equipment to the property. Additionally, water and liquid waste requirements will need to meet legal standard for development of the property. These issues could be resolved if the northern property were to be combined with a neighboring property.

The applicants also need to ensure that the rear setbacks for the dwelling will be met once the new property line is created.

The applicants will be present at the meeting by "Zoom" or by phone to provide further details about the proposed enclosure and will be available to answer any questions that may arise.

SUBDIVISION APPLICATION

OFFICIAL USE ONLY;
Case # 06 #23
Fee \$ 150.00

| CASE NO. 06 | 123 | ZONE: | RA | | CODE: | SUM, | SUBD | AF | PLICATI | ON DA | ATE: | 9/16/20 | 1 |
|------------------------------------------------------------------------------------|-------------------------|------------------------|-----------------------------|----------|--------------------------|---------|-----------------|----------|---------------------------|---------|-------|----------------|------------|
| ☐ Preliminary | Plat | Sı | ımmary Su | bdivisi | on | | □F | inal F | Plat | | 1 | Vacation o | f Lot Line |
| INDALENCIO P | | LADEN | E VANCE | | | | 964-7700 | | | | | | |
| Name of Applica | int | | | | MESILLA | Applic | ant's Tel | | ne/Cell No | umber | | | |
| P.O. BOX 286 | | | | | MESILLA | | | | M | | | 88046 | |
| Mailing Address | | | | | City | | | St | ate | | | Zip Cod | de |
| 2200 W UNIC | ON AVENU | JE | | | MESILLA | Z | | NN | 1 | | | 88005 | |
| Owner of Record | d: Addres | S | | | City | | | St | ate | | | Zip Co | de |
| DONOHUE LAN | ID SURVI | EYS | 8172 | 3010 | BOWMA | N STR | EET, LAS | CRL | ICES, NN | M, 8800 | 05 | 575-523- | 1114 |
| Name of Engine | er | Licens | e#ofEngin | eer | | Addre | SS | | are year believe a second | | Tele | ephone/Cell | Number |
| Name of Archite | ct | Licens | e # of Archit | ect | | Addre | ss | | | | Tele | ephone/Cell | Number |
| VANCE & PR | IETO SUB | DIVISION | N | | | | | | | | | | |
| Subdivision Nam | ne | | | | | Subdi | vision Lo | cation |) | | | | - |
| Total Acreage | 12.2 | 2 ACRES | 5 | | | Numb | er of Lots | e ' | 3 | | | | |
| Acreage of Large | est Lot: | 4.62 | | | | | ge of Sm | - | | 1.50 | | | |
| Legal Descriptio | nA | | | | | VN OF N | MESILLA, I | DONA | ANA COL | | | MEXICO, IN | |
| T, 23S., R.1E., N | .M.P.M. O | F THE U. | S.R.S. SURV | EYS, AS | PART OF | U.S.R. | S. TRACT | 11B-7 | 4, 11B-76 | , AND L | J.S.R | R.S. TRACT 1 | IB-751 |
| Tax Map Pr □ A ZONE PROPERTY □ EXPLAIN | CHANG! ⁄. | ode (s) _ E, VARI/ | ANCE, EXE | MPTION | N, OR SF | PECIAL | Jacob PERMIT | | | IG RE | QUE | STED WITH | THIS |
| By signing this a correct to the be- without the origin sign the applicat | st of your nal signa | knowled ture of the | lge and that ne owner(s) | all prov | risions of ord of the | the Tov | vn of Mes | silla sh | nall be me | et. No | appl | ication will b | e accepted |
| | 1a | a- | | ′ / | | | | | | 9/1 | 5/ | 2020 | |
| Owner(s) | 11 | ~ | 14 | 1 | | | | | Da | ate | 1 | 1 | |
| - Small | WAR! | 1 | 1. Mu | 10 | _ | | | | | 9 | 1/3 | 5/2020 |) |
| Applicant(s) (if d | | 1/ | , , | | | | | | Da | ate / | | | |
| | | / | | FOI | ROFFIC | AL US | E ONLY | | | | | | |
| PZHAC | □ Adh | inistrativ | e Approval | | | BOT | | | Approve | d Date | e: | | |
| | ☐ App | roved Da | ate: | | | | | | Disappre | oved D |)ate: | | |
| | ☐ Disa | pproved | Date: | | | | | | Approve | ed with | Con | ditions | |
| | ☐ App | roved wi | th conditions | s | | | | | | | | | |
| CONDITIONS: | | | | | | | | | | | | | |
| | | | | | | | | | | | | | |

Doña County, NM Maps

9/15/2020

Doña Ana County, NM

General Reference Maps

Addresses 2014 Aerial

County Address Points

Select Search Type: Account Number Value:

Map Themes Parcels Legend Maps

Roads and Transportation **UDC** Zoning

NM House Districts

NM Senate Districts

County Commission Districts

City Council Districts

Median Household Income

General Land Ownership

Account Number: <u>80401612</u> Parcel Number: 4006138394250

Owner: VANCE L & D WIRKNER-VANCE REV TRUST

Mail Address: 2200 W UNION AVE Subdivision:

Property Address: 2200 W UNION

Acres: 7.19



Doña County, NM Maps

9/15/2020

Doña Ana County, NM

General Reference Maps

Addresses 2014 Aerial

County Address Points

Select Search Type: Account Number < Enter Value:

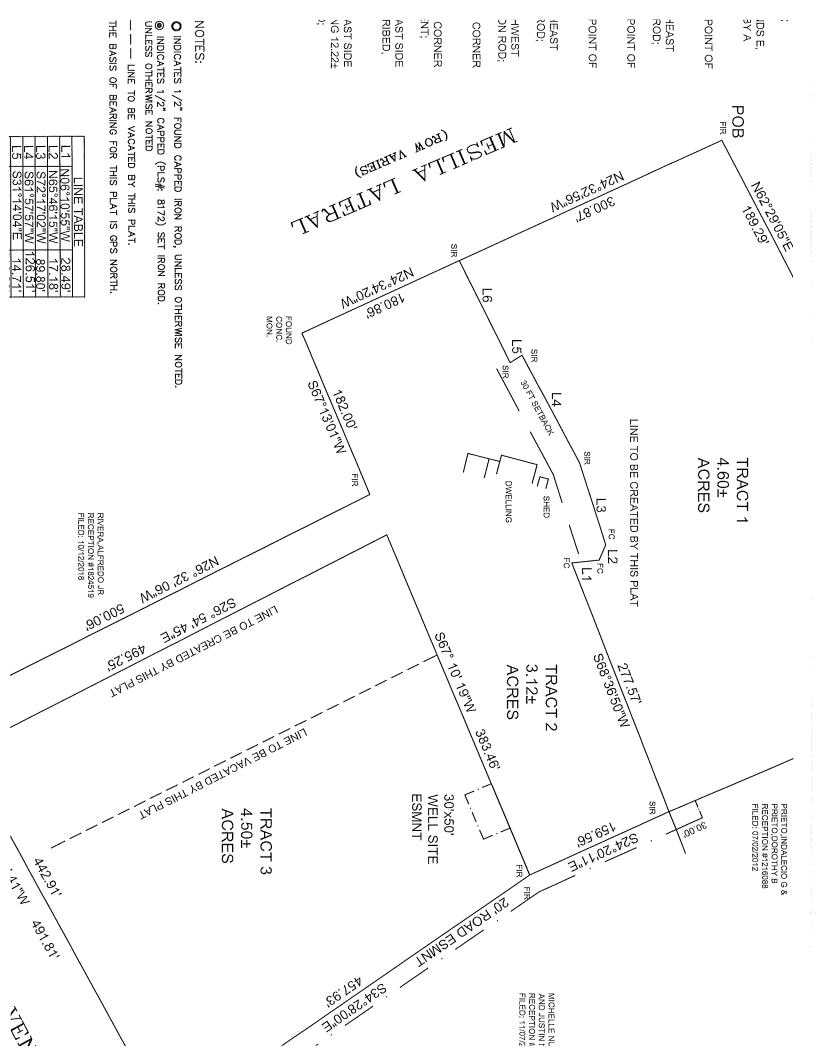
County Commission Districts Median Household Income Roads and Transportation General Land Ownership City Council Districts **NM Senate Districts** NM House Districts Map Themes UDC Zoning Parcels Legend Maps

Account Number: <u>R0401137</u> Parcel Number: 4006138410290 Owner: VANCE L & D WIRKNER-

Mail Address: 2200 W UNION AVE VANCE REV TRUST

Property Address: W UNION AVE Acres: 2.03 Subdivision:





BOT ACTION FORM ZONING PERMIT 061120 [PZHAC REVIEW – 9/21/2020]

Items:

Case 061120 – 2230 Avenida de Mesilla, submitted by Jesus Lucero; a request for a zoning permit to allow sections of fencing to be installed around a commercial property at this address for security reasons. Zoned: Historic Commercial (HC)

The applicant would like to add sections of fence to an existing fence and wall (see site plan for the posed configuration of the fence sections) in order to enclose the entire property for security purposes. There are two types of fences to be used. One will consist of a wood frame around wire sheep fencing (see attached photos) that will be six feet tall. The second will be a corrugated metal and wood fence six feet tall (see attached photos).

A 25 foot section of the wood and wire fence will run from the edge of an existing wall and fence at the front of the property along the south property line to a proposed section of corrugated metal fence that will extend about thirty feet along the south property line to an existing block wall. From the wall, which extends to the rear property line, two sections of fence, one a 30 foot long corrugated metal and the other a 45 foot long wood and wire fence, will run north along the west (rear) property line to an eighteen foot long section of corrugated fence to be located along the north property line that will then connect with the applicant's building. Additionally, a fifty foot long section of wood and wire fence will run north-south through the middle of the property.

A right-of-entry agreement will be needed with one of the property owners along the southern property line. The other property along the southern property line has the existing wall and there will not be a fence on the property line with this property. The applicant owns the property to the west.

Consistency with the Code: The PZHAC will need to determine that the proposed fence styles will be compatible with the fence styles allowed in the Town. (Examples of both styles of fence had been allowed throughout Town.) The proposed fences will need to be consistent with the following sections of the Code:

Chapter 18.35 HR – Historical Residential Zone

The fence could be compatible with the HR zoning of the property if the PZHAC determines that the fence sections enhance the Historical nature of the dwelling.

Chapter 18.33 – Historic Preservation

18.33.040 Declaration of purpose and statement of public policy.

A. The board of trustees declares that the historical heritage of Mesilla and its historic buildings and its historic districts are among its most valued and important assets. The board finds that some buildings having historical, architectural, aesthetic and cultural value have been neglected, altered or destroyed notwithstanding the feasibility of preserving and continuing the use of such buildings and without adequate consideration of the irreplaceable loss to the public and the town. The board finds that the historic character of Mesilla is of vital importance in maintaining the economy of the town and that its historic landmarks and the buildings in its historic district can be preserved, rehabilitated and used. The board finds that this chapter benefits all the residents of Mesilla and all the owners of property.

Estimated Cost: (a) \$5,000.00

Findings that need to be made:

- The PZHAC has jurisdiction to review and recommend approval of this request to the BOT.
- The proposed work consists of replacing windows on a dwelling at this address.
- The PZHAC has determined that the proposed work meets all applicable Code requirements.

PZHAC ACTION:

The PZHAC determined that although there is a need for the type of fencing proposed for security purposes, there does not appear to be anything similar in the Historic Commercial zoning district, therefore the PZHAC voted 4-0 to recommend APPROVAL to the BOT of the fences requested by the applicant as temporary fence with the following CONDITION:

1. The subject fences will be allowed as long as the applicant is in business.

BOT OPTIONS:

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

BOT ACTION:

9/15/2020

Doña County, NM Maps

Doña Ana County, NM

General Reference Maps

Addresses 2014 Aerial

County Address Points

Select Search Type: Account Number V Enter Value:

Legend

Map Themes

Maps

UDC Zoning Parcels

Roads and Transportation

NM Senate Districts NM House Districts

County Commission Districts

City Council Districts

Median Household Income

General Land Ownership

Account Number: R0400324

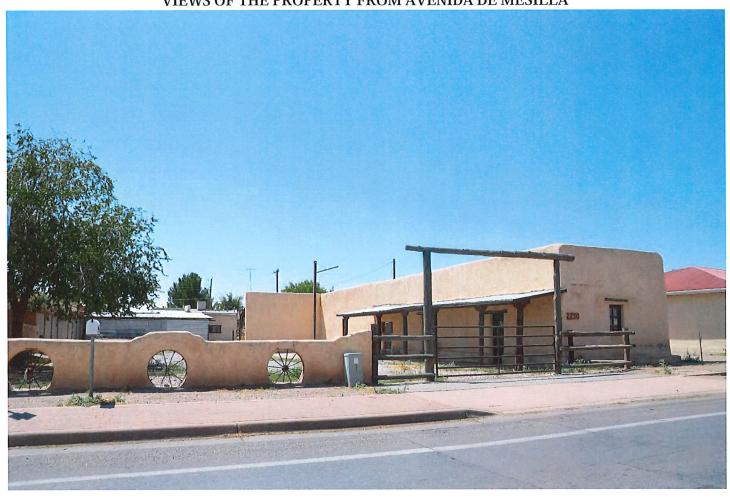
Parcel Number: 4006137243402 Owner: LUCERO JESUS D Mail Address: PO BOX 335

Subdivision:

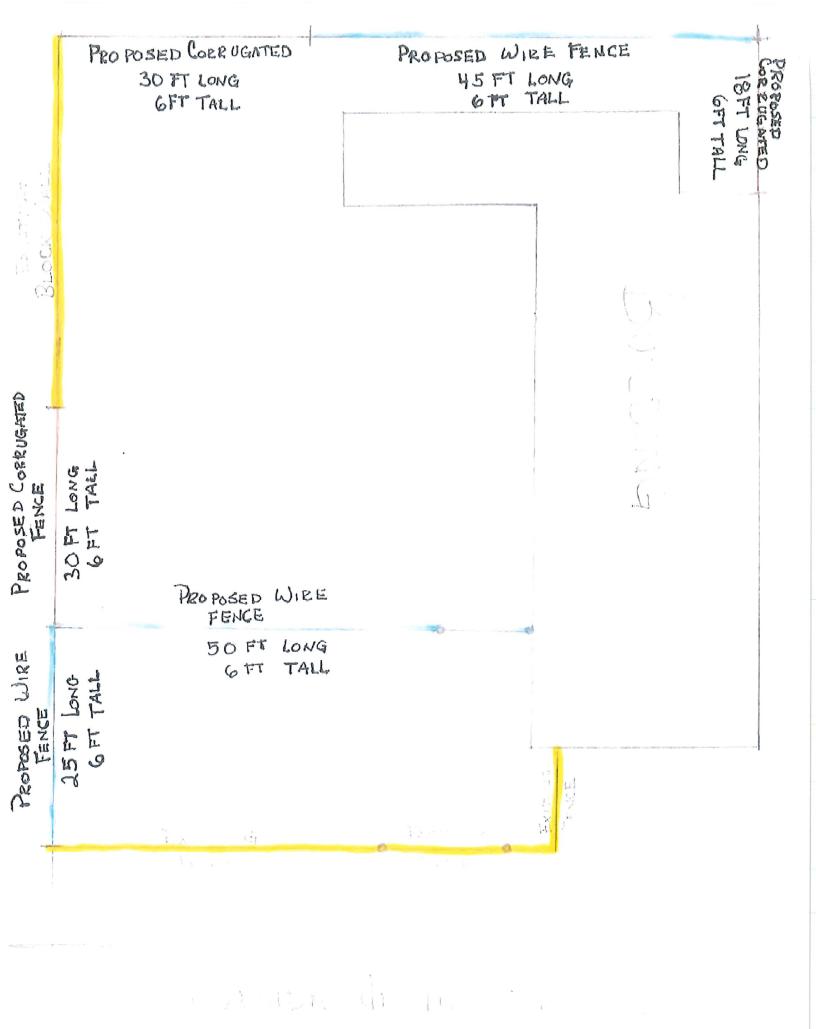
Property Address: 2230 AVENIDA DE MESILLA Acres: 0



