



THE BOARD OF TRUSTEES AND PLANNING AND ZONING COMMISSIONERS OF THE TOWN OF MESILLA WILL HOLD A JOINT WORK SESSION ON MONDAY, NOVEMBER 9, 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 and other concerns from the Boards.

THE BOARD OF TRUSTEES OF THE TOWN OF MESILLA WILL HOLD A REGULAR MEETING ON MONDAY, NOVEMBER 9, 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](mailto: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. STATEMENT REGARDING CLOSED SESSION AND ROLL CALL VOTE – discussion during the closed session was limited to personnel matters in the Public Works Department pursuant to NMSA 1978 Chapter 10-15-1(H)(2) held November 5, 2020 at 3:30 p.m. – **Board of Trustees.**

6. APPROVAL OF CONSENT AGENDA:

(The Board will be asked to approve by one motion the following items of recurring or routine business. The Consent Agenda is marked with an asterisk \*):

- a) **\*BOT MINUTES** – Minutes of a Regular Meeting on October 26, 2020
- b) **\*PZHAC Case 061138 with conditions** – 2280 Calle Principal, submitted by Father Christopher Williams for the Basilica of San Albino; a request for a zoning permit to allow the construction of a columbarium on a property owned by the Diocese of Las Cruces behind the church store. Zoned: Historic Residential (HR)

7. OLD BUSINESS

- a) **Resolution 2020-23:** A resolution on an appeal by Michael Taylor for Case 061110 denying construction of an enclosed porch at 2341 Calle de Arroyo. – **Mesilla Board of Trustees.**

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

- a) **A Public Hearing:** on PZHAC Case 061110 an appeal submitted by Susan Krueger –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).
- b) **For Approval/Disapproval:** on PZHAC Case 061110 an appeal submitted by Susan Krueger –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). **\*\*After approval/disapproval of the above appeal, a resolution stating the**

**board's decision and reasoning shall be approved at the next Board of Trustee meeting\*\***

**9. NEW BUSINESS:**

- a) **For Approval:** an agreement with Mr. Danny Garcia to help with instruction of Mesilla Marshal's Deputies on Crime Scene investigation. – **Edward Lerma, Marshal.**
- b) **For Approval:** a memorandum of understanding between United States International Boundary and Water Commission, Mesilla Marshal's Department, Mesilla Town Attorney, and the Third Judicial District Attorney. – **Edward Lerma, Marshal.**
- c) **For Approval:** a memorandum of understanding between Elephant Butte Irrigation District and Town of Mesilla for the use of District Drains, canals, and laterals as multi-use, non-motorized pathways. – **Rod McGillivray, Public Works Director.**

**10. \*STAFF REPORTS:**

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

**11. BOARD OF TRUSTEE COMMITTEE REPORTS**

**12. BOARD OF TRUSTEE/STAFF COMMENTS**

**13. 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](http://www.mesillanm.gov).

Posted 11/5/2020 at the following locations: Town Clerk's Office 2231 Avenida de Mesilla, Public Safety Building 2670 Calle de Parian, Mesilla Community Center 2251 Calle de Santiago, Shorty's Food Mart 2290 Avenida de Mesilla, Ristramn Chile Co., 2531 Avenida de Mesilla and the U.S. Post Office 2253 Calle de Parian.

## Cynthia Stoechner-Hernandez

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**From:** Beth Miles <beth@cervanteslawnm.com>  
**Sent:** Tuesday, October 20, 2020 5:26 PM  
**To:** Cynthia Stoechner-Hernandez (cynthias-h@mesillanm.gov)  
**Subject:** Request Attorney Interpretation re: HR Zone Chapter 18.35

Joseph said this is fine.

Beth

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**From:** John Darden [mailto:johndarden@zianet.com]  
**Sent:** Saturday, October 17, 2020 2:52 PM  
**To:** Beth Miles <beth@cervanteslawnm.com>  
**Cc:** John Darden <johndarden@zianet.com>  
**Subject:** RE: Request Attorney Interpretation re: HR Zone Chapter 18.35

Beth,

At the request to the Office of Mr. Joseph Cervantes, Town Attorney, by Ms. Stoechner-Hernandez, I was asked to review the Town's Historical Residential Zone and particularly 18.35.040 Development (S)tandards. Lot Area is defined to be each lot or parcel "to be developed". Statutory construction of terms within an ordinance requires looking at the plain meaning of the language of the ordinance in this case the phrase "to be developed". It also requires consideration of the purpose of the ordinance (here residential and historical) and the use of the properties within the zone at the time of adoption of the zone. Normally in the context of a zone change which alters the use of properties within that new zone, properties which are already developed and used or vacant at the time of the adoption of the ordinance may be considered non-conforming but only for the use at the time of the adoption of the ordinance. The use prior to the adoption of the zone change will continue until the use is abandoned or the owner takes some steps to alter that use.

The word "developed" is not limited to new construction. Remodeling a residential use in some significant fashion as determined in a reasonable fashion by the Town can trigger the need to comply with the ordinance – 80 feet frontage and 8,000 sf of area. For example, a person residing in a non-conforming residence within the zone may continue to reside in that residence until remodeled in more than simple fashion as determined by the Town. A coat of paint, enclosing an existing porch, putting on a new roof, doors, electrical upgrade all seem to me to be reasonable continuation of an existing residential use. A new room or adding to a porch before enclosing it could however change the use depending upon the reasonable definition of change established by the Town. A vacant lot or a commercial activity in a structure previously permitted under the former zoning may continue until the use is changed. A change from commercial use to residential use would alter the non-conforming use. A change from one commercial tenant to another which does not change the structure would be a continuation of the preexisting use. While continuing to keep a lot vacant is permitted non-conforming, construction on the vacant lot would change the prior use by the owner as a vacant lot.