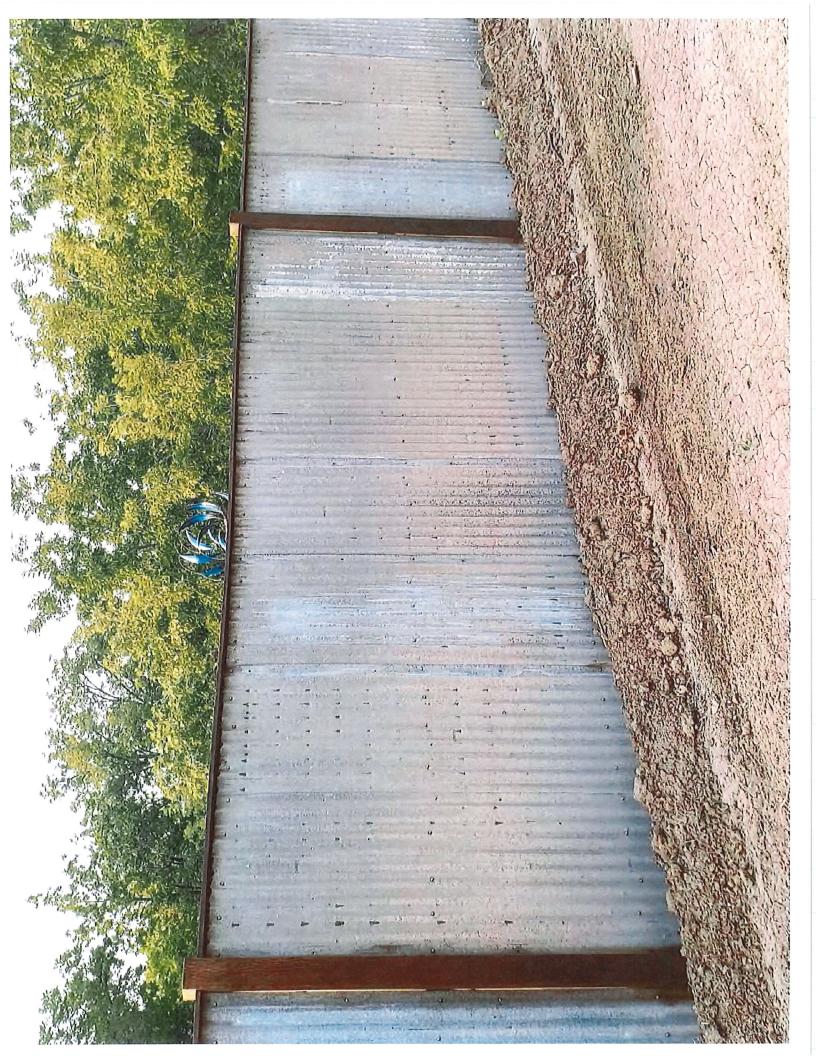
VIEWS OF THE PROPERTY FROM AVENIDA DE MESILLA

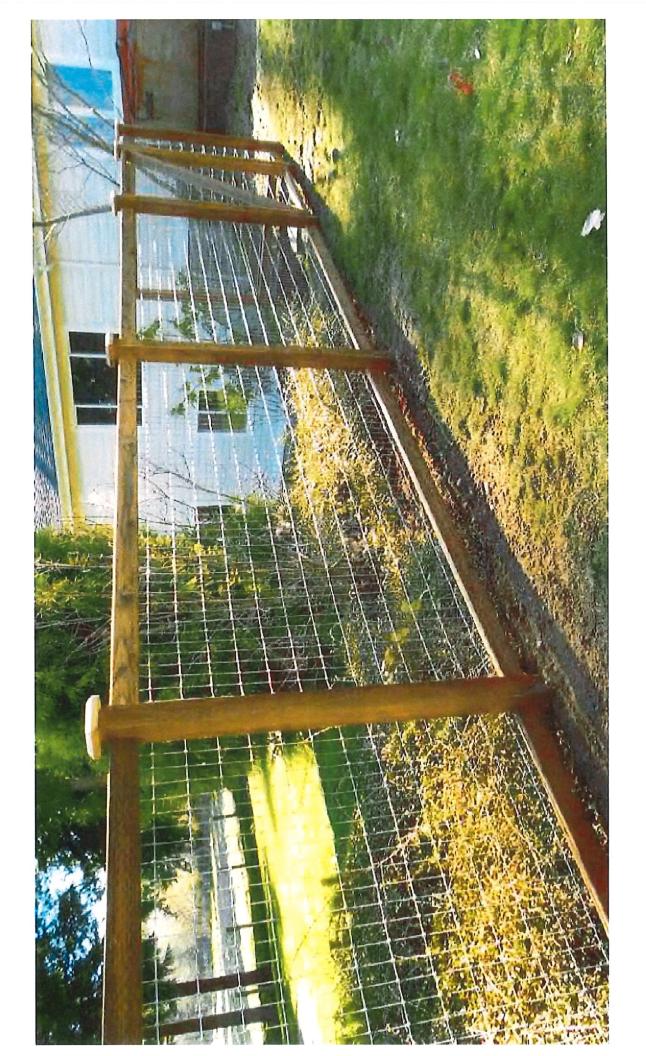












OR OBTAIN A COMMERCIAL/RESIDENTIAL BUILDING PERMIT FROM CID

061120 H BURGOU K

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| | 335 | ME | SILLA | | NM | 88046 | , |
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| | er's E-mail Address | | | | | | |
| | - lame & Address (If no | TENANT/A | PPLICANT | | | | |
| Contractor's N | ame & Address (If no | ne, indicate/Self) |) | | | | |
| Contractor's T | elephone Number | | Contractor's Ta | ex ID Numb | er | Contractor's License Numbe | Г |
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| HIS APPLICAT | TION SHALL INCLUE | E ALL OF THE F | OLLOWING: | | | | |
| | | | | | | driveway(s), improvements | |
| | cation <u>shall</u> show that nce prior to February | | EGALLY sub | divided thr | ough the Tow | n of Mesilla or that the lot | has been in |
| | lan with dimensions a | | | | | | |
| | lation plan with detail | | | | | | |
| | plan showing rooms, section of walls | their uses and di | mensions. | | | | |
| | and floor framing plan | | | | | | |
| Proof | of legal access to the | | | | | | |
| Draina | age plan. | | | | | | |

STATE OF NEW MEXICO DEPARTMENT OF FINANCE AND ADMINISTRATION FUND 93100 CAPITAL APPROPRIATION PROJECT

THIS AGREEMENT is made and entered into as of this ____ day of _____, 20 ____, by and between the Department of Finance and Administration, State of New Mexico, acting through the Local Government Division, Bataan Memorial Building, Room 202, Santa Fe, New Mexico, 87501, hereinafter called the "Department" or abbreviation such as "DFA/LGD", and the Town of Mesilla, hereinafter called the "Grantee." This Agreement shall be effective as of the date it is executed by the Department.

RECITALS

WHEREAS, in the Laws of 2020, Chapter 81, Section 72, Para. 29, the Legislature made an appropriation to the Department, funds from which the Department is making available to the Grantee pursuant to this Agreement; and

WHEREAS, the Department is granting to Grantee, and the Grantee is accepting the grant of, funds from this appropriation, in accordance with the terms and conditions of this Agreement; and

WHEREAS, pursuant to Sections 9-6-5 and 9-6-5.1 NMSA 1978, the Secretary of the Department of Finance and Administration has the power and the authority to (i) maintain long-range estimates and plans for capital projects and develop standards for measuring the need for, and utility of, proposed projects; (ii) contract for, receive and utilize any grants or other financial assistance made available by the United States government or by any other source, public or private; (iii) provide planning and funding assistance to units of local government, council of government organizations, Indian tribal governments situated within New Mexico, and to nonprofit entities having for their purpose local, regional or community betterment; (iv) incident to any such programs, may enter into contracts and agreements with such units of local government, council of government organizations, Indian tribal governments, nonprofit entities and the federal government; and (v) delegate such authority to the Local Government Division as being necessary and appropriate to such delegation;

AGREEMENT

NOW, THEREFORE, in consideration of the mutual covenants and obligations contained herein, the parties hereby mutually agree as follows:

ARTICLE I. PROJECT DESCRIPTION, AMOUNT OF GRANT AND REVERSION DATE

A. The project that is the subject of this Agreement is described as follows: 20-E3389 \$\frac{\$110,000.00}{\$110,000.00}\$ Appropriation Reversion Date: 6/30/2022

Laws of 2020, Chapter 81, Section 72, Para. 29, One Hundred Ten Thousand Dollars (\$110,000.00) to purchase and equip vehicles for the marshal's department in Mesilla in Dona Ana county.

The Grantee's total reimbursements shall not exceed One Hundred Ten Thousand Dollars (\$110,000.00) (the "Appropriation Amount") minus the allocation for Art in Public Places ("AIPP")[1], if applicable, Zero Dollars (\$0.00), which equals One Hundred Ten Thousand Dollars (\$110,000.00) (the "Adjusted Appropriation Amount").

In the event of a conflict among the Appropriation Amount, the Reversion Date, as defined herein and/or the purpose of the Project, as set forth in this Agreement, and the corresponding appropriation language in the laws cited above in this Article I (A), the language of the laws cited herein shall control.

This project is referred to throughout the remainder of this Agreement as the "Project"; the information contained in Article I (A) is referred to collectively throughout the remainder of this Agreement as the "Project Description". The Grantee shall reference the Project's number in all correspondence with and submissions to the Department concerning the Project, including, but not limited to, Requests for Payment and reports.

ARTICLE II. LIMITATION ON DEPARTMENT'S OBLIGATION TO MAKE GRANT DISBURSEMENT TO GRANTEE

A. Upon the Effective Date of this Agreement, for permissible purposes within the scope of the Project Description, the Grantee shall only be reimbursed monies for which the Department has issued and the Grantee has received a Notice of Department's Obligation to Reimburse [2] Grantee (hereinafter referred to as "Notice of Obligation"). This Grant Agreement and the disbursement of any and all amounts of the above referenced Adjusted Appropriation Amount are expressly conditioned upon the following:

- (i) Irrespective of any Notice of Obligation, the Grantee's expenditures shall be made on or before the Reversion Date and, if applicable, an Early Termination Date (i.e., the goods have been delivered and accepted or the title to the goods has been transferred to the Grantee and/or the services have been rendered for the Grantee); and
- (ii) The total amount received by the Grantee shall not exceed the lesser of: (a) the Adjusted Appropriation Amount identified in Article I(A) herein or (b) the total of all amounts stated in the Notice(s) of Obligation evidencing that the Department has received and accepted the Grantee's Third Party Obligation(s), as defined in subparagraph iii of this Article II(A); and
- (iii) The Grantee's expenditures were made pursuant to the State Procurement Code and execution of binding written obligations or purchase orders with third party contractors or vendors for the provision of services, including professional services, or the purchase of tangible personal property and real property for the Project, hereinafter referred to as "Third Party Obligations"; and
- (iv) The Grantee's submittal of timely Requests for Payment in accordance with the procedures set forth in Article IX of this Agreement; and
- (v) In the event that capital assets acquired with Project funds are to be sold, leased, or licensed to or operated by a private entity, the sale, lease, license, or operating agreement:
 - a. must be approved by the applicable oversight entity (if any) in accordance with law; or
 - b. if no oversight entity is required to approve of the transaction, the Department must approve the transaction as complying with law.

Prior to the sale, lease, license, or operating agreement being approved pursuant to Articles II(A)(v)(a) and II(A)(v)(b) herein, the Department may, in its sole and absolute discretion and unless inconsistent with New Mexico State Board of Finance imposed conditions, reimburse the Grantee for necessary expenditures incurred to develop the Project sufficiently to make the sale, lease, license, or operating agreement commercially feasible, such as plan and design expenditures; and

^[1] The AIPP amount is "an amount of money equal to one percent or two hundred thousand dollars (\$200,000), whichever is less, of the amount of money appropriated for new construction or any major renovation exceeding one hundred thousand dollars (\$100,000)." Section 13-4A-4 NMSA 1978.

^{[2] &}quot;Reimburse" as used throughout this Agreement includes Department payments to the Grantee for invoices received, but not yet paid, by the Grantee from a third party contractor or vendor, if the invoices comply with the provisions of this Agreement and are a valid liability of the Grantee.

- (i) The Grantee's submission of documentation of all Third Party Obligations and amendments thereto (including terminations) to the Department and the Department's issuance and the Grantee's receiving of a Notice of Obligation for a particular amount in accordance with the terms of this Agreement shall be governed by the following:
 - a. The Grantee shall submit to the Department one copy of all Third Party Obligations and amendments thereto (including terminations) as soon as possible after execution by the Third Party but prior to execution by the Grantee.
 - b. Grantee acknowledges and agrees that if it chooses to enter into a Third Party Obligation prior to receiving a Notice of Obligation that covers the expenditure, it is solely responsible for such obligations.
 - The Department may, in its sole and absolute discretion, issue to Grantee a Notice of Obligation for the particular amount of that Third Party Obligation that only obligates the Department to reimburse Grantee's expenditures made on or before the Reversion Date or an Early Termination Date. The current Notice of Obligation form is attached to this Agreement as Exhibit 2.
 - d. The date the Department signs the Notice of Obligation is the date that the Department's Notice of Obligation is effective. After that date, the Grantee is authorized to budget the particular amount set forth in the Notice of Obligation, execute the Third Party Obligation and request the Third Party to begin work. Payment for any work performed or goods received prior to the effective date of the Notice of Obligation is wholly and solely the obligation of the Grantee.
- A. The Grantee shall implement, in all respects, the Project. The Grantee shall provide all necessary qualified personnel, material, and facilities to implement the Project. The Grantee shall finance its share (if any) of the costs of the Project, including all Project overruns.
- B. Project funds shall not be used for purposes other than those specified in the Project Description.
- C. Unless specifically allowed by law, Project funds cannot be used to reimburse Grantee for indirect Project costs.

ARTICLE III. NOTICE PROVISIONS AND GRANTEE AND DEPARTMENT **DESIGNATED REPRESENTATIVES**

Whenever written notices, including written decisions, are to be given or received, related to this Agreement, the following provisions shall apply.

The Grantee designates the person(s) listed below, or their successor as their official representative(s) concerning all matters related to this Agreement.

Grantee:

Town of Mesilla Rodney McGillvray

Name: Title:

Public Works Director

Address:

2231 Avenida de Mesilla, Mesilla, NM 88046

Email:

rodm@mesillanm.gov

Telephone: (575) 524-3262

The Grantee designates the person(s) listed below, or their successor, as their Fiscal Officer or Fiscal Agent concerning all matters related to this Agreement.

Grantee:

Town of Mesilla Cynthia Stoehner- Hernandez Finance

Name: Title:

Town Clerk

Address:

2231 Avenida de Mesilla, Mesilla, NM 88046

Email:

cynthia-h@mesillanm.gov

Telephone: (575) 524-3262

The Department designates the persons listed below, or their successors, as Points of Contact for matters related to this Agreement.

Department: DFA/Local Government Division

Name: Ariana Vigil Title: Project Manager

Address: Bataan Memorial Bldg. Rm 202, Santa Fe, New Mexico, 87501

Email: arianam.vigil@state.nm.us

Telephone: (505) 827-8065

The Grantee and the Department agree that either party shall send all notices, including written decisions, related to this Agreement to the above named persons by email, or regular mail. In the case of mailings, notices shall be deemed to have been given and received upon the date of the receiving party's actual receipt or five calendar days after mailing, whichever shall first occur. In the case of email transmissions, the notice shall be deemed to have been given and received on the date reflected on the delivery receipt of email.

ARTICLE IV. REVERSION DATE, TERM, DEADLINE TO EXPEND FUNDS

A. As referenced in Article I (A), the applicable law establishes a date by which Project funds must be expended by Grantee, which is referred to throughout the remainder of this Agreement as the "Reversion Date." Upon being duly executed by both parties, this Agreement shall be effective as of the date of execution by the Department. It shall terminate on 6/30/2022, the Reversion Date, unless Terminated Before Reversion Date ("Early Termination") pursuant to Article V herein.

B. The Project's funds must be expended on or before the Reversion Date and, if applicable, Early Termination Date of this Agreement. For purposes of this Agreement, it is not sufficient for the Grantee to encumber the Project funds on its books on or before the Project's Reversion Date or Early Termination Date. Funds are expended and an expenditure has occurred as of the date that a particular quantity of goods are delivered to and received by the Grantee or title to the goods is transferred to the Grantee and/or as of the date particular services are rendered for the Grantee. Funds are *not* expended and an expenditure has *not* occurred as of the date they are encumbered by the Grantee pursuant to a contract or purchase order with a third party.

ARTICLE V. EARLY TERMINATION

A. <u>Early Termination Before Reversion Date Due to Completion of the Project or Complete Expenditure of the Adjusted Appropriation or Violation of this Agreement</u>

Early Termination includes:

- (i) Termination due to completion of the Project before the Reversion Date; or
- (ii) Termination due to complete expenditure of the Adjusted Appropriation Amount before the Reversion Date; or
- (iii)Termination for violation of the terms of this Agreement; or
- (iv) Termination for suspected mishandling of public funds, including but not limited to, fraud, waste, abuse, and conflicts of interest.

Either the Department or the Grantee may early terminate this Agreement prior to the Reversion Date by providing the other party with a minimum of fifteen (15) days' advance, written notice of early termination. Grantee hereby waives any rights to assert an impairment of contract claim against the Department or the State of New Mexico in the event of Early Termination of this Agreement by the Department pursuant to Article V (A).

A. Early Termination Before Reversion Date Due to Non-Appropriation

The terms of this Agreement are expressly made contingent upon sufficient appropriations and authorization being made by the Legislature of New Mexico for the performance of this Agreement. Throughout this Agreement the term "non-appropriate" or "non-appropriation" includes the following actions by the New Mexico Legislature: deauthorization, reauthorization or revocation of a prior authorization. The Legislature may choose to non-appropriate the Appropriation referred to in Article I and, if that occurs, the Department shall early terminate this Agreement for non-appropriation by giving the Grantee written notice of such termination, and such termination shall be effective as of the effective date of the law making the non-appropriation. The Department's decision as to whether sufficient appropriations or authorizations are available shall be accepted by the Grantee and shall be final. Grantee hereby waives any rights to assert an impairment of contract claim against the Department or the State of New Mexico in the event of Early Termination of this Agreement by the Department pursuant to Article V (B).

B. <u>Limitation on Department's Obligation to Make Grant Disbursements to Grantee in the Event</u> of Early Termination

In the event of Early Termination of this Agreement by either party, the Department's sole and absolute obligation to reimburse the Grantee is expressly conditioned upon the limitations set forth Article II.

ARTICLE VI. SUSPENSION OF NEW OR FURTHER OBLIGATIONS

- A. The Department may choose, in its sole and absolute discretion, to provide written notice to the Grantee to suspend entering into new and further obligations. Upon the receipt of such written notice by the Grantee:
 - (i) The Grantee shall immediately suspend entering into new or further written obligations with third parties; and
 - (ii) The Department will suspend the issuance of any new or further Notice of Obligation under this Agreement;
 - (iii) The Department may direct the Grantee to implement a corrective action plan in accordance with Article VI (D) herein.
- B. In the event of Suspension of this Agreement, the Department's sole and absolute obligation to reimburse the Grantee is expressly conditioned upon the limitations set forth in Article II herein.
- C. A suspension of new or further obligations under this Agreement shall remain in effect unless or until the date the Grantee receives written notice given by the Department informing the Grantee that the Suspension has been lifted or that the Agreement has been Early Terminated in accordance with Article V herein. If the Suspension is lifted, the Department will consider further requests for Notice of Obligation.

D. Corrective Action Plan in the Event of Suspension

In the event that the Department chooses, in its sole and absolute discretion to direct the Grantee to suspend entering into new or further written obligations with third parties pursuant to Article VI (A), the Department may, but is not obligated to, require the Grantee to develop and implement a written corrective action plan to remedy the grounds for the Suspension. Such corrective action plan must be approved by the Department and be signed by the Grantee. Failure to sign a corrective action plan or meet the terms and deadlines set forth in the signed corrective action plan, is hereby deemed a violation of the terms of this Agreement for purposes of Early Termination, Article V(A)(iii). The corrective action plan is in addition to, and not in lieu of, any other equitable or legal remedy, including but not limited to Early Termination.

ARTICLE VII. AMENDMENT

This Agreement shall not be altered, changed, or amended except by instrument in writing duly executed by both the parties hereto.

ARTICLE VIII. REPORTS

A. Database reporting

The Grantee shall report monthly Project activity by entering such Project information as the Department and the Department of Finance and Administration may require, such information entered directly into a database maintained by the Department of Finance and Administration (http://cpms.dfa.state.nm.us). Additionally, the Grantee shall certify on the Request for Payment form (exhibit 1) that updates have been maintained and are current in the database. The Grantee hereby acknowledges that failure to perform and/or certify updates into the database will delay or potentially jeopardize the reimbursement of funds. The Department shall give the Grantee with a minimum of thirty (30) days' advance written notice of any changes to the information the Grantee is required to report.

Monthly reports shall be due on the last day of each month, beginning with the first full month following execution of this Agreement by the Department and ending upon the submission of the final request for reimbursement for the Project.

B. Requests for Additional Information/Project Inspection

During the term of this Agreement and during the period of time during which the Grantee must maintain records pursuant to Article VIII, the Department may:

- (i) request such additional information regarding the Project as it deems necessary; and
- (ii) conduct, at reasonable times and upon reasonable notice, onsite inspections of the Project. Grantee shall respond to such requests for additional information within a reasonable period of time, as established by the Department.

ARTICLE IX. REQUEST FOR PAYMENT PROCEDURES AND DEADLINES

- A. The Grantee shall request payment by submitting a Request for Payment, in the form attached hereto as Exhibit 1. Payment requests are subject to the following procedures:
 - (i) The Grantee must submit a Request for Payment; and
- (ii) Each Request for Payment must contain proof of payment by the Grantee or liabilities incurred by the Grantee showing that the expenditures are valid or the liabilities incurred by the Grantee in the form of actual unpaid invoices received by the Grantee for services rendered by a third party or items of tangible personal property received by the Grantee for the implementation of the Project; provided, however, that the Grantee may be reimbursed for unpaid liabilities only if the Department, in its sole and absolute discretion, agrees to do so and in accordance with any special conditions imposed by the Department.
- (iii) In cases where the Grantee is submitting a Request for Payment to the Department based upon invoices received, but not yet paid, by the Grantee from a third party contractor or vendor, if the invoices comply with the provisions of this Agreement and are a valid liability of the Grantee, the Grantee shall make payment to those contractors or vendors within five (5) business days from the date of receiving reimbursement from the Department or such shorter period of time as the Department may prescribe in writing. The Grantee is required to certify to the Department proof of payment to the third party contractor or vendor within ten (10) business days from the date of receiving reimbursement from the Department.
- B. The Grantee must obligate 5% of the Adjusted Appropriation Amount within six months of the acceptance of the grant agreement and must have expended no less than 85% of the Adjusted Appropriation Amount six months prior to the reversion date.

A. Deadlines

Requests for Payments shall be submitted by Grantee to the Department on the earlier of:

- (i) Immediately as they are received by the Grantee but at a minimum of thirty (30) days from when the expenditure was incurred or liability of the Grantee was approved as evidenced by an unpaid invoice received by the Grantee from a third party contractor or vendor; or
- (ii) July 15 of each year for all unreimbursed incurred during the previous fiscal year; or
- (iii) Twenty (20) days from the date of Early Termination; or
- (iv) Twenty (20) days from the reversion date.

B. The Grantee's failure to abide by the requirements set forth in Article II and Article IX herein will result in the denial of its Request for Payment or will delay the processing of Requests for Payment. The Department has the right to reject a payment request for the Project unless and until it is satisfied that the expenditures in the Request for Payment are for permissible purposes within the meaning of the Project Description and that the expenditures and the Grantee are otherwise in compliance with this Agreement, including but not limited to, compliance with the reporting requirements and the requirements set forth in Article II herein to provide Third Party Obligations and the Deadlines set forth in Article IX herein. The Department's ability to reject any Request for Payment is in addition to, and not in lieu of, any other legal or equitable remedy available to the Department due to Grantee's violation of this Agreement.

ARTICLE X. PROJECT CONDITIONS AND RESTRICTIONS; REPRESENTATIONS AND WARRANTIES

- A. The following general conditions and restrictions are applicable to the Project:
- (i) The Project's funds must be spent in accordance with all applicable state laws, regulations, policies, and guidelines, including, but not limited to, the State Procurement Code (or local procurement ordinance, where applicable).
- (ii) The project must be implemented in accordance with the New Mexico Public Works Minimum Works Act, Section 13-4-10 through 13-4-17 NMSA 1978, as applicable. Every contract or project in excess of sixty thousand dollars (\$60,000) that the Grantee is a party to for construction, alteration, demolition or repair or any combination of these, including painting and decorating, of public buildings, public works or public roads and that requires or involves the employment of mechanics, laborers or both shall contain a provision stating the minimum wages and fringe benefits to be paid to various classes of laborers and mechanics, shall be based upon the wages and benefits that will be determined by the New Mexico Department of Workforce Solutions to be prevailing for the corresponding classes of laborers and mechanics employed on contract work of a similar nature in the locality. Further, every contract or project shall contain a stipulation that the contractor, subcontractor, employer or a person acting as a contractor shall pay all mechanics and laborers employed on the site of the project, unconditionally and not less often than once a week and without subsequent unlawful deduction or rebate on any account, the full amounts accrued at time of payment computed at wage rates and fringe benefit rates not less than those determined pursuant to Section 13-4-11 (B) NMSA 1978 to be the prevailing wage rates and prevailing fringe benefit rates issued for the project.
- (iii) The Project may only benefit private entities in accordance with applicable law, including, but not limited to, Article IX, Section 14 of the Constitution of the State of New Mexico, "Anti-Donation Clause."
- (iv) The Grantee shall not for a period of 10 years, from the date of this agreement convert any property acquired, built, renovated, required, designed or developed with the Project's funds to uses other than those specified in the Project Description without the Department's and the Board of Finance's express, advance written approval, which may include requirement to reimburse the State for the cost of the project, transfer proceeds from the disposition of property to the State, or otherwise provide consideration to the State.

(i) The Grantee shall comply with all federal and state laws, rules and regulations pertaining to equal employment opportunity. In accordance with all such laws, rules and regulations the Grantee agrees to assure that no person shall, on the grounds of race, color, national origin, sex, sexual preference, age or handicap, be excluded from employment with Grantee, be excluded from participation in the Project, be denied benefits or otherwise be subject to discrimination under, any activity performed under this Agreement. If Grantee is found to be not in compliance with these requirements during the life of this Agreement, Grantee agrees to take appropriate steps to correct any deficiencies. The Grantee's failure to implement such appropriate steps within a reasonable time constitutes grounds for terminating this Agreement.

B. The Grantee hereby represents and warrants the following:

- (i) The Grantee has the legal authority to receive and expend the Project's funds.
- (ii) This Agreement has been duly authorized by the Grantee, the person executing this Agreement has authority to do so, and, once executed by the Grantee, this Agreement shall constitute a binding obligation of the Grantee, enforceable according to its terms.
- (iii) This Agreement and the Grantee's obligations hereunder do not conflict with any law or ordinance or resolution applicable to the Grantee, the Grantee's charter (if applicable), or any judgment or decree to which the Grantee is subject.
- (iv) The Grantee has independently confirmed that the Project Description, including, but not limited to, the amount and Reversion Date, is consistent with the underlying appropriation in law.
- (v) The Grantee's governing body has duly adopted or passed as an official act a resolution, motion, or similar action authorizing the person identified as the official representative of the Grantee to sign the Agreement and to sign Requests for Payment.
- (vi) The Grantee shall abide by New Mexico laws regarding conflicts of interest, governmental conduct and whistleblower protection. The Grantee specifically agrees that no officer or employee of the local jurisdiction or its designees or agents, no member of the governing body, and no other public official of the locality who exercises any function or responsibility with respect to this Grant, during their tenure or for one year thereafter, shall have any interest, direct or indirect, in any contract or subcontract, or the proceeds thereof, for work to be performed or goods to be received, pursuant to this Grant. Further, Grantee shall require all of its contractors to incorporate in all subcontracts the language set forth in this paragraph prohibiting conflicts of interest.
- (vii) No funds have been paid or will be paid, by or on behalf of the Grantee, to any person for influencing or attempting to influence an officer or employee of this or any agency or body in connection with the awarding of any Third Party Obligation and that the Grantee shall require certifying language prohibiting lobbying to be included in the award documents for all subawards, including subcontracts, loans and cooperative agreements. All subrecipients shall be required to certify accordingly.

ARTICLE XI. STRICT ACCOUNTABILITY OF RECEIPTS AND DISBURSEMENTS; PROJECT RECORDS

A. The Grantee shall be strictly accountable for receipts and disbursements relating to the Project's funds. The Grantee shall follow generally accepted accounting principles, and, if feasible, maintain a separate bank account or fund with a separate organizational code, for the funds to assure separate budgeting and accounting of the funds.

B. For a period of five (5) years following the Project's completion, the Grantee shall maintain all Project related records, including, but not limited to, all financial records, requests for proposals, invitations to bid, selection and award criteria, contracts and subcontracts, advertisements, minutes of pertinent meetings, as well as records sufficient to fully account for the amount and disposition of the total funds from all sources budgeted for the Project, the purpose for which such funds were used, and such other records as the Department shall prescribe.

A. The Grantee shall make all Project records available to the Department, the Department of Finance and Administration, and the New Mexico State Auditor upon request. With respect to the funds that are the subject of this Agreement, if the State Auditor or the Department of Finance and Administration finds that any or all of these funds were improperly expended, the Grantee may be required to reimburse to the State of New Mexico, to the originating fund, any and all amounts found to be improperly expended.

ARTICLE XII. IMPROPERLY REIMBURSED FUNDS

If the Department determines that part or all of the Appropriation Amount was improperly reimbursed to Grantee, including but not limited to, Project funds reimbursed to Grantee based upon fraud, mismanagement, misrepresentation, misuse, violation of law by the Grantee, or violation of this Agreement, the Grantee shall return such funds to the Department for disposition in accordance with law.