Please obtain Mr. Cervantes's approval and/or change before submitting to the Town.

Respectfully,

John Darden



# Town of Mesilla, New Mexico

**BOARD OF TRUSTEES  
TOWN OF MESILLA  
CLOSED SESSION  
MONDAY, OCTOBER 26, 2020  
5:30 P.M.**

**VIA TELECONFERENCE 1-346-248-779**

**MEETING ID 983-7900-0389**

**PASSWORD 971704.**

- 1. CLOSED SESSION** – pursuant to NMSA 1978 Chapter 10-15-1(H)(2): discussion limited to personnel matters in the Public Works Department. – **Requested by Trustee Johnson-Burick and Trustee Garcia.**

Mayor Barraza and trustees went into Closed Session at 5:30 p.m.

**BOARD OF TRUSTEES  
TOWN OF MESILLA  
REGULAR MEETING  
MONDAY, OCTOBER 26, 2020  
6:00 P.M.**

**VIA TELECONFERENCE 1-346-248-7799**

**MEETING ID 983-7900-0389**

**PASSWORD 971704**

**TRUSTEES:** Nora L. Barraza, Mayor  
Carlos Arzabal, Mayor Pro Tem  
Jesus Caro, Trustee (joined meeting at 6:15 p.m. – technical difficulties)  
Veronica Garcia, Trustee  
Stephanie Johnson-Burick, Trustee

**STAFF:** Cynthia Stoechner-Hernandez, Town Clerk  
Kevin Hoban, Fire Chief  
Eddie Lerma, Marshal  
Rod McGillivray, Public Works Director  
Dorothy Sellers, Special Events Coordinator  
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.**

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

**3. CHANGES TO THE AGENDA & APPROVAL**

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

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

Mayor Pro Tem Arzabal Yes

Trustee Garcia Yes

Trustee Johnson-Burick Yes

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

**Public input in writing shall be received at [cvnthias-h@mesillanm.gov](mailto:cvnthias-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.**

**No Public Input**

**5. STATEMENT REGARDING CLOSED SESSION AND ROLL CALL VOTE – discussion during the closed session was limited to personnel matters in the Public Works Department pursuant to NMSA 1978 Chapter 10-15-1(H)(2). – Board of Trustees.**

**Motion: A Closed Session was held prior to regular meeting to discuss limited personnel matters in the Public Works Department pursuant to NMSA 1978 Chapter 10-15-1(H)(2): no action was taken, 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 Garcia Yes

Trustee Johnson-Burick Yes

**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 stated the date should read 10.13.2020 for approval of Mr. Prieto’s application.

Trustee Caro stated he has been in attendance since the beginning of the Closed Session but had technical difficulties.

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

**Roll Call Vote: Motion passed (summary: Yes =4).**

Mayor Pro Tem Arzabal Yes

Trustee Caro Yes

Trustee Garcia Yes

Trustee Johnson-Burick Yes

- a) **\*BOT MINUTES** – Minutes of a Work Session and Regular Meeting on October 13, 2020. *Approved by consent agenda*
- b) **\*PZHAC Case 061120** – 2230 Avenida de Mesilla, submitted by Jesus Lucero; a request to modify a zoning permit to allow a gate to be installed in a section of previously approved fencing on a commercial property at this address. **Zoned: Historical Commercial (HC).** *Approved by consent agenda*
- c) **\*PZHAC Case 061112 W/CONDITIONS** – 2230 Avenida de Mesilla, submitted by Roman Prieto for “Prieto Imports”; a request to modify an existing sign permit to install two wall signs instead of a hanging sign on a business at this address. **Zoned: Historical Commercial (HC).** *Approved by consent agenda*
- d) **\*PZHAC Case 061135 W/CONDITIONS** – 2230 Avenida de Mesilla, submitted by Joshua Prieto for “Merch de Mesilla”; a request for a sign permit to install two wall signs on a business at this address. **Zoned: Historical Commercial (HC).** *Approved by consent agenda*
- e) **\*PZHAC Case 061136**– 2309 Calle de Guadalupe, submitted by Gabriela Gaxiola-Reichel for “Le Boutique, LLC”; a request for a sign permit to allow a wall sign on a business at this address. **Zoned: Historic Commercial (HC).** *Approved by consent agenda*

#### 7. OLD BUSINESS

- a) **Resolution 2020-21:** A resolution on an appeal for Case 061079 approving a lot line adjustment at 1780 Calle de El Paso. – **Mesilla Board of Trustees.**

Ms. Stoechner-Hernandez read Resolution 2020-21: A resolution on an appeal for Case 061079 approving a lot line adjustment.