ARTICLE XIII. LIABILITY

Neither party shall be responsible for liability incurred as a result of the other party's acts or omissions in connection with this Agreement. Any liability incurred in connection with this Agreement is subject to immunities and limitations of the New Mexico Tort Claims Act.

ARTICLE XIV. SCOPE OF AGREEMENT

This Agreement constitutes the entire and exclusive agreement between the Grantee and Department concerning the subject matter hereof. The Agreement supersedes any and all prior or contemporaneous agreements, understandings, discussions, communications, and representations, written or verbal.

ARTICLE XV. REQUIRED NON-APPROPRIATIONS CLAUSE IN CONTRACTS FUNDED IN WHOLE OR PART BY FUNDS MADE AVAILABLE UNDER THIS AGREEMENT

The Grantee acknowledges, warrants, and agrees that Grantee shall include a "non-appropriations" clause in all contracts between it and other parties that are (i) funded in whole or part by funds made available under this Agreement and (ii) entered into after the effective date of this Agreement that states:

"The terms of this Agreement are contingent upon sufficient appropriations and authorization being made by the Legislature of New Mexico for the performance of this Agreement. If sufficient appropriations and authorization are not made by the Legislature, the **Town of Mesilla** may immediately terminate this Agreement by giving Contractor written notice of such termination. The **Town of Mesilla's** decision as to whether sufficient appropriations are available shall be accepted by the Contractor and shall be final. Contractor hereby waives any rights to assert an impairment of contract claim against the **Town of Mesilla**, the Department of Finance and Administration, Local Government Division (DFA/LGD), or the State of New Mexico in the event of immediate or Early Termination of this Agreement by the **Town of Mesilla** or the Department."

ARTICLE XVI. REQUIRED TERMINATION CLAUSE IN CONTRACTS FUNDED IN WHOLE OR PART BY FUNDS MADE AVAILABLE UNDER THIS AGREEMENT

Grantee acknowledges, warrants, and agrees that Grantee shall include the following or a termination clause in all contracts that are (i) funded in whole or part by funds made available under this Agreement and (ii) entered into after the effective date of this Agreement:

"This contract is funded in whole or in part by funds made available under DFA/LGD Grant Agreement. Should DFA/LGD early terminate the grant agreement, the **Town of Mesilla** may early terminate this

contract by providing Contractor written notice of such termination. In the event of termination pursuant to this paragraph, the **Town of Mesilla's** only liability shall be to pay Contractor for acceptable goods delivered and services rendered before the termination date."

Grantee hereby waives any rights to assert an impairment of contract claim against the Department or the State of New Mexico in the event of Early Termination of this Agreement by the Department.

ARTICLE XVII. COMPLIANCE WITH UNIFORM FUNDING CRITERIA

- A. Throughout the term of this Agreement, Grantee shall:
- 1. submit all reports of annual audits and agreed upon procedures required by Section 12-6-3(A)-(B) NMSA 1978 by the due dates established in 2.2.2 NMAC, reports of which must be a public record pursuant to Section 12-6-5(A) NMSA 1978 within forty-five days of delivery to the State Auditor;
 - 2. have a duly adopted budget for the current fiscal year approved by its budgetary oversight agency (if any);
 - 3. timely submit all required financial reports to its budgetary oversight agency (if any); and
- 4. have adequate accounting methods and procedures to expend grant funds in accordance with applicable law and account for and safeguard grant funds and assets acquired by grant funds.
- B. In the event Grantee fails to comply with the requirements of Paragraph A of this Article XVII, the Department may take one or more of the following actions:
 - 1. suspend new or further obligations pursuant to Article VI(A) of this Agreement;
- 2. require the Grantee to develop and implement a written corrective action plan pursuant to Article VI(D) of this Agreement to remedy the non-compliance;
- 3. impose special grant conditions to address the non-compliance by giving the Grantee notice of such special conditions in accordance with Article III of this Agreement; the special conditions shall be binding and effective on the date that notice is deemed to have been given pursuant to Article III; or
 - 4. terminate this Agreement pursuant to Article V (A) of this Agreement.

ARTICLE XVIII. SEVERANCE TAX BOND PROJECT AND GENERAL OBLIGATION BOND PROJECT CLAUSES

A. Grantee acknowledges and agrees that the underlying appropriation for the Project is a severance tax bond or general obligation bond appropriation, and that the associated bond proceeds are administered by the New Mexico State Board of Finance (SBOF), an entity separate and distinct from the Department. Grantee acknowledges and agrees that (i) it is Grantee's sole and absolute responsibility to determine through SBOF staff what (if any) conditions are currently imposed on the Project; (ii) the Department's failure to inform Grantee of a SBOF imposed condition does not affect the validity or enforceability of the condition; (iii) the SBOF may in the future impose further or different conditions upon the Project; (iv) all SBOF conditions are effective without amendment of this Agreement; (v) all applicable SBOF conditions must be satisfied before the SBOF will release to the Department funds subject to the condition(s); and (vi) the Department's obligation to reimburse Grantee from the Project is contingent upon the then current SBOF conditions being satisfied.

B. Grantee acknowledges and agrees that SBOF may in its sole and absolute discretion remove a project's assigned bond proceeds if the project doesn't proceed sufficiently. Entities must comply with the requirement to encumber five percent (5%) of Project funds within six months of bond issuance as certified by the grantee in the Bond Questionnaire and Certification documents submitted to the SBOF. Failure to comply may result in the bond proceeds reassignment to a new ready project. If this should occur this grant agreement will be suspended until the entity has demonstrated readiness as determined by the SBOF and the Department.

C. Grantee acknowledges and agrees that this agreement is subject to the SBOF's Bond Project Disbursements

rule, NMAC 2.61.6, as may be amended or re-codified. The rule provides definitions and interpretations of grant language for the purpose of determining whether a particular activity is allowable under the authorizing language of the agreement.]

[THIS SPACE LEFT BLANK INTENTIONALLY]

IN WITNESS WHEREOF, the parties have duly executed Agreement as of the date of execution by the Department.

| GRANTEE | |
|--------------------------------------------------------------|------------|
| | |
| City of Hobbs | |
| By: | _ |
| By:(Type or Print Name) | |
| Its:(Type or Print Title) | _ |
| (Type or Print Title) | |
| Signature of Official with Authority to Bind Grantee | |
| Date | |
| DEPARTMENT OF FINANCE AND ADMIN LOCAL GOVERNMENT DIVISION | VISTRATION |
| Its: Division Director | |
| Signature | |
| | |

Date

STATE OF NEW MEXICO CAPITAL GRANT PROJECT Request for Payment Form Exhibit 1

| 1. | Grantee Information | II. Payment Computation |
|------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| | (Make sure information is complete & accurate) | A. Payment Request No. |
| A. | Grantee: | B. Grant Amount: |
| B. | Address: | C. AIPP Amount (If Applicable): |
| | (Complete Mailing, including Suite, if applicable) | D. Funds Requested to Date: |
| | | E. Amount Requested this Payment: |
| | City, State, Zip | F. Reversion Amount (If Applicable): |
| C. | Phone No: | G. Grant Balance: |
| D. | Grant No: | |
| E. | Project Title: | I. Final Request for Payment (if Applicable) |
| F. | Grant Expiration Date: | |
| 111. | Fiscal Year : | |
| | (The State of NM Fiscal Year is July 1, 20XX through Ju | une 30, 20XX of the following year) |
| IV. | | o the best of my knowledge and belief, that database reporting is up to date; to include the accuracy of phase, achievements and milestones; and in compliance with Article VIII of the Capital Outlay Grant |
| V . | | y of law, I hereby certify to the best of my knowledge and belief, the above information is correct; xpenditures or actual receipts; and that the grant activity is in full compliance with Article IX, Sec. 14 of the clause. |
| | | |
| Grante | ee Fiscal Officer | Grantee Representative |
| or Fise | cal Agent (if applicable) | |
| | | |
| Printed | d Name | Printed Name |
| Date: | - Control of the Control of Contr | Date: |
| - | (S | State Agency Use Only) |
| Vendor | Code: Fund No.: | Loc No.: |
| I certif | y that the State Agency financial and vendor file infor | rmation agree with the above submitted information. |
| | | |
| Divisio | on Fiscal Officer Date | Division Project Manager Date |

NOTICE OF OBLIGATION TO REIMBURSE GRANTEE EXHIBIT 2

| Notice of O | bligation to Reimburse Grantee # | |
|----------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------|
| DATE: | | |
| TO: | Department Representative: | |
| FROM: | Grantee Entity: | |
| | Grantee Official Representative: | |
| SUBJECT: | Notice of Obligation to Reimburse Grantee | |
| | Grant Number: | |
| | Grant Termination Date: | |
| entered into following thi | nated representative of the Department for Grant Agreen between Grantee and the Department, I certify that the Circl party obligation executed, in writing, by the third party | Grantee has submitted to the Department the |
| Vendor or C | Contractor: | - |
| Third Party | Obligation Amount: | |
| Vendor or C | | |
| Third Party | Obligation Amount: | |
| | the State is issuing this Notice of Obligation to Reimburs the project description, subject to all the terms and condi- | |
| Grant Amou | ınt (Minus AIPP if applicable): | |
| The Amount | t of this Notice of Obligation: | |
| The Total A | mount of all Previously Issued Notices of Obligation: | |
| The Total A | mount of all Notices of Obligation to Date: | \$ 0.00 |
| Note: Contrac | t amounts may exceed the total grant amount, but the invoices paid | by the grant will not exceed the grant amount. |
| Department | Rep. Approver: | |
| Title: | | |
| Signature: | | |
| Date: | | |

1 Administrative and/or Indirect Cost – generally, the legislation authorizing the issuance of bonds prohibits the use of its proceeds for indirect expenses (e.g. penalty fees or damages other than pay for work performed, attorney fees, and administrative fees). Such use of bond proceeds shall not be allowed unless specifically authorized by statute.

MEMORANDUM

TO:

MAYOR NORA L. BARRAZA AND BOARD OF TRUSTEES

FROM:

LARRY SHANNON, COMMUNITY DEVELOPMENT COORDINATOR

SUBJECT:

ACTIVITY REPORT - SEPTEMBER 2020

DATE:

OCTOBER 6, 2020

PZHAC BUSINESS SEPTEMBER 2020

Items presented to the PZHAC

WORK SESSION

- **A.** Discussion of replacing windows (Case 061051) on a dwelling at 2447 Calle del Norte, submitted by Matilde Estrada. Zoned: Historic Residential (HR)
- **B.** Discussion of a combined barn and guest house (**Case 061084**) to be built on a property at 2515 Snow Road, submitted by John and Judy Harris. Zoned: Rural Farm (RF)

ADMINISTRATIVE APPROVAL

Zoning Permits

- 1. Case 061102 2785 Boldt Street, submitted by Barncastle Construction for NovaSight Properties, LLC; a request for a zoning permit to allow the renovation of the interior of a dwelling at this address. Zoned: Historical Residential (HR)
- 2. Case 061104 2371 Calle de Santiago, submitted by Richard Lucero; a request for a zoning permit to repair and repaint the stucco on a dwelling at this address. Zoned: Historical Residential (HR)
- 3. Case 061105 1717 West Boutz Road, submitted by John Wright; a request for a zoning permit to reroof the apartment structure at this address. Zoned: Historical Commercial (HC)
- **4.** Case 061106 3215 Snow Road, submitted by Jeanne Rundell; a request for a zoning permit to repair a wall on a dwelling at this address that had been hit by a car. Zoned: Rural Farm (RF)
- 5. Case 061107 2245 Calle de Colon, submitted by Roberto Garcia; a request for a zoning permit to patch and repaint portions of the stucco on a wall at the front of the residential property at this address. Zoned: Historical Residential (HR)

PZHAC DECISION ITEMS:

Zoning Permits:

- 1. Case 061046 1850 Avenida de Mesilla, submitted by Samantha Simpson for Nancy Clayshulte; a request for a zoning permit to install a farm fence along the east side of a pecan grove on this property, Zoned: Historic Residential (HR) (This case was postponed at the May 18 and the August 17, 2020 PZHAC meetings, and discussed during the work session.)
- 2. Case 061051 2447 Calle del Norte, submitted by Matilde Estrada; a request for a zoning permit to allow the replacement of nine windows on a dwelling at this address. Zoned: Historical Residential (HR) (Postponed at the June 15, 2020 PZHAC meeting)
- 3. Case 061084 –2515 Snow Road, submitted by John and Judy Harris, a request for a zoning permit to allow the construction of a combined barn and guest house on the property at this location. Zoned: Rural Farm (RF) (Postponed at the June 15, 2020 PZHAC meeting)
- 4. Case 061100 2120 Calle del Sur, submitted by Davie Salas; a request for a zoning permit to allow the placement of four latia fences on a residential property at this address. Zoned: Historical Residential (HR) (Postponed at the June 15, 2020 PZHAC meeting)

- 5. Case 061108 2510 Calle de Parian, submitted by F. Xavier Alcala; a request for a zoning permit to repaint a dwelling at this address. Zoned: Historic Residential (HR)
- 6. Case 061109 2755 Calle de San Albino, submitted by Teresa Sanchez for ETMSS 2, LLC; a request for a zoning permit to replace three windows on a dwelling at this address. Zoned: Historic Residential (HR)
- 7. Case 061110 –2341 Calle de Arroyo, submitted by Michael R. Taylor; a request for a zoning permit to enclose the front porch on a dwelling at this address. Zoned: Historic Commercial (HC) (This case was discussed during the work session.)
- 8. Case 061111 105 Capri Road, submitted by J. Brooks Wolle; a request for a zoning permit to place two small storage sheds on a residential property at this address as a replacement of an older storage shed on the property. Zoned: Residential, one acre minimum (R-1)
- 9. Case 061118 2900 Avenida de Mesilla Suite A, submitted by Jerry Grandel for Austy, LLC; a request for a zoning permit to allow a temporary patio expansion at the "Spotted Dog Brewery" to be made permanent. Zoned: General Commercial (C)
- 10. Case 061119 2149 Calle de Los Huertos, submitted by Gabrielle Quintana; a request for a zoning permit to allow the construction of covered porches over the front and rear entry landings on a dwelling at this address. Zoned: Historic Residential (HR)
- 11. Case 061120 2230 Avenida de Mesilla, submitted by Jesus Lucero; a request for a zoning permit to allow sections of fencing to be installed around a commercial property at this address for security reasons. Zoned: Historic Commercial (HC)
- 12. Case 061121 2185 Calle de Guadalupe, submitted by Robert Moreno; a request for a zoning permit to allow the replacement of all six windows on a dwelling at this address. Zoned: Historic Residential (HR)

Business Permits

- 13. **Permit 0854** 1750 Calle de Mercado, Suite 4, submitted by Tatsu Miyazaki for "World Class Gourmet, LLC"; a request for a business license to allow the applicant s to operate a restaurant and catering operation at this location. Zoned: General Commercial (C)
- 14. Permit 0855 2230 Avenida de Mesilla, submitted by Roman Prieto for "Prieto Imports"; a request for a business license to allow the applicant to operate a commercial retail operation at this location selling imported yard art and décor, Mexican pottery, custom wood chairs, and other imported and domestic gift items. Zoned: Historical Commercial (HC)
- 15. Permit 0856 2230 Avenida de Mesilla, submitted by Joshua Prieto for "Merch de Mesilla"; a request for a business license to allow the applicant to operate a commercial retail operation at this location selling locally made wood and leather products, gift items, and other small retail products. Zoned: Historic Commercial (HC)

Sign Permit

16. Case 061113 – 2230 Avenida de Mesilla, submitted by Roman Prieto for "Prieto Imports"; a request for a sign permit to install a sign on a business at this address. Zoned: Historical Commercial (HC)

Summary Subdivisions

- 17. Case 061112 2569 Calle del Oeste, submitted by David T. Coyle and Judy K. Yarasheski; a request for a Summary Subdivision to split a 0.55 acre parcel into two 0.275 acre lots. Zoned: Historic Residential (HR)
- 18. Case 061123 Properties at and adjacent to 2200 West Union Avenue, submitted by Indalencio Prieto and Ladene Vance; a request for a summary subdivision to adjust the lot lines of three properties to eliminate one lot and to combine part of a lot with a neighboring lot. Zoned: Rural/Agricultural (RA) (This case was discussed during the work session.)

| Town of Mesilla Assessor's Report SEPTEMBER 2020 | |
|-----------------------------------------------------|--|
| To | |

| | | | | SELIEMBEN 2020 | 0707 W | | | |
|------------------|------------------------------------|---------------|----------------------------------------------|---------------------|--------|--------------|---------------------------------|--------------------------------------------------------------------------------------|
| Mesilla CASE# | DAC ACC'T# | APPL. DATE | ISSUEE/CONTRACTOR | VALUATION / COST | FEE | BLDG CODE | ADDRESS | DESCRIPTION OF WORK |
| | | | | | | | | |
| 061112 | 04-01194 | 8/17/20 | David Coyle and Judy Yarasheski | N/A | 150.00 | SSUB | Calle del Oeste | Summary Subdivision -lot split |
| 061113 | 04-01150 | 9/4/20 | Robert Hamilton/self | 500.00 | 90.00 | MI | 2958 La Mesilla Circle | Repair a rock wall at the front of the property |
| 061114 | 04-01150 | 9/4/20 | Robert Hamilton/James Papaez Construction | 1,500.00 | 12.00 | RR | 2958 La Mesilla Circle | Reroof a dwelling at this address |
| 061115 | 04-00324 | 9/14/20 | James Lucero/self | 1,000.00 | 58.00 | MISC | 2230 Avenida de Mesilla | Stucco repair and repaint |
| 061116 | 04-00287 | 9/14/20 | Richard Moreno/Hernandez Construction | 15,500.00 | 34.50 | ALT, RR | 2185 Calle de Guadalupe | Reroof and upgrade the interior of a dwelling at this address |
| 061117 | 04-01104 | 9/28/20 | Palacio's Bar/self | 300.00 | 0.00 | M | 2600 Avenida de Mesilla | Repair part of a floor |
| 061118 | 04-00679 | 9/9/20 | Spotted Dog Brewery for Austy/self | 800.00 | 9.90 | ADN | 2900 Avenida de Mesilla | Convert a temporary patio expansion to a permanent expansion |
| 061119 | 04-00146 | 9/11/20 | Gabriel Quintana/ Dan Makens | 7,000.00 | 21.00 | AND | 2149 Calle de Los Huertos | Construct two covered porches on a dwelling at this address |
| 061120 | 04-00324 | 9/14/20 | Jesus Lucero/self | 500.00 | 45.00 | MISC | 2230 Avenida de Mesilla | Fencing around the property at this address |
| 061121 | 04-00287 | 9/10/20 | Richard Moreno/Hernandez Construction | 4,500.00 | 18.00 | ACM | 2185 Calle de Guadalupe | Replace six windows on a dwelling at this address |
| 061123 | 04-01612, 04-01137, 04-01138 | 9/16/20 | Indalencio Prieto and Ladene Vance | N/A | 150.00 | SSUB | Union Avenue | Lot line adjustment and lot split |
| 061124 | 04-00072 | 9/22/50 | Jerome Gohrick/Yellow Bird Services LLC | 25,032.00 | 49.50 | Ā | 3211 Calle del Norte | Install solar panels on a dwelling at this address |
| 061125 | 04-00722 | 9/28/20 | Chet Savage/Amps Electric | 2,200.00 | 15.00 | M | 205 Capri Arc | Upgrade dwelling from 100 amp to 200 amp electrical service |
| 061126 | 04-00872 | 9/23/20 | Arturo Jurado/ATT | 25,000.00 | 48.00 | ALT | 3385 Avenida de Mesilla | Replace two sets of antennae on a cell tower at this address |
| 061127 | 04-01045 | 9/30/20 | Donna K. Vargas/self | 500.00 | 45.00 | Z | 2765 Boldt Street | Install a folding awning over a patio at this address |
| 061128 | 04-00315 | 9/25/20 | Morgan Switzer for "Be Infused" | 250.00 | 6.00 | SIGN | 2410 Calle de Principal, Ste. C | Install a 2.64 square foot two sided hanging sign on a business at his address |
| 061129 | 04-00315 | 9/25/20 | Morgan Switzer for "Be Infused" | 250.00 | 50.00 | SIGN | 2410 Calle de Principal, Ste. C | Install a 15 square foot wall sign on a business at his address |
| | | | | | | | | |

Community Projects Keport

| Project | Description |
|-----------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Current Contact information | Dorothy Sellers Email: DorothyS@mesillanm.gov Work: 575-524-3262 Cell:575-571-3890 |
| Census in Mesilla | I have continued to work with Census teams to step up online presence. Spreading news through social media, website, and mailed flyers. Town of Mesilla is at 53.8 percent/2010 was at 34.4 percent. Last day for Census is as of now October 5 th but is currently in litigation to be extended. |
| Social Media and website | Keep social media up to date with things happening in Mesilla. Running a contest to boost traffic to the official Mesilla website. |
| Mesilla Night Out | Working in conjunction with businesses to encourage visiting Mesilla on the evening of October 9 th . Radio spot is complete and airing. Social media push as well. |
| Mercado | Mercado continues to be opened. Feedback received is very favorable. I have put the mask policy in writing requiring signature so there will be no vendors not wearing masks correctly. Working with the Marshal department to assist with mask wearing by visitors |
| Clean & Beautiful Grant | Work has completed on FY20 NM Clean and Beautiful grant. Final reimbursement has been received. Town of Mesilla has been awarded \$14,570 for the purchase of new trash and recycle bins, picnic tables, and benches inside our parks. In addition promotional materials for giving away at events and bike stations will be purchased for our town's cyclist enthusiasts. |
| NM Tourism Grant | The media push of our video and banner has been paused and will resume when it is responsible to do so. Application has been submitted. All applications have been paused until further notice. |

| CUVIU-13 | nave been updating the website with valid Covid-19 information as well as providing roal formation the public via social media and website. Have also participating daily on the Joint Information Center calls providing information relevant to Covid-19 and Mesilla so it can be pushed out to the public. |
|--------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Halloween | This years haunted house will become a haunted drive through. Patrons will stay within their vehicles at all times and performers will abide by social distancing guidelines. Planning continues to move forward. Seeking volunteers to ensure a successful event. |
| Google DMO Program | The Town of Mesilla has been awarded Recovery Initiatives that have a total market value of \$27,750. 1st part of the program will occur in early November. 360 photos, COVID safe video and photos and Google streetview content will be shot in Mesilla |
| Fall Newsletter | Work continues on the 2020 Fall Newsletter. Goal is to have newsletter ready to mail by the end of the month. |

TOWN OF MESILLA FIRE DEPARTMENT MONTHLY BOT REPORT

DATE:

September, 2020



MAJOR ADDITIONS TO INVENTORY

Intake ball valve for Engine 32.

MAINTENANCE OF EQUIPMENT

4 SCBA's repaired. NFPA Dry inspections for apparatus completed. Engine repair to Brush 31 which included glow plugs, 2 injectors and turbo charger boot repairs. 5 year hydrostatic testing of SCBA air bottles completed and 12 units. Serpintine belt replaced on Squad 32 (in house.) Oil change/PM on Battalion 31.

COMMENTS

A grant application was made to the NM Fire Grant Council to replace extrication gear of which most componants are 20+ years old. The grant amount is \$80,750 of which 10% will be matching funds. These funds will come from the Fire Protection Fund should the grant be successful.

Cadets continue to progress through the Acedemy process. This month cadets completed the required Hazardous Materials Awareness & Operations course. The 10 cadets are working hard and becoming a team.

We are also in the process of applying for an EMS system improvement grant to provide

Basic EMT training for up to 10 department personnel through DACC.

As we continue through the challenges of the current COVID 19 pandemic the Mesilla Fire Department continues to cover the calls as VOLUNTEERS. They are a blessing to

the Town of Mesilla and its citizens and visitors.

SUBMITTED BY

Fire Chief Kevin Hoban

Mesilla Fire Department

Mesilla, NM

This report was generated on 10/6/2020 3:54:51 PM



Incident Statistics

Start Date: 09/01/2020 | End Date: 09/30/2020

| | | INCID | ENT COUNT | | | | |
|------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------|---------------------------------------------------------|-----------------------------|--|--|
| INCIDE | NT TYPE | | # INCIDENTS | | | | |
| Е | EMS | | 23 | | | | |
| F | IRE | | 17 | | | | |
| TC | OTAL | | | 40 | | | |
| | | TOTAL TRANS | SPORTS (N2 and N3) | | | | |
| APPARATUS | | APPARATUS ANSPORTS | # of PATIENT TRAN | SPORTS | TOTAL # of PATIENT CONTACTS | | |
| Bat31 | | 3 | 6 | | 6 | | |
| BR31 | | 2 | 2 | | 2 | | |
| BR33 | | 0 | 0 1 2 3 | | 3 | | |
| SQ32 | | 2 | | | | | |
| TOTAL | | 7 | 12 | | 12 | | |
| PRE-INCID | DENT VALUE | | | LOSS | ES | | |
| \$ | 0.00 | | \$0.00 | | | | |
| | | СО | CHECKS | | | | |
| TOTAL MIITIIAI A | | | | | | | |
| | | MUTUAL A | AID | | | | |
| Aid | Туре | | Total | | | | |
| Aid Given | | | 2 | | | | |
| Aid Received | | | APPING CALLS | | | | |
| | | OVERLA | APPING CALLS | | | | |
| # OVERLAPPING | | % OVERLAPPING 22.5 | | | | | |
| 9 | | | 22.5 RESPONSE TIME (Dispatch to Arrival) | | | | |
| | HIS AND SI | REN - AVERAGE | | aten to Arri | | | |
| Station | amin'ny Europe and a phale and a service of a limite of a base and a limite of the service of th | | EMS | Milyer was a transfer and considerate for \$40,000 day. | FIRE | | |
| Mesilla Fire Main Station 31 | | and the second s | 0:10:00 | | 0:04:38 | | |
| | | | AGE FOR ALL CALLS 0:10:36 | | | | |
| LIG | HTS AND SI | REN - AVERAGE | TURNOUT TIME (Dispat | ch to Enro | ute) | | |
| Station | | | EMS | | FIRE | | |
| Mesilla Fire Main Statio | n 31 | | 0:01:43 | | 0:00:44 | | |
| | | AVE | RAGE FOR ALL CALLS | | 0:01:41 | | |
| AG | ENCY | | AVERAG | E TIME ON | SCENE (MM:SS) | | |

Only Reviewed Incidents included. CO Checks only includes Incident Types: 424, 736 and 734. # Apparatus Transports = # of incidents where apparatus transported. # Patient Transports = All patients transported by EMS. # Patient Contacts = # of PCR contacted by apparatus. This report now returns both NEMSIS 2 & 3 data as appropriate. For overlapping calls that span over multiple days, total per month will not equal Total count for year.



Mesilla Fire Department

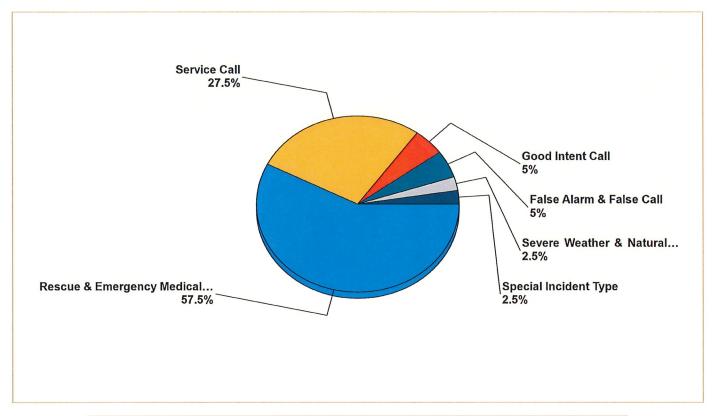
Mesilla, NM

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Breakdown by Major Incident Types for Date Range

Zone(s): All Zones | Start Date: 09/01/2020 | End Date: 09/30/2020



| MAJOR INCIDENT TYPE | # INCIDENTS | % of TOTAL |
|------------------------------------|-------------|------------|
| Rescue & Emergency Medical Service | 23 | 57.5% |
| Service Call | 11 | 27.5% |
| Good Intent Call | 2 | 5% |
| False Alarm & False Call | 2 | 5% |
| Severe Weather & Natural Disaster | 1 | 2.5% |
| Special Incident Type | 1 | 2.5% |
| TOTAL | 40 | 100% |

| Detailed Breakdown by Incident Type | | | | | | |
|--------------------------------------------------------|-------------|------------|--|--|--|--|
| INCIDENT TYPE | # INCIDENTS | % of TOTAL | | | | |
| 311 - Medical assist, assist EMS crew | 5 | 12.5% | | | | |
| 321 - EMS call, excluding vehicle accident with injury | 10 | 25% | | | | |
| 322 - Motor vehicle accident with injuries | 2 | 5% | | | | |
| 381 - Rescue or EMS standby | 6 | 15% | | | | |
| 522 - Water or steam leak | 1 | 2.5% | | | | |
| 551 - Assist police or other governmental agency | 1 | 2.5% | | | | |
| 552 - Police matter | 1 | 2.5% | | | | |
| 554 - Assist invalid | 6 | 15% | | | | |
| 561 - Unauthorized burning | 1 | 2.5% | | | | |
| 571 - Cover assignment, standby, moveup | 1 | 2.5% | | | | |
| 611 - Dispatched & cancelled en route | 2 | 5% | | | | |
| 735 - Alarm system sounded due to malfunction | 1 | 2.5% | | | | |
| 745 - Alarm system activation, no fire - unintentional | 1 | 2.5% | | | | |
| 800 - Severe weather or natural disaster, other | 1 | 2.5% | | | | |
| 900 - Special type of incident, other | 1 | 2.5% | | | | |
| TOTAL INCIDENTS: | 40 | 100% | | | | |

Mesilla, NM

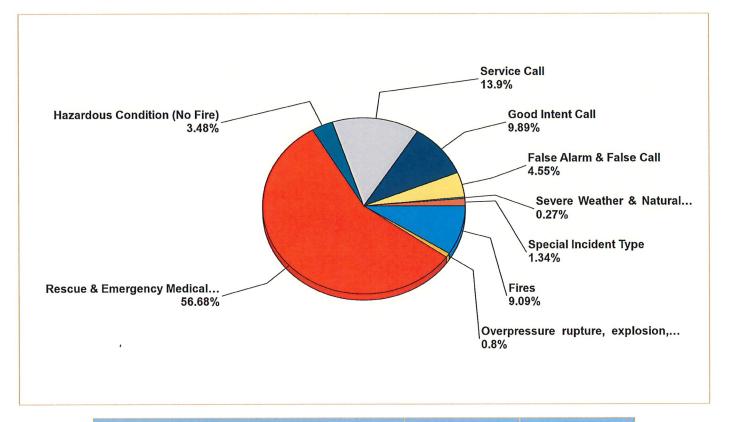
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Breakdown by Major Incident Types for Date Range