**Motion: To approve Resolution 2020-21: A resolution on an appeal for Case 061079 approving a lot line adjustment at 1780 Calle de El Paso, Moved by Trustee Johnson-Burick, Seconded by Trustee Garcia.**

**Roll Call Vote:** Motion passed (summary: Yes =4).

Mayor Pro Tem Arzabal Yes

Trustee Caro Yes

Trustee Garcia Yes

Trustee Johnson-Burick Yes

- b) **Resolution 2020-22:** A resolution on an appeal for Case 061088 denying the construction of a garage/workshop at 1780 Calle de El Paso. – **Mesilla Board of Trustees.**

Ms. Stoechner-Hernandez read Resolution 2020-22: A resolution on an appeal for Case 061088 denying the construction of a garage/workshop at 1780 Calle de El Paso.

**Motion: To approve Resolution 2020-22: A resolution on an appeal for Case 061088 denying the construction of a garage/workshop at 1780 Calle de El Paso, Moved by Trustee Johnson-Burick, Seconded by Trustee Garcia.**

**Roll Call Vote:** Motion passed (summary: Yes =3; No=1).

Mayor Pro Tem Arzabal Yes

Trustee Caro No

Trustee Garcia Yes  
Trustee Johnson-Burick Yes

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

- a) **A Public Hearing:** on PZHAC 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).

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

**Roll Call Vote:** Motion passed (summary: Yes =4).

Mayor Pro Tem Arzabal Yes  
Trustee Caro Yes  
Trustee Garcia Yes  
Trustee Johnson-Burick Yes

Public Hearing opened at 5:26 p.m.

Ms. Stoechner-Hernandez read Ms. Krueger's letter.

Mr. Taylor requested his letter of September 28, 2020 be read into the record.

Ms. Stoechner-Hernandez read Mr. Taylor's letter.

Mayor Barraza explained the process.

Ms. Krueger referred to Mr. Taylor's statement as to how the porch enclosure adheres to the Secretary of Interiors guidelines is what she expressed in her letter. The standards allow for changes to structures even if classified as significant. She does not believe it was not the intent of the Secretary of Interior or the Town of Mesilla Codes to limit significant structures to one change. Change is inevitable when there are old properties.

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

**Roll Call Vote:** Motion passed (summary: Yes =4).

Mayor Pro Tem Arzabal Yes  
Trustee Caro Yes  
Trustee Garcia Yes  
Trustee Johnson-Burick Yes

Opened Regular Meeting at 6:39 p.m.

- b) **For Approval/Disapproval:** on PZHAC 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). **\*\*After approval/disapproval of the above appeal, a resolution stating the board's decision and reasoning shall be approved at the next Board of Trustee meeting\*\***

Mayor Barraza read the appeal of the PZHAC denial of Case 061110.

Mr. Taylor stated request is for the side porch which is barely visible from Calle de Arroyo and Calle Parian. The porch was built in 1972 and connects to 2 buildings that were built in 1985. The fabric of the buildings will not be impacted at all. The proposed porch meets the Secretary of Interiors guidelines for historic preservation. He urges the town to work with SHPO and other entities in updating their survey.

Commissioner Salas stated he believes Mr. Taylor can do what SHPO needs to be done to that building. Mr. Taylor stated that in 1972 it was a change to the original structure and a continuation of changes being done to a historical structure. He is not saying alterations are not allowable but how would we feel if La Posta started making changes to their historical structure. As a retired fireman he looks at what could happen when doors are removed.

Trustee Caro stated after hearing both sides he feels there is no reason for not approving this case. The historical integrity will not be affected considering where the porch will be constructed as it will not be visible to the street.

**Motion: To approve PZHAC 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), Moved by Trustee Caro, Seconded by Trustee Johnson-Burick.**

Mayor Pro Tem Arzabal asked if we have anything from SHPO regarding this case.

Mayor Barraza responded this was not sent to SHPO.

Trustee Johnson-Burick stated she takes all cases seriously. When they purchased their property, they were told by the Taylors and SHPO since there had been so many changes and add-ons were done to the historical property, they would not be eligible for those type of grants. Read 18.08.22. It has been said tonight that the porch is barely visible. CID indicated the doors would have to be removed; this would be changing the historical integrity of the property. Ms. Krueger has stated she is concerned with rehabilitating her property. Rehabilitation is different (terminology) in terms of when you are preserving the historical aspect.

Mayor Pro Tem Arzabal recommended postponing the case until we receive something from SHPO.

Mayor Barraza responded staff would request the information from SHPO; needs to be in form of a motion.

Trustee Johnson-Burick stated if we approve this after receiving information from SHPO, we would be violating our ordinance.

Mr. Taylor stated the doors are not historic as they were installed in 1970. He is not looking at expanding; this is an existing porch that will be enclosed. There would not be an impact to the historic fabric of the building. He believes this follows the guidelines of the Town of Mesilla and disagrees with the trustees who have spoken against approving this case. He would give his word to not reinstall the doors. He reiterated this is in accordance with the zoning of Mesilla and SHPO standards.

Mayor Barraza asked if the vigas would be replaced.

Mr. Taylor responded some will need to be replaced as well as some of the posts due to terminate damage.

Mayor Barraza asked what material will be used to replace the vigas, is the building made of adobe and if the doors and windows will stay intact. She asked what his intention for the roof is.

Mr. Taylor responded it will be with like material. The building is made of adobe and the windows and doors will remain. They would leave the roof as it.

Commission Salas stated nothing is permanent; he is building a wall, and everything is reversible.

Mr. Taylor responded he has no intention of removing the wall.

Trustee Johnson-Burick stated PZHAC did state that the enclosure would change the exterior of the historic structure. We are bound by the ordinance.