Zone(s): All Zones | Start Date: 01/01/2020 | End Date: 09/30/2020



| MAJOR INCIDENT TYPE | # INCIDENTS | % of TOTAL |
|-----------------------------------------------------|-------------|------------|
| Fires | 34 | 9.09% |
| Overpressure rupture, explosion, overheat - no fire | 3 | 0.8% |
| Rescue & Emergency Medical Service | 212 | 56.68% |
| Hazardous Condition (No Fire) | 13 | 3.48% |
| Service Call | 52 | 13.9% |
| Good Intent Call | 37 | 9.89% |
| False Alarm & False Call | . 17 | 4.55% |
| Severe Weather & Natural Disaster | 1 | 0.27% |
| Special Incident Type | 5 | 1.34% |
| TOTAL | 374 | 100% |

| Detailed Breakdown by Ir | ncident Type | |
|----------------------------------------------------------------------|--------------|----------------|
| INCIDENT TYPE | # INCIDENTS | % of TOTAL |
| 111 - Building fire | 4 | 1.07% |
| 112 - Fires in structure other than in a building | 1 | 0.27% |
| 18 - Trash or rubbish fire, contained | 1 | 0.27% |
| 32 - Road freight or transport vehicle fire | 2 | 0.53% |
| 40 - Natural vegetation fire, other | 1 | 0.27% |
| 41 - Forest, woods or wildland fire | 1 | 0.27% |
| 42 - Brush or brush-and-grass mixture fire | 20 | 5.35% |
| 51 - Outside rubbish, trash or waste fire | 1 | 0.27% |
| 52 - Garbage dump or sanitary landfill fire | 1 | 0.27% |
| 62 - Outside equipment fire | 1 | 0.27% |
| 73 - Cultivated trees or nursery stock fire | 1 | 0.27% |
| 243 - Fireworks explosion (no fire) | 3 | 0.8% |
| 00 - Rescue, EMS incident, other | 1 | 0.27% |
| 11 - Medical assist, assist EMS crew | 20 | 5.35% |
| 320 - Emergency medical service, other | 3 | 0.8% |
| 21 - EMS call, excluding vehicle accident with injury | 118 | 31.55% |
| 322 - Motor vehicle accident with injuries | 29 | 7.75% |
| 324 - Motor vehicle accident with no injuries. | 3 | 0.8% |
| 841 - Search for person on land | 2 | 0.53% |
| 342 - Search for person in water | 2 | 0.53% |
| 1861 - Swimming/recreational water areas rescue | 2 | 0.53% |
| 881 - Rescue or EMS standby | 32 | 8.56% |
| 100 - Hazardous condition, other | 4 | 1.07% |
| 112 - Gas leak (natural gas or LPG) | 3 | 0.8% |
| 124 - Carbon monoxide incident | 1 | 0.27% |
| 141 - Heat from short circuit (wiring), defective/worn | 1 | 0.27% |
| 144 - Power line down | 2 | 0.53% |
| 161 - Building or structure weakened or collapsed | 1 | 0.27% |
| 180 - Attempted burning, illegal action, other | -1 | 0.27% |
| 511 - Lock-out | 4 | 1.07% |
| 520 - Water problem, other | 4 | 1.07% |
| 522 - Water or steam leak | | 1.6% |
| 542 - Animal rescue | 6 | 0.27% |
| | 1 | 2.14% |
| 551 - Assist police or other governmental agency 552 - Police matter | 8 | 0.53% |
| | 2 | |
| 553 - Public service | 4 | 1.07% 4.28% |
| 554 - Assist invalid | 16 | |
| 561 - Unauthorized burning | 6 | 1.6% |
| 571 - Cover assignment, standby, moveup | 1 | 0.27% |
| 611 - Dispatched & cancelled en route | 32 | 8.56% |
| 622 - No incident found on arrival at dispatch address | 3 | 0.8% |
| 651 - Smoke scare, odor of smoke | 2 | 0.53% |
| 700 - False alarm or false call, other | 1 | 0.27% |
| 733 - Smoke detector activation due to malfunction | 1 | 0.27% |
| 735 - Alarm system sounded due to malfunction | 4 | 1.07% |
| 740 - Unintentional transmission of alarm, other | 2 | 0.53% |
| 743 - Smoke detector activation, no fire - unintentional | 5 | 1.34% |
| 745 - Alarm system activation, no fire - unintentional | 4 | 1.07% |
| 800 - Severe weather or natural disaster, other | 1 | 0.27% |
| 900 - Special type of incident, other | 4 | 1.07% |
| 911 - Citizen complaint | 1 | 0.27% |
| TOTAL INCIDEN | ITS: 374 | 100% |

Mesilla, NM

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Incident Type Count per Zone for Date Range

Start Date: 09/01/2020 | End Date: 09/30/2020



| ZONES | INCIDENT TYPE | COUNT |
|-------------|--------------------------------------------------------|-------|
| 31 - Town | of Mesilla | |
| | 311 - Medical assist, assist EMS crew | 4 |
| | 321 - EMS call, excluding vehicle accident with injury | 10 |
| | 322 - Motor vehicle accident with injuries | 1 |
| | 381 - Rescue or EMS standby | 4 |
| | 522 - Water or steam leak | 1 |
| | 551 - Assist police or other governmental agency | 1 |
| | 554 - Assist invalid | 4 |
| | 561 - Unauthorized burning | 1 |
| | 571 - Cover assignment, standby, moveup | 1 |
| | 611 - Dispatched & cancelled en route | 2 |
| | 735 - Alarm system sounded due to malfunction | 1 |
| | 745 - Alarm system activation, no fire - unintentional | 1 |
| | 800 - Severe weather or natural disaster, other | 1 |
| | 900 - Special type of incident, other | 1 |
| | Total Incidents for 31 - Town of Mesilla: | 33 |
| D10 - Mesc | uite | |
| | 381 - Rescue or EMS standby | 2 |
| | Total Incidents for D10 - Mesquite: | 2 |
| D12 - Faira | cres | |
| | 311 - Medical assist, assist EMS crew | 1 |

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



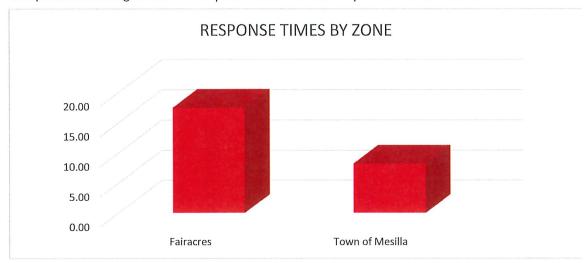
| ZONES | INCIDENT TYPE | COUNT |
|-------------|------------------------------------------------|-------|
| | 322 - Motor vehicle accident with injuries | 1 |
| | 554 - Assist invalid | 2 |
| | Total Incidents for D12 - Fairacres: | 4 |
| LC01 - City | of Las Cruces | |
| | 552 - Police matter | 1 |
| | Total Incidents for LC01 - City of Las Cruces: | 1 |
| | Total Count for all Zone: | 40 |

Mesilla, NM

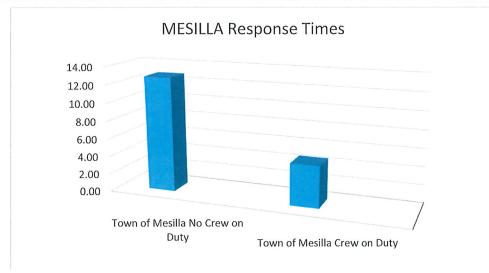
This report was generated on 01/02/2019



Response Mode: Lights and Sirens | Start Date: 12/01/2018 | End Date: 12/31/2018



| Zone | AVERAGE RESPONSE TIME (in minutes) |
|---------------------------------|------------------------------------|
| Fairacres | 17.43 |
| Town of Mesilla | 8.19 |
| Town of Mesilla No Crew on Duty | 12.82 |
| Town of Mesilla Crew on Duty | 4.63 |



Mesilla, NM

This report was generated on 10/6/2020 4:06:44 PM



Response Activity Report

Start Date: 09/01/2020 | End Date: 09/30/2020

| INCIDENT # | DATE | APPARATUS ID | ALARM TIME | ARRIVE TIME | RESPONSE TIME | ADDRESS |
|------------------|---------------|-------------------|------------|---------------------|-----------------------|-------------------------|
| 311 - Medical as | ssist, assist | EMS crew | | | | |
| 2020-00342 | 09/04/2020 | Bat31 | 14:03:56 | 14:13:47 | 00:09:51 | 2720 BOLDT ST |
| 2020-00349 | 09/08/2020 | Bat31 | 19:28:13 | 19:36:29 | 00:08:16 | 2872 CALLE TERCERA |
| 2020-00349 | 09/08/2020 | BR33 | 19:28:13 | 19:36:39 | 00:08:26 | 2872 CALLE TERCERA |
| 2020-00359 | 09/15/2020 | Bat31 | 00:39:40 | 00:53:32 | 00:13:52 | 2890 SNOW RD |
| 2020-00360 | 09/18/2020 | Bat31 | 21:09:44 | 21:35:55 | 00:26:11 | 6950 Raasaf DR |
| 2020-00360 | 09/18/2020 | SQ32 | 21:09:44 | 21:27:06 | 00:17:22 | 6950 Raasaf DR |
| 2020-00368 | 09/26/2020 | BR31 | 01:10:47 | 01:16:57 | 00:06:10 | 2670 Calle de Parian |
| Subtotal Count: | 7 | | - | verage Response Ti | me for Incident Type: | 00:12:52 |
| 321 - EMS call, | excluding ve | ehicle accident w | ith injury | | | |
| 2020-00340 | 09/03/2020 | Bat32 | 15:00:15 | 15:07:38 | 00:07:23 | 2630 CALLE DE GUADALUPE |
| 2020-00340 | 09/03/2020 | BR33 | 15:00:15 | 15:08:12 | 00:07:57 | 2630 CALLE DE GUADALUPE |
| 2020-00341 | 09/04/2020 | Bat31 | 00:08:16 | 00:20:42 | 00:12:26 | 2689 Calle Cuarta |
| 2020-00341 | 09/04/2020 | SQ32 | 00:08:16 | 00:14:00 | 00:05:44 | 2689 Calle Cuarta |
| 2020-00347 | 09/06/2020 | Bat31 | 11:05:31 | 11:10:36 | 00:05:05 | 1800 Boutz RD |
| 2020-00347 | 09/06/2020 | BR33 | 11:05:31 | 11:13:59 | 00:08:28 | 1800 Boutz RD |
| 2020-00357 | 09/11/2020 | Bat31 | 17:11:41 | 17:19:33 | 00:07:52 | 1384 PAISANO RD |
| 2020-00357 | 09/11/2020 | BR33 | 17:11:41 | 17:24:15 | 00:12:34 | 1384 PAISANO RD |
| 2020-00362 | 09/20/2020 | Bat31 | 11:20:48 | 11:32:00 | 00:11:12 | 2282 Calle de Oeste |
| 2020-00362 | 09/20/2020 | Bat32 | 11:20:48 | 11:26:21 | 00:05:33 | 2282 Calle de Oeste |
| 2020-00362 | 09/20/2020 | BR31 | 11:20:48 | 11:25:57 | 00:05:09 | 2282 Calle de Oeste |
| 2020-00363 | 09/20/2020 | Bat31 | 15:06:17 | 15:17:20 | 00:11:03 | 2690 Boldt ST |
| 2020-00363 | 09/20/2020 | BR31 | 15:06:17 | 15:11:53 | 00:05:36 | 2690 Boldt ST |
| 2020-00366 | 09/24/2020 | Bat31 | 08:02:36 | 08:15:08 | 00:12:32 | 2560 Calle de Santiago |
| 2020-00367 | 09/25/2020 | Bat31 | 17:01:32 | 17:10:43 | 00:09:11 | 1420 W Union AVE |
| 2020-00374 | 09/30/2020 | Bat31 | 12:21:48 | 12:26:35 | 00:04:47 | 1983 CALLE DEL NORTE |
| 2020-00375 | 09/30/2020 | Bat31 | 15:01:46 | 15:06:16 | 00:04:30 | 2380 CALLE PRINCIPAL |
| Subtotal Count: | 17 | | - | Average Response Ti | me for Incident Type: | 00:08:03 |
| 322 - Motor veh | nicle acciden | t with injuries | | | | |
| 2020-00343 | 09/05/2020 | E31 | 09:16:26 | 09:55:08 | 00:38:42 | 112 Interstate 10 |
| 2020-00365 | 09/21/2020 | Bat31 | 17:53:13 | 18:18:12 | 00:24:59 | 112 Interstate 10 |
| Subtotal Count: | | | - | Average Response Ti | me for Incident Type: | 00:31:50 |
| 881 - Rescue o | r EMS standl | ογ | | | | |
| 2020-00336 | 09/02/2020 | Bat31 | 08:11:15 | 08:22:24 | 00:11:09 | 2400 CAMINO BODEGAS |
| 2020-00336 | 09/02/2020 | Bat32 | 08:11:15 | 08:20:30 | 00:09:15 | 2400 CAMINO BODEGAS |
| 2020-00336 | 09/02/2020 | BR33 | 08:11:15 | 08:25:00 | 00:13:45 | 2400 CAMINO BODEGAS |
| 2020-00337 | 09/02/2020 | Bat31 | 12:50:54 | 12:50:55 | 00:00:01 | 2231 AVENIDA DE MESILLA |
| 2020-00344 | 09/05/2020 | SQ32 | 07:55:10 | 07:55:13 | 00:00:03 | 12000 Stern DR |
| 2020-00346 | 09/06/2020 | SQ32 | 07:41:12 | 07:42:08 | 00:00:56 | 12000 STERN DR |

Calls by Incident Type. Does not include calls where there was no response.



| 2020-00352 | 09/09/2020 | Bat31 | 12:54:54 | 12:57:00 | 00:02:06 | 2231 AVENIDA DE MESILLA |
|-----------------|------------------|-------------------|----------|---------------------|------------------------|-------------------------|
| 2020-00358 | 09/14/2020 | Bat31 | 07:50:54 | 07:51:43 | 00:00:49 | 2231 AVENIDA DE MESILLA |
| Subtotal Count: | 8 | | - | Average Response Ti | ime for Incident Type: | 00:04:45 |
| 522 - Water or | steam leak | | | | | |
| 2020-00345 | 09/05/2020 | Bat31 | 13:24:25 | 13:24:56 | 00:00:31 | 2310 CALLE DEL OESTE |
| 2020-00345 | 09/05/2020 | BR33 | 13:24:25 | 13:31:33 | 00:07:08 | 2310 CALLE DEL OESTE |
| 2020-00345 | 09/05/2020 | E31 | 13:24:25 | 13:34:00 | 00:09:35 | 2310 CALLE DEL OESTE |
| Subtotal Count: | 3 | | | Average Response Ti | ime for Incident Type: | 00:05:44 |
| 551 - Assist po | olice or other g | overnmental a | gency | | | |
| 2020-00354 | 09/10/2020 | Bat31 | 12:51:38 | 12:51:52 | 00:00:14 | 2355 AVENIDA DE MESILLA |
| Subtotal Count: | : 1 | | | Average Response Ti | ime for Incident Type: | 00:00:14 |
| 552 - Police ma | atter | | | | | |
| 2020-00372 | 09/29/2020 | Bat31 | 09:32:00 | 09:32:00 | 00:00:00 | W AMADOR AVE |
| Subtotal Count | : 1 | | | Average Response Ti | ime for Incident Type: | 00:00:00 |
| 554 - Assist in | valid | | | | | |
| 2020-00338 | 09/02/2020 | Bat31 | 19:25:26 | 20:01:00 | 00:35:34 | 1600 VIA RUBI |
| 2020-00338 | 09/02/2020 | BR33 | 19:25:26 | 19:48:08 | 00:22:42 | 1600 VIA RUBI |
| 2020-00339 | 09/03/2020 | Bat32 | 03:09:56 | 03:17:22 | 00:07:26 | 2961 MCDOWELL RD |
| 2020-00339 | 09/03/2020 | BR33 | 03:09:56 | 03:17:22 | 00:07:26 | 2961 MCDOWELL RD |
| 2020-00348 | 09/07/2020 | SQ32 | 01:30:01 | 01:40:45 | 00:10:44 | 2961 MCDOWELL RD |
| 2020-00351 | 09/09/2020 | Bat31 | 12:22:23 | 12:32:13 | 00:09:50 | 207 CAPRIRD |
| 2020-00351 | 09/09/2020 | Bat32 | 12:22:23 | 12:31:55 | 00:09:32 | 207 CAPRIRD |
| 2020-00353 | 09/10/2020 | Bat31 | 02:33:30 | 02:44:40 | 00:11:10 | 2961 MCDOWELL RD |
| 2020-00373 | 09/29/2020 | Bat31 | 16:46:33 | 16:59:22 | 00:12:49 | 6950 RAASAF DR |
| Subtotal Count | : 9 | | | Average Response Ti | ime for Incident Type: | 00:14:08 |
| 561 - Unauthoi | rized burning | | | | | |
| 2020-00355 | 09/10/2020 | Bat31 | 13:37:42 | 13:38:06 | 00:00:24 | 3573 CALLE DEL NORTE |
| Subtotal Count | : 1 | | | Average Response Ti | ime for Incident Type: | 00:00:24 |
| 571 - Cover as | signment, star | ndby, moveup | | | | |
| 2020-00364 | 09/21/2020 | Bat32 | 07:47:49 | 07:47:49 | 00:00:00 | 2231 AVENIDA DE MESILLA |
| Subtotal Count | : 1 | | | Average Response Ti | ime for Incident Type: | 00:00:00 |
| 735 - Alarm sy | stem sounded | due to malfun | ction | | | |
| 2020-00356 | 09/11/2020 | Bat31 | 06:42:04 | 06:55:00 | 00:12:56 | 1300 W UNIVERSITY AVE |
| 2020-00356 | 09/11/2020 | Bat32 | 06:42:04 | 06:52:30 | 00:10:26 | 1300 W UNIVERSITY AVE |
| 2020-00356 | 09/11/2020 | E31 | 06:42:04 | 06:51:30 | 00:09:26 | 1300 W UNIVERSITY AVE |
| Subtotal Count | | | | | ime for Incident Type: | |
| | | n, no fire - unir | | | | |
| 2020-00371 | 09/29/2020 | Bat31 | 09:32:45 | 09:43:32 | 00:10:47 | 2355 AVENIDA DE MESILLA |
| Subtotal Count | | Buto | 1 | | ime for Incident Type: | |
| | | ral disaster, ot | | | | |
| 2020-00350 | 09/08/2020 | Bat31 | 20:36:08 | 20:46:51 | 00:10:43 | 2151 CALLE DEL SUR |
| Subtotal Count | | | | | ime for Incident Type: | |
| | ype of inciden | t, other | | | | |
| | , , | | | | | |
| 2020-00370 | 09/28/2020 | Bat32 | 07:53:42 | 07:53:42 | 00:00:00 | 2231 AVENIDA DE MESILLA |

Calls by Incident Type. Does not include calls where there was no response.

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emergencyreporting.com Doc Id: 1196 Page # 2 of 2

Mesilla, NM

This report was generated on 10/6/2020 4:09:58 PM

Occupancies Inspected for Date Range

Start Date: 09/01/2020 | End Date: 09/30/2020



| OCCUPANCY | ID | ADDRESS | ZONE | LAST INSPECTION |
|--------------------------------|-----|-----------------------------|------|-----------------|
| Billy The Kid Gift Shop | 74 | 2385 Calle De Guadalupe | | 09/03/2020 |
| Bowlin's Mesilla Book Center | 75 | 2360 Calle De Principal | | 09/03/2020 |
| Heart of the Desert Pistachios | 81 | 2350 Calle De principal ##C | | 09/03/2020 |
| Nambe | 85 | 2109 Calle De Parian | | 09/03/2020 |
| Old Mesilla Kennels | 51 | 3036 Avenida De Mesilla | | 09/03/2020 |
| Ristraman Chili Co | 89 | 2531 Avenida De Mesilla | | 09/03/2020 |
| Silver Assets | 91 | 1948 Calle De Santiago | | 09/17/2020 |
| The Bean Cafe, LLC | 20 | 2011 Avenida De Mesilla | | 09/03/2020 |
| The Potteries | 95 | 2260 Calle De Santiago | | 09/17/2020 |
| Valley Plumbing | 100 | 2800 Avenida De Mesilla | | 09/03/2020 |

of Occupancies Inspected: 10 % Occupancies Inspected: 4.59

Mesilla, NM

This report was generated on 10/6/2020 4:07:33 PM



| EVENT DATE | DATE | EVENT NAME | CATEGORY | LOCATION | HOURS | HOURS PARTICIPANTS |
|------------|----------------------|---------------------------------|---------------------------------------|------------------------|-------|--------------------|
| Adminis | Administration Shift | | | | | |
| | 09/01/2020 | 09/01/2020 Administrative Shift | Administrative | Tele-Work | 3.5 | 3.5 Harry Evans |
| | 09/07/2020 | 09/07/2020 Administrative Shift | Administrative | Tele-Work from Home | 9 | 6 Harry Evans |
| | 09/13/2020 | 09/13/2020 Administrative Shift | Administrative | Tele-Work Residence | 6.25 | 6.25 Harry Evans |
| | 09/23/2020 | 09/23/2020 Administrative Shift | Administrative | Tele-Work Residence | 3.25 | 3.25 Harry Evans |
| | | | Total Hours for Administration Shift: | istration Shift: | 19 | |

| Daily Ope | Daily Operations Shift | | | | | |
|-----------|------------------------|---------|--------|--------------|------|--------------------------------------------------------------------------------------------------------|
| | 09/01/2020 C Shift | C Shiff | Shifts | Firehouse 31 | 24 | 24 Lachlan Boyd, Trevor Frietze, Nicolas Navarro, Travis Rogers, Dylan Thunhorst, Ines Thunhorst |
| | 09/03/2020 B-Shift | B-Shift | Shifts | Firehouse 31 | 24 | 24 Nicolas Navarro, Louis Reyna, Joseph Torres, Austin Tucker |
| | 09/07/2020 C Shift | C Shift | Shifts | Firehouse 31 | . 22 | 22 Trevor Frietze, Louis Reyna, Ines Thunhorst, Joseph Torres |
| | 09/12/2020 B-Shift | B-Shiff | Shifts | Firehouse 31 | 24 | 24 Trevor Frietze, Nicolas Navarro, Louis Reyna, Dylan Thunhorst, Austin Tucker |

Only LOCKED events included.

emergencyreporting.com Doc Id: 753 Page # 1

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| EVENT | DATE | EVENT NAME | CATEGORY | LOCATION | HOURS | HOURS PARTICIPANTS |
|-------|------------|------------|-----------------------------------|----------------|-------|-----------------------------------------------------------------------------------------------------------------------------|
| | 09/13/2020 | C-Shift | Shifts | Firehouse 31 | 24 | 24 Lachlan Boyd, Trevor Frietze, Junshiro Molinar, Nicolas Navarro, Louis Reyna, Travis Rogers, Joseph Torres |
| | 09/15/2020 | B-Shift | Shifts | Firehouse 31 | 24 | Alexsandra Gaytan, Sebastian Linares-Chacon |
| | 09/16/2020 | C Shift | Shifts | Firehouse 31 | 24 | Trevor Frietze, Nicolas Navarro, Dylan Thunhorst, Ines Thunhorst |
| | 09/17/2020 | A shift | Shifts | Firehouse 31 | 10 | 10 Manuel Felix, Humberto Manriquez, Dylan Thunhorst |
| | 09/18/2020 | B-Shift | Shifts | Firehouse 31 | 24 | 24 Nicolas Navarro, Louis Reyna, Austin Tucker |
| | 09/19/2020 | C-Shift | Shifts | Firehouse 31 | 24 | 24 Lachlan Boyd, Diego Garcia, Nicolas Navarro, Louis Reyna, Joseph Torres |
| | 09/20/2020 | A-Shift | Shifts | Firehouse 31 | 24 | Lachlan Boyd, Manuel Felix, Nicolas Navarro, Dylan Thunhorst |
| | 09/21/2020 | B-Shift | Shifts | Firehouse 31 | 24 | Nicolas Navarro, Dylan Thunhorst |
| | 09/22/2020 | C-shift | Shifts | House 31 | 9.5 | 9.5 Ines Thunhorst |
| | 09/24/2020 | B-Shiff | Shifts | Firehouse 31 | 24 | 24 Alexsandra Gaytan, Sonny Gomez, Junshiro Molinar, Nicolas Navarro, Kevin Romero, Dylan Thunhorst, Austin Tucker |
| | 09/27/2020 | B-Shift | Shifts | Firehouse 31 | 24 | 24 Alexsandra Gaytan, Nicolas Navarro |
| | 09/28/2020 | C Shift | Shifts | Firehouse 31 | 8 | 8 Ines Thunhorst |
| | 09/30/2020 | B-Shift | Shifts | Firehouse 31 | 15 | 15 Trevor Frietze, Phillip Guzman, Austin Tucker |
| | | | Third Consistent Collision Chiff: | Chicken Chiff. | 252 E | |

Total Hours for Daily Operations Shift: 352.5

| Preventi | evention Division Shift | hift | | | | | |
|----------|-------------------------|-------------|--------------------------------------------|-----------------|---|----------------|--|
| | 09/03/2020 | inspections | Prevention Event | town of mesilla | 7 | Gregory Whited | |
| | | #oT | Total Hours for Brayantion Division Shiff: | Division Shift. | 7 | | |

Total Hours for Prevention Division Shift:

Only LOCKED events included.

emergencyreporting.com Doc Id: 753 Page # 2

Mesilla, NM

This report was generated on 10/6/2020 4:01:15 PM



Count of Classes by Personnel by Class Category

Passed/Failed: Both Passed and Failed | Personnel: All Personnel | Start Date: 09/01/2020 | End Date: 09/30/2020

| Class Category | Class Count | Total Class Hours |
|----------------------------------------------|-------------|-------------------|
| I.S.O. Hazardous Materials | 1 | 3:00 |
| Total for Almeida, Alexis | 1 | 3:00 |
| Boyd, Lachlan James | | |
| Class Category | Class Count | Total Class Hours |
| EMS Training | 1 | 3:00 |
| I.S.O. Company Training | 1 | 3:00 |
| I.S.O. Hazardous Materials | 6 | 42:00 |
| Total for Boyd, Lachlan James | 8 | 48:00 |
| Caro, Ariel M | | |
| Class Category | Class Count | Total Class Hours |
| I.S.O. Company Training | 1 | 3:00 |
| Total for Caro, Ariel M | 1 | 3:00 |
| Davis-Whited, Crystal L | | |
| Class Category | Class Count | Total Class Hours |
| I.S.O. Company Training | 3 | 9:00 |
| I.S.O. Hazardous Materials | 6 | 42:00 |
| I.S.O. New Recruit Training | 2 | 12:00 |
| Total for Davis-Whited, Crystal L | 11 | 63:00 |
| Embury, Andy G. | | |
| Class Category | Class Count | Total Class Hours |
| EMS Training | 1 | 3:00 |
| I.S.O. Company Training | 1 | 3:00 |
| I.S.O. Hazardous Materials | 3 | 15:00 |
| Total for Embury, Andy G. | 5 | 21:00 |
| Evans, Harry A | | |
| Class Category | Class Count | Total Class Hours |
| EMS Training | 1 | 3:00 |
| I.S.O. Company Training | 2 | 6:00 |
| I.S.O. Existing Driver and Operator Training | 1 | 1:30 |
| I.S.O. Hazardous Materials | 1 | 9:00 |
| I.S.O. Officer Training | 3 | 3:00 |
| Total for Evans, Harry A | 8 | 22:30 |
| igueroa, Sonida (DACES) | | |
| Class Category | Class Count | Total Class Hours |
| I.S.O. Hazardous Materials | 6 | 42:00 |

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. If "All Personnel" is selected, this report also includes non-agency Personnel. Only non-Archived Classes that have been Reviewed are included. This report pulls training hours from the Training Code Hours field on the Info Page.



emergencyreporting.com Doc Id: 1504 Page # 1 of 5

| Total for Figueroa, Sonida (DACES) | 6 | 42:00 |
|----------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------|
| rietze, Trevor R | | |
| Class Category | Class Count | Total Class Hours |
| EMS Training | 1 | 3:00 |
| I.S.O. Company Training | 2 | 6:00 |
| I.S.O. Existing Driver and Operator Training | 1 | 1:30 |
| I.S.O. Hazardous Materials | 3 | 15:00 |
| I.S.O. New Driver and Operator Training | 1 | 2:00 |
| I.S.O. New Recruit Training | 4 | 24:00 |
| Total for Frietze, Trevor R | 12 | 51:30 |
| Garcia, Diego | | |
| Class Category | Class Count | Total Class Hours |
| EMS Training | 1 | 3:00 |
| I.S.O. Company Training | 5 | 12:00 |
| I.S.O. Hazardous Materials | 6 | 42:00 |
| I.S.O. New Recruit Training | 1 | 6:00 |
| Total for Garcia, Diego | 13 | 63:00 |
| Garibay, Evert A | | |
| Class Category | Class Count | Total Class Hours |
| EMS Training | 1 | 3:00 |
| Total for Garibay, Evert A | 1 | 3:00 |
| Gomez, Sonny F | | |
| Class Category | Class Count | Total Class Hours |
| I.S.O. Company Training | 2 | 6:00 |
| Total for Gomez, Sonny F | 2 | 6:00 |
| | L A STATE OF THE S | 0.00 |
| Guzman, Phillip b | | |
| Class Category | Class Count | Total Class Hours |
| I.S.O. Company Training | 1 | 3:00 |
| I.S.O. New Recruit Training | 1 | 6:00 |
| Total for Guzman, Phillip b | 2 | 9:00 |
| Hoban, Kevin M | | |
| Class Category | Class Count | Total Class Hours |
| EMS Training | 1 | 3:00 |
| I.S.O. Company Training | 3 | 9:00 |
| I.S.O. Existing Driver and Operator Training | 1 | 1:30 |
| I.S.O. New Recruit Training | 1 | 6:00 |
| Total for Hoban, Kevin M | 6 | 19:30 |
| Klebansky, George A | | |
| Class Category | Class Count | Total Class Hours |
| EMS Training | 1 | 3:00 |
| I.S.O. Company Training | 3 | 9:00 |
| I.S.O. Existing Driver and Operator Training | 1 | 1:30 |
| I.S.O. Hazardous Materials | 1 | 9:00 |