Chairperson Lucero stated there was discussion where the PZHAC did state that it would change the appearance of the structure. We do not want to change Mesilla especially around the plaza. We are trying to preserve what we have and hope the board of trustees follow suits.

Trustee Johnson-Burick state just because something is barely noticeable does not give us the right to violate our ordinances.

**Amended Motion: To postpone PZHAC Case 061110 until information has been received from SHPO, Moved by Mayor Pro Tem Arzabal; Seconded None.**

**Amended Motion failed: No Second.**

**Original Motion Roll Call Vote:** Motion denied (summary: Yes =1; No=3).

Mayor Pro Tem Arzabal No - *not in compliance with ordinance*

Trustee Caro Yes - *there is good justification*

Trustee Garcia No - *due to ordinance*

Trustee Johnson-Burick No – *based on the ordinance; change the appearance of structure. Supports the PZHAC, will set precedent and would not benefit the Town of Mesilla.*

Mr. Taylor stated he respects the decision made even though he does disagree. He thanked the board for their time and consideration on this matter.

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

Trustee Johnson-Burick: MPO meeting on October 14<sup>th</sup>; several presentations, approval of resolutions  
MPO meeting will be held on November 12<sup>th</sup>

Mayor Pro Tem Arzabal: CEO meeting in December, 2020

Trustee Garcia: MPO meeting

Mayor Barraza: MPO meeting, RTD meeting this week, weekly Mayor Caucus, OEM update, Care Act Grant presentation

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

Ms. Sellers stated 10 applications have been submitted. She is serving as a liaison between the businesses and the Chamber of Commerce. The Halloween Drive-Thru has been cancelled.

Mayor Barraza stated that reflects the good job Ms. Sellers has done in communicating that information to our businesses.

Fire Chief Hoban asked that due to the cold weather people keep up on maintenance of their furnace, fireplaces, etc.

Mr. McGillivray stated Calle de Norte project will be completed on Friday. The parks, plaza and public restrooms have been closed due to the rise in COVID19.

Mayor Barraza stated read a letter from Health Care Professionals. Her family has been affected by COVID as well as other families in Mesilla as the numbers have gone up in our community. The Fire and Marshall Departments are at risk as they respond to calls. She pleaded that everyone does their part during this pandemic. The Town Hall is closed to the public; appointments can be made by calling the office. The court will continue to be open Mondays, Wednesdays, and Fridays. We all need to take the necessary steps to protect our community as this is not going to go away. Businesses are concerned now with the plaza being closed. Another Mesilla business closed its doors for a week due to an employee testing positive to COVID19. We are working in trying to protect our Mesilleros. El Paso has imposed a curfew which means more people will be coming to our community. We received the attorney's interpretation on Ordinance 18.35.35; a joint session, PZHAC and trustees, will be scheduled for further discussion. She is glad that businesses are taking advantage of the Cares Act Fund. Ms. Stoechner-Hernandez will be out his week and ask that everyone pray for her and her family.

Mayor Pro Tem Arzabal stated Mr. Damacio Bernal, brother to former trustee Mr. Sam Bernal, is fighting for his life as well as his daughter due to COVID19; asked for everyone to keep them in their prayers. He read a text from a nurse regarding the hospital situation.

Trustee Johnson-Burick stated regarding Mr. Taylor, these decisions are not easy. We need to follow the platform we ran on to follow the ordinances. She can emphasize enough that Mr. Taylor thanked us and respected our decision. She thanked Mr. Taylor for understanding we are doing our job.

Trustee Caro reminded everyone to vote.

Trustee Garcia stated she would like staff to be tested weekly. She had COVID19 and it was not fun.

Mayor Barraza responded she has spoken to Ms. Stoechner-Hernandez regarding testing. The Basilica de San Albino will be having testing on Wednesday starting at 6:30 a.m.; interested staff may go get tested.

## **11. ADJOURNMENT**

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

**MEETING ADJOURNED AT 7:29 P.M.**

**APPROVED THIS 9th DAY OF NOVEMBER, 2020.**



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Nora L. Barraza  
Mayor

**ATTEST:**

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Cynthia Stochner-Hernandez  
Town Clerk/Treasurer

DRAFT

**BOT ACTION FORM**  
**BUILDING PERMIT 061138**  
**[PZHAC REVIEW – 11/2/20]**

**(Decision to be based on information presented during the Work Session – Item 2)**

**Item:**

2280 Calle Principal, submitted by Father Cristopher Williams for the Basilica of San Albino; a request for a zoning permit to allow the construction of a columbarium on a property owned by the Diocese of Las Cruces behind the church store. Zoned: Historic Residential (HR)

**Staff Analysis:**

The proposed work was discussed in the PZHAC Work Session held prior to this meeting. (Please refer to the information provided in the write-up for this item in the Work Session.)

If it is determined that the proposed columbarium is acceptable to the Town as proposed; and meets all applicable codes, or if an alternate solution is arrived at, then the request 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 stated below.

If, on the other hand, it is determined that the proposed columbarium is not acceptable to the Town; requires a special use permit, or does not meet all applicable codes, and no other solution can be reached, then the PZHAC should either postpone the request further 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 as listed.

**Estimated Cost: \$50,000.00**

**Consistency with the Code:**

The PZHAC will need to determine that the addition to the columbarium will be consistent with other construction in the Town. The PZHAC will also need to determine that the request, as submitted, is consistent with all other sections of the **Building and Zoning Codes** that may be applied to this project.

**Findings:**

- The PZHAC has jurisdiction to review and approve this request.
- The proposed work consists of constructing a columbarium on church property at this address.
- The PZHAC has determined that the proposed columbarium does not need a special use permit.
- The PZHAC has determined that the proposed columbarium meets all applicable Code requirements.

**PZHAC ACTION:**

*The PZHAC determined that proposed columbarium would not be out of character with the surrounding area or the Code and does not need a Special Use Permit; and voted 4 – 0 to APPROVE the request with the following CONDITION:*

1. *The Columbarium must meet all CID requirements for approval of a building permit from CID.*

**BOT OPTIONS:**

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

**BOT ACTION:**

**PZHAC ACTION FORM  
BUILDING PERMIT 061138  
[PZHAC REVIEW – 11/2/20]**

**(Decision to be based on information presented during the Work Session – Item 2)**

**Item:**

2280 Calle Principal, submitted by Father Cristopher Williams for the Basilica of San Albino; a request for a zoning permit to allow the construction of a columbarium on a property owned by the Diocese of Las Cruces behind the church store. Zoned: Historic Residential (HR)

**Staff Analysis:**

The proposed work was discussed in the PZHAC Work Session held prior to this meeting. (Please refer to the information provided in the write-up for this item in the Work Session.)

If it is determined that the proposed columbarium is acceptable to the Town as proposed; and meets all applicable codes, or if an alternate solution is arrived at, then the request 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 stated below.

If, on the other hand, it is determined that the proposed columbarium is not acceptable to the Town; requires a special use permit, or does not meet all applicable codes, and no other solution can be reached, then the PZHAC should either postpone the request further 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 as listed.

**Estimated Cost: \$50,000.00**

**Consistency with the Code:**

The PZHAC will need to determine that the addition to the columbarium will be consistent with other construction in the Town. The PZHAC will also need to determine that the request, as submitted, is consistent with all other sections of the **Building and Zoning Codes** that may be applied to this project.

**Findings:**

- The PZHAC has jurisdiction to review and approve this request.
- The proposed work consists of constructing a columbarium on church property at this address.
- The PZHAC has determined that the proposed columbarium does not need a special use permit.
- The PZHAC has determined that the proposed columbarium meets all applicable Code requirements.

**PZHAC OPTIONS:**

1. Approve the zoning request
2. Approve the zoning request with conditions.
3. Postpone a decision on the request to allow the applicant to modify the request.
4. Reject the zoning request.

**PZHAC ACTION:**

**PZHAC WORK SESSION  
NOVEMBER 2, 2020  
ITEM 2**

Submitted by Father Cristopher Williams for the Basilica of San Albino; a request to discuss plans for the construction of a columbarium on a property owned by the Diocese of Las Cruces behind the church store 2280 Calle Principal. (Case 061138) Zoned: Historic Residential (HR)

The subject property is owned by the Diocese of Las Cruces and contains the San Albino Catholic Gift Shop, with a Grotto to the Mother Mary located in a patio area at the rear of the store. The proposed columbarium will be located on a vacant piece of the property to the west of the patio area (see attached site plan). Access to the columbarium will be by a gate from the patio area, and by a walkway that will run between the north edge of the columbarium and the church parking lot adjacent to the subject property. The plans for the columbarium, provided by Father Willlliams, are attached.

Until recently, a columbarium was not allowed in the Historic Commercial (HC) zone unless it was part of a cemetery that was allowed by a Special Use Permit (MTC 18.55.010.) This prohibition was removed from the Code by Ordinance 2020-05 approved by the BOT in September of this year amending the Zoning Code. The following is the ordinance as it was written:

**Chapter 18.55 UNCLASSIFIED AND SPECIAL USES**

18.55.010 Land uses.

D. The uses are as follows:

5. Columbariums, crematories, and mausoleums unless inside a cemetery, are excluded from H-R ~~and H-C~~ zones.

The PZHAC will need to determine whether or not a Special Use Permit is needed for the columbarium, or if the columbarium can be allowed as a part of the existing Parish use of the property and allowed by a Zoning Permit issued by the Town and a Building Permit issued by CID. (This is because of the fact that once the limitation on columbariums was removed from the Code, there is no mention in the Code of requirements for a columbarium.)

The subject property is on the east side of Calle de Guadalupe at the north edge of the RA zone. The neighboring property to the north is zoned HR. at the northwest corner of the Town in the RF zone. The existing dwelling currently sits on a 4356 square foot parcel that also contains a large storage building at the rear of the property. According to the applicant, this storage building will be just over ten feet from the proposed addition.

The applicant or a representative will be present by “Zoom” at the work session to provide further details about the proposed columbarium, and to answer any questions that may arise.