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. If "All Personnel" is selected, this report also includes non-agency Personnel. Only non-Archived Classes that have been Reviewed are included. This report pulls training hours from the Training Code Hours field on the Info Page.



emergencyreporting.com Doc Id: 1504 Page # 2 of 5

| I.S.O. New Recruit Training | 1 | 6:00 |
|----------------------------------------------|--------------|------------------------|
| Total for Klebansky, George A | 7 | 28:30 |
| inares-Chacon, Sebastian | | |
| Class Category | Class Count | Total Class Hours |
| I.S.O. Company Training | 1 | 2:00 |
| Total for Linares-Chacon, Sebastian | 1 | 2:00 |
| ucero, Jojo | | |
| Class Category | Class Count | Total Class Hours |
| I.S.O. Company Training | 2 | 6:00 |
| Total for Lucero, Jojo | 2 | 6:00 |
| | | 0.00 |
| Madson, Ed | Olana Onivet | Total Class Haves |
| Class Category | Class Count | Total Class Hours 3:00 |
| EMS Training I.S.O. Hazardous Materials | 1 | 9:00 |
| | | |
| Total for Madson, Ed | 2 | 12:00 |
| Manriquez, Humberto | | |
| Class Category | Class Count | Total Class Hours |
| EMS Training | 1 | 3:00 |
| I.S.O. Company Training | 1 | 3:00 |
| I.S.O. Existing Driver and Operator Training | 1 | 1:30 |
| Total for Manriquez, Humberto | 3 | 7:30 |
| Molinar, Junshiro Lazos | | |
| Class Category | Class Count | Total Class Hours |
| I.S.O. Company Training | 2 | 6:00 |
| I.S.O. Hazardous Materials | 6 | 42:00 |
| I.S.O. New Recruit Training | 2 | 12:00 |
| Total for Molinar, Junshiro Lazos | 10 | 60:00 |
| Vavarro, Nicolas A | | |
| Class Category | Class Count | Total Class Hours |
| EMS Training | 3 | 7:00 |
| I.S.O. Company Training | 7 | 17:00 |
| I.S.O. Existing Driver and Operator Training | 1 | 1:30 |
| I.S.O. Hazardous Materials | 4 | 24:00 |
| I.S.O. New Recruit Training | 2 | 12:00 |
| Total for Navarro, Nicolas A | 17 | 61:30 |
| Ostos, Cipriano J | | |
| Class Category | Class Count | Total Class Hours |
| I.S.O. Company Training | 1 | 3:00 |
| I.S.O. Hazardous Materials | 6 | 42:00 |
| I.S.O. New Recruit Training | 3 | 18:00 |
| Total for Ostos, Cipriano J | 10 | 63:00 |
| Quezada, Tristian (DACES) | | |

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. If "All Personnel" is selected, this report also includes non-agency Personnel. Only non-Archived Classes that have been Reviewed are included. This report pulls training hours from the Training Code Hours field on the Info Page.



emergencyreporting.com Doc Id: 1504 Page # 3 of 5

| Class Category | Class Count | Total Class Hours |
|-----------------------------------------|-------------|-------------------|
| I.S.O. Hazardous Materials | 6 | 42:00 |
| Total for Quezada, Tristian (DACES) | 6 | 42:00 |
| Leyna, Louis Nathen | | |
| Class Category | Class Count | Total Class Hours |
| EMS Training | 3 | 7:00 |
| I.S.O. Company Training | 6 | 15:00 |
| I.S.O. Hazardous Materials | 6 | 42:00 |
| I.S.O. New Driver and Operator Training | 1 | 2:00 |
| I.S.O. New Recruit Training | 4 | 24:00 |
| Total for Reyna, Louis Nathen | 20 | 90:00 |
| Rogers, Travis Adam | | |
| Class Category | Class Count | Total Class Hours |
| EMS Training | 1 | 3:00 |
| I.S.O. Hazardous Materials | 6 | 42:00 |
| I.S.O. New Recruit Training | 4 | 24:00 |
| Total for Rogers, Travis Adam | 11 | 69:00 |
| Romero, Kevin Marcus | | |
| Class Category | Class Count | Total Class Hours |
| I.S.O. Company Training | 2 | 6:00 |
| I.S.O. Hazardous Materials | 6 | 42:00 |
| Total for Romero, Kevin Marcus | 8 | 48:00 |
| Rossman, Tabitha A | | |
| Class Category | Class Count | Total Class Hours |
| EMS Training | 1 | 3:00 |
| I.S.O. Company Training | 1 | 3:00 |
| Total for Rossman, Tabitha A | 2 | 6:00 |
| Russell, Ashley (DACES) | | |
| Class Category | Class Count | Total Class Hours |
| I.S.O. Hazardous Materials | 6 | 42:00 |
| Total for Russell, Ashley (DACES) | 6 | 42:00 |
| Sanchez, Xavier | | |
| Class Category | Class Count | Total Class Hours |
| EMS Training | 1 | 3:00 |
| I.S.O. Company Training | 3 | 9:00 |
| Total for Sanchez, Xavier | 4 | 12:00 |
| Shepan, Lance A. | | |
| Class Category | Class Count | Total Class Hours |
| EMS Training | 1 | 3:00 |
| Total for Shepan, Lance A. | 1 | 3:00 |
| Smith, Morgan Samantha | | |
| Class Category | Class Count | Total Class Hours |
| EMS 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. If "All Personnel" is selected, this report also includes non-agency Personnel. Only non-Archived Classes that have been Reviewed are included. This report pulls training hours from the Training Code Hours field on the Info Page.



emergencyreporting.com Doc Id: 1504 Page # 4 of 5

| Total for Smith, Morgan Samantha | 1 | 3:00 |
|-----------------------------------------|-------------|-------------------|
| hunhorst, Dylan P | | |
| Class Category | Class Count | Total Class Hours |
| I.S.O. Company Training | 1 | 3:00 |
| Total for Thunhorst, Dylan P | 1 | 3:00 |
| hunhorst, Ines C | | |
| Class Category | Class Count | Total Class Hours |
| EMS Training | 1 | 3:00 |
| I.S.O. Company Training | 1 | 3:00 |
| I.S.O. New Driver and Operator Training | 1 | 2:00 |
| Total for Thunhorst, Ines C | 3 | 8:00 |
| orres, Joseph J | | |
| Class Category | Class Count | Total Class Hours |
| EMS Training | 2 | 5:00 |
| I.S.O. Company Training | 3 | 8:00 |
| I.S.O. Hazardous Materials | 2 | 12:00 |
| I.S.O. New Recruit Training | 2 | 12:00 |
| Total for Torres, Joseph J | 9 | 37:00 |
| ucker, Austin J | | |
| Class Category | Class Count | Total Class Hours |
| EMS Training | 3 | 7:00 |
| I.S.O. Company Training | 3 | 8:00 |
| I.S.O. Hazardous Materials | 1 | 9:00 |
| I.S.O. New Recruit Training | . 2 | 12:00 |
| Total for Tucker, Austin J | 9 | 36:00 |
| /izcaino, Eduardo J | | |
| Class Category | Class Count | Total Class Hours |
| EMS Training | 1 | 3:00 |
| I.S.O. Company Training | 2 | 6:00 |
| I.S.O. Hazardous Materials | 6 | 42:00 |
| I.S.O. New Recruit Training | 4 | 24:00 |
| Total for Vizcaino, Eduardo J | 13 | 75:00 |
| Vhited, Gregory E | | |
| Class Category | Class Count | Total Class Hours |
| EMS Training | 1 | 3:00 |
| I.S.O. Company Training | 3 | 9:00 |
| I.S.O. Hazardous Materials | 6 | 42:00 |
| I.S.O. New Recruit Training | 4 | 24:00 |
| Total for Whited, Gregory E | 14 | 78:00 |

Mesilla, NM

This report was generated on 10/6/2020 4:29:10 PM



Total Hours by Volunteers Sep 2020

Pay Grades: All Pay Grades | Start Date: 09/01/2020 | End Date: 09/30/2020

| PERSONNEL | INCIDENT TIME | TRAINING TIME | EVENT TIME | TOTAL TIME |
|---------------------------|---------------|---------------|------------|------------|
| Boyd, Lachlan James | 3:05 | 48:00 | 52:00 | 103:05 |
| Caro, Ariel M | 0:00 | 3:00 | 0:00 | 3:00 |
| Davis-Whited, Crystal L | 0:00 | 63:00 | 0:00 | 63:00 |
| Embury, Andy G. | 1:40 | 21:00 | 0:00 | 22:40 |
| Evans, Harry A | 0:00 | 22:30 | 19:00 | 41:30 |
| Felix, Manuel R | 0:00 | 0:00 | 18:00 | 18:00 |
| Frietze, Trevor R | 4:46 | 51:30 | 100:00 | 156:16 |
| Garcia, Diego | 0:00 | 63:00 | 24:00 | 87:00 |
| Garibay, Evert A | 0:00 | 3:00 | 0:00 | 3:00 |
| Gaytan, Alexsandra Melina | 0:00 | 0:00 | 35:00 | 35:00 |
| Gomez, Sonny F | 0:00 | 6:00 | 15:00 | 21:00 |
| Guzman, Phillip b | 0:00 | 9:00 | 11:00 | 20:00 |
| Klebansky, George A | 16:51 | 28:30 | 0:00 | 45:21 |
| Linares-Chacon, Sebastian | 0:00 | 2:00 | 12:00 | 14:00 |
| Lucero, Jojo | 0:00 | 6:00 | 0:00 | 6:00 |
| Manriquez, Humberto | 0:47 | 7:30 | 10:00 | 18:17 |
| Martinez, Mateo | 0:19 | 0:00 | 0:00 | 0:19 |
| Molinar, Junshiro Lazos | 2:17 | 60:00 | 31:00 | 93:17 |
| Navarro, Nicolas A | 0:56 | 61:30 | 169:00 | 231:26 |
| Ostos, Cipriano J | 2:40 | 63:00 | 0:00 | 65:40 |
| Reyna, Louis Nathen | 4:07 | 90:00 | 93:00 | 187:07 |
| Rogers, Travis Adam | 2:44 | 69:00 | 35:00 | 106:44 |
| Romero, Kevin Marcus | 0:00 | 48:00 | 14:00 | 62:00 |
| Rossman, Tabitha A | 0:00 | 6:00 | 0:00 | 6:00 |
| Sanchez, Xavier | 0:00 | 12:00 | 0:00 | 12:00 |
| Shepan, Lance A. | 0:00 | 3:00 | 0:00 | 3:00 |
| Smith, Morgan Samantha | 0:40 | 3:00 | 0:00 | 3:40 |
| Thunhorst, Dylan P | 0:00 | 3:00 | 62:00 | 65:00 |
| Thunhorst, Ines C | 0:12 | 8:00 | 37:30 | 45:42 |
| Torres, Joseph J | 9:56 | 37:00 | 68:00 | 114:56 |
| Tucker, Austin J | 13:22 | 36:00 | 73:00 | 122:22 |
| Vizcaino, Eduardo J | 2:17 | 75:00 | 0:00 | 77:17 |
| Whited, Gregory E | 3:11 | 78:00 | 7:00 | 88:11 |
| | | | TOTAL | 1941:50:00 |



To: Honorable Mayor and Mesilla Board of Trustees

This is the Monthly Report for September 2020, for the Mesilla Marshal's Department:

| | ing ups | 5 | Intoxicated Music/noise | 2 |
|-------------------|---------------------------------|-------------|------------------------------------------------|-------------|
| Abandoned Vehicle | | 1 | Domestic standby | 4 |
| Agenc | y assist | 19 | Dwi | 1 |
| ACO calls | | 14 | Foot patrol | 5 |
| | Call Bite | 1 | Forgery/Fraud | 2 |
| | Care & maintenance Cruelty | 1 1 | Frequent patrol | 9 |
| | Custody Dead | 3 | Harassment | 1 |
| | Sick Stray | 1 5 | Information report | 4 |
| Auto I | Burglary | 1 | Motor Vehicle Crashes H & R Injury crash | 8 1 2 |
| Burglary | | 1 | Non injury crash | 5 |
| Burgla | ary alarm | 7 | Narcotics | 1 |
| Civil | lispute | 3 | Obstruction | 3 |
| Civil F | Process | 2 | Out with subject | 5 |
| Codes | | 1 | Overdose | 1 |
| Disturbances | | 21 | Panic alarm | 2 |
| | Disorderly Domestic Fight | 7 6 2 | Phone call | 8 |

| Prisoner transport | 2 |
|---------------------------------------------|--------------------|
| Prowler | 1 |
| Public assist | 3 |
| Pursuit | 1 |
| Reckless driver | 2 |
| Shots fired | 2 |
| Subject w/ gun | 1 |
| Suicidal subject | 1 |
| Supplement | 5 |
| Suspicious activity Activity Person Vehicle | 22 4 4 14 |
| Theft | 3 |
| Threats | 1 |
| Traffic complaint | 1 |
| Traffic stops | 167 |
| Trespassing | 5 |
| Vandalism | 2 |
| Warrant | 1 |
| Welfare check | 5 |
| Total # of calls for service | 349 |

Thank you,

Eddie Lerma Marshal



TOWN OF MESILLA

Public Works Department

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

MEMORANDUM

Date:

October 6, 2020

TO:

Mayor Barraza, Board of Trustees and Cynthia Stoehner-Hernandez

FROM:

Rodney J. McGillivray, Public Works Director

RE:

Public Works Division Activity Report – September 2020

On-going maintenance, custodial and operations:

Continued Covid-19 Disinfecting/Cleaning
On-call/standby for emergency repairs or assistance
Monthly water sampling and reporting is up-to-date
Meter reading continues
New water services and water shut-offs (ownership change/nonpayment)
Monitoring of water tank, wells, and pumps
Monitoring of lift stations and review of reporting
Custodial responsibilities on-going
Grounds maintenance on-going
Valve exercise program continues
Vehicle maintenance on-going
Utility location services

Miscellaneous items/work orders/accomplishments:

Guadalupe lift station(s) pump replacements
Spraying for weeds continue
Two emergency water leaks and repairs
One broken sewer line repair
Planted grass (re-seed) Plaza and Veterans Park
Placed concrete for curb repair at Plaza
Performed grading and backfill at Community Center Park
Lift station pump repair course training
Community Center roof repair

Community Center roof HVAC duct repairs
Replaced water line for fountain at Baseball Park
Removed and replaced two trees at Plaza
Tree removal along medium and tree trimming various locations
Sidewalk repair and assessment
Plaza brick replacement
Installed Covid-19 Mask required signage at Plaza
Pothole repairs
Street sweeping and tree trimming in right-of-way

Project update:

LGRF (2019-2020) – Notice to proceed issued on October 5, 2020. A-Mountain scheduled to being construction second week in October. Project anticipated completion date is November 19, 2020

Parian Capital Outlay – Notice to proceed issued on October 5, 2020. A-Mountain scheduled to being construction second week in October. Project anticipated completion date is November 19, 2020

LGRF (2020-2021) – Awaiting agreement.

La Llorona Extension multi-use path – Project construction underway. Project is on-schedule and within budget. Project is considered 85% complete. Project is anticipated to be substantially complete the first week in November.

McDowell wastewater system Phase II - Project is complete.

Calle del Norte Trail Phase II — Design is underway. Working with EBID for MOU agreement. Right-of-way review and negotiations is underway.

Plaza Lighting Capital Outlay – Project awarded to Lynco Electrical Inc. Materials procurement underway (new poles are on backorder). Project anticipated to start in November 2020.