# Doña Ana County, NM

General Reference Maps

2014 Aerial | Addresses | County Address Points

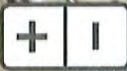
Select Search Type: Account Number | Enter Value:

Maps

Legend

<b>Map Themes</b>
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: [R0400279](#)  
 Parcel Number: 4006137202433  
 Owner: SAN ALBINO PARISH INC  
 Mail Address: PO BOX 26  
 Subdivision:  
 Property Address: 2270 CALLE  
 PRINCIPAL #3  
 Acres: 0





PHOTOS OF THE PROPERTY FROM CALLE PRINCIPAL





**PHOTOS OF THE REAR OF THE PROPERTY FROM THE CHURCH PARKING LOT**



## **Plans for Basilica of San Albino Catholic Church Columbarium Garden**

### **1.0 Background Information:**

The Basilica of San Albino is a Catholic Mission Church re-built in 1908 in a Romanesque style. It is located on the north end of the town plaza in Old Mesilla, New Mexico. Our current church cemetery is nearing capacity and is expected to be out of available spaces within the next few years. Considering this as well as the increasing number of requests for cremation in lieu of burial we would like to modify an area adjacent to the existing gift shop and rectory to accommodate installation of columbaria.

**2.0 Objective:** The objective of this project is to provide a serene, sacred, and appropriate resting place for the parishioners and non-parishioners of the Basilica of San Albino. The architectural design of the Garden will fit well within the historical village of Mesilla. Most importantly, the Garden will represent a location that is respectful for both the deceased, families, and visitors.

The physical implementation of this plan may be accomplished in several phases.

### **3.0 Requirements:**

#### **3.1 Physical Location and Walls**

**3.1.1** The Garden will be located behind the current Gift Shop Patio.

**3.1.2** The Garden will be designed to maintain the historical architectural styles of the existing Gift Shop, San Albino Church, and City of Mesilla.

**3.1.3** The Garden will be the width of the current Gift Shop Patio which is approximately 48' wide.

**3.1.4** The Garden will consume the remaining property depth. The depth of the property is approximately 72' from the back wall of the gift shop patio.

**3.1.5** An approximate 6' gate will be cut into the existing gift shop back wall. New Wrought-Iron gates will be installed in the wall to allow access to the garden. The new gate will be similar in design to the existing gate into the patio.

**3.1.6** The existing back wall is approximate 4'4" in height x 10" in depth. This existing wall will be maintained to allow a view from the patio into the garden.

3.1.7 The adobe bricks taken from the new gate opening will be used to raise the height of the wall around the current statue of Our Lady of Lourdes Fountain.

3.1.8 Bricks similar in appearance to those in the existing wall, will be used for the extension of the North outside (Parking Lot side) wall for the Garden which will be extended to the end of the Garden. This wall will contain (2) 10' wide gates similar in appearance to attached drawing "Proposed Gates".

3.1.9 A 7' back wall will be constructed from the corner of the Rectory back wall to enclose the Columbarium Garden property.

3.1.10 All exterior facing components will be constructed of materials and of a style that complements the existing church structures and the town of Mesilla.

3.1.11 Ample space will be left in the garden for conducting inurnment Rites and personal reflection.

3.1.12 Spacing around and through the garden shall be ADA compliant.

3.1.13 All footings for walls and columbaria will be designed to accommodate both the current and future requirements.

3.1.14 Columbaria will be constructed out of Granite or similar stone.

3.1.15 Columbarium niches placed along the interior side of the exterior walls will not exceed the height of the wall

3.1.16 Appropriate areas of "free space" will be provided within the Garden.

3.1.17 An illustration is included as "Notional Drawing A". We intend to ask contractor/bidders to offer their recommendations for optimal utilization of our space after giving them guidelines from this document.

3.1.18 Appropriate religious statues may be installed at various locations in the garden.

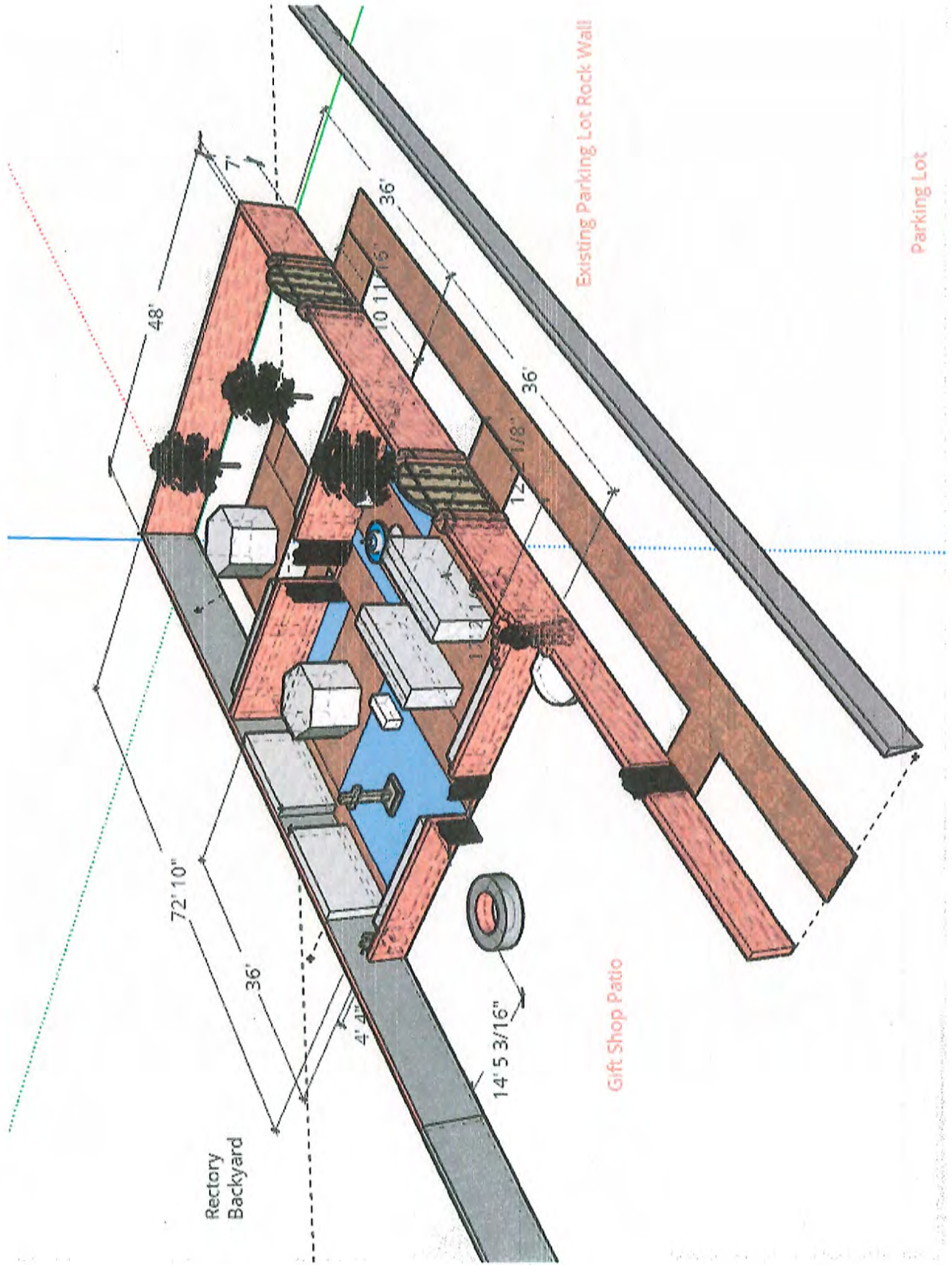
3.1.19 Benches may be installed at appropriate locations within the garden.

3.1.20 Both potted and ground rooted plants may be located throughout the garden with concrete and/or gravel pathways.

3.1.21 Provisions will be made for the inclusion of water outlets, electricity, security/security cameras and lighting within the garden for both current and future anticipated needs.



Notional Drawing A







**TOWN OF MESILLA  
ZONING APPROVAL**

OFFICIAL USE ONLY:  
Case # 061138  
Fee \$ 85.50

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

2231 Avenida de Mesilla, P.O. Box 10, Mesilla, NM 88046 (575) 524-3262 ext. 104

CASE NO. 061138 ZONE: HC CODE: ADU APPLICATION DATE: 10/26/20

BASILICA OF SAN ALBINO Name of Property Owner  
575-526-9349 Property Owner's Telephone Number  
~~2070 CALLE DE SANTIAGO~~

P.O. Box 26 Property Owner's Mailing Address  
MESILLA, NM City 88046 State Zip Code

BASILICA@SANALBINO.ORG Property Owner's E-mail Address

TBD Contractor's Name & Address (if none, indicate Self)

Contractor's Telephone Number Contractor's Tax ID Number Contractor's License Number

Address of Proposed Work: 2230 CALLE PRINCIPAL

Description of Proposed Work: SEE ATTACHED

\$50,000.00 Estimated Cost  
Fr. Christopher Williams Signature of Applicant  
10-26-2020 Date

Signature of property owner: \_\_\_\_\_

With the exception of administrative approvals, all permit requests must undergo a review process from staff, PZHAC and/or BOT before issuance of a zoning permit. **Plan sheets are to be no larger than 11 x 17 inches or shall be submitted electronically.**

**FOR OFFICIAL USE ONLY**

**PZHAC**  Administrative Approval  Approved Date: \_\_\_\_\_  
 Approved Date: \_\_\_\_\_  Disapproved Date: \_\_\_\_\_  
 Disapproved Date: \_\_\_\_\_  Approved with Conditions  
 Approved with conditions

PZHAC APPROVAL REQUIRED:  YES \_\_\_ NO BOT APPROVAL REQUIRED:  YES \_\_\_ NO

CID PERMIT/INSPECTION REQUIRED:  YES \_\_\_ NO \_\_\_ SEE CONDITIONS

CONDITIONS: PZHAC REVIEW & BOT APPROVAL REQUIRED

PERMISSION ISSUED/DENIED BY: \_\_\_\_\_ ISSUE DATE: \_\_\_\_\_

THIS APPLICATION SHALL INCLUDE ALL OF THE FOLLOWING:

1. Plot plan with legal description to show existing structures, adjoining streets, driveway(s), improvements & setbacks. Verification shall show that the lot was **LEGALLY** subdivided through the Town of Mesilla or that the lot has been in existence prior to February 1972.
2. Site Plan with dimensions and details.
3. Foundation plan with details.
4. Floor plan showing rooms, their uses and dimensions.
5. Cross section of walls
6. Roof and floor framing plan
8. Proof of legal access to the property.
9. Drainage plan.
10. Details of architectural style and color scheme (checklist included for Historical zones) – diagrams and elevations.
11. Proof of sewer service or a copy of septic tank permit; proof of water service (well permit or statement from the Public Utility providing water services).
12. Proof of legal access to the property.
13. Other information as necessary or required by the City Code or Community Development Department (See other side.)





**RESOLUTION NO. 2020-23**

**A RESOLUTION ON AN APPEAL BY MICHAEL TAYLOR FOR CASE 061110  
DENYING CONSTRUCTION OF AN ENCLOSED PORCH  
AT 2341 CALLE DE ARROYO.**

**WHEREAS**, the Board of Trustees convened on October 26, 2020 at a regular meeting and considered the case regarding an appeal of the Planning, Zoning and Historical Appropriateness Commission's (PZHAC) denial of a request to enclose the front porch on a dwelling at 2341 Calle de Arroyo; and

**WHEREAS**, the Board of Trustees were informed of the details of the case; and

**WHEREAS**, the Board of Trustees heard testimony from the applicant and staff regarding the request; and

**NOW THEREFORE, BE IT RESOLVED** the Board of Trustees of the Town of Mesilla hereby denied Mr. Taylor's appeal related to Case 061110 by a vote of 3-1.

**BE IT FURTHER RESOLVED** that this decision was made based on the following findings:

- a) The ordinance does not allow for the changing of the historical preservation of this significant structure.

**PASSED, APPROVED AND ADOPTED** this 9th day of November 2020.

---

Nora L. Barraza  
Mayor

**ATTEST:**

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Cynthia Stoechner-Hernandez  
Town Clerk-Treasurer

**Roll Call Vote:**

Mayor Barraza	_____
Trustee Johnson-Burick	_____
Trustee Arzabal	_____
Trustee Caro	_____
Trustee Garcia	_____

What follows is an appeal of the PZHAC decision made at their regularly scheduled meeting of September 21, 2020, to deny Case 061110, a request to enclose a front porch on a dwelling at 2341 Calle de Arroyo, submitted by Michael R. Taylor.

This appeal asks the question if, at this meeting with this Case, the PZHAC Commissioners had and took the time to explore the context and the complexities of the Case as well as the flexibility allowed in the application of Chapter 18.33. If they did not, then was their decision to deny the case unreasonable and should it be reversed?

Below, is a summary of the context and complexities as I know them from my knowledge and experience with this property and with preservation generally in Mesilla. Also, I attended the work session and meeting by teleconference.

**First, the context of the request:** the set of buildings that includes this small apartment is known collectively as the Barela/Reynolds property. The property is # 117 on the National Register of Historic Places and the description of # 117 was included in the P&Z packets. # 117 includes the two stores that front on the Plaza and are located on either side of the zaguan that leads into the residence of J. Paul Taylor. # 117 also includes family member apartments and storage areas that extend west from J. Paul Taylor's residence to Calle Arroyo. Together, as one, all of the structures and spaces that make up the Barela/Reynolds property are classified as significant.

Another element of context is addressed in Section 18.80.22 (MTC) "Features not subject to public view." While the property is addressed on Calle Arroyo, the porch is not distinctly visible from the street because the property is located a hundred or so feet along a private dirt driveway and when you get to the property, the porch is set back from the driveway. Further, not only is the property setback significantly from Calle de Parian, but also the porch is located behind an adobe wall in the yard, making only part of it visible from Calle de Parian.

**Second, some of the complexities of the request:** the National Register inventory of Town buildings was completed and filed with the Department of the Interior in September, 1980. As available, the entry for an individual building contains both historical background information and occupancy and building description information collected during the inventory time period, about 1979-80. This combination of information about the past and the present is evident in the # 117 entry. Further, on the inventory sheet for # 117, the estimated date of construction for the first structure on the Barela-Reynolds property is given as the 1850's. Since the build-out of the Barela-Reynolds property was accomplished over many years, and some of it before the Town's Zoning Ordinance was in place, and since the original photographs attached to each National Register inventory sheet have never been found, personal recollections of events are important sources of information.

**Third, the work session and regular PZHAC meeting of September 21, 2020:** during the work session discussion of Case 061110, Michael explained that he met with Construction Industries Division (CID) to bring his request into compliance with CID requirements. He went over the changes the request entailed, answering Commissioners' questions, and noted that he had checked the proposed changes with the Secretary of the Interior's Standards. He mentioned that the porch was built in the 1970's, adding that family records were the source for this information.

During the regular meeting, one of the Commissioners expressed, for the record, the need for something in writing from the State Historic Preservation Office (SHPO) that the proposal to enclose the porch was ok with them because the apartment is a part of a larger significant structure. Another

Commissioner suggested making that a condition of the recommendation for approval. Michael Taylor agreed to ask SHPO for that information within the next 2 to 4 weeks.

Then, without further discussion, a motion was made to recommend the case for approval to the Board of Trustees. The first Commissioner to vote said no and expressed an opinion to the effect that this request would deteriorate the historical significance of the structure. The final vote was 3 no and two yes, so the motion failed.

To the best of my knowledge and belief, it is not the intent of the Historic Preservation ordinance or the Secretary of the Interior's Standards (MTC Chapter 18.33) to prohibit alterations to the exterior of a historic property or to prohibit new construction as long as the proposed changes comply with the requirements of the Ordinance and, as necessary, meet the standards set by the Secretary of the Interior. The requirements and standards have built-in flexibility to stay modern while preserving the past.

**My particular interest:** as the owner of a home in the RF zone that is listed as "significant" on the National Register of Historic Places, I am concerned that the denial of Case 061110 would affect my ability to rehabilitate this property.

Submitted by Susan Krueger, 10/9/2020



MEMORANDUM OF UNDERSTANDING

between

Corporate entity: Town of Mesilla, N.M. and the Mesilla Marshal's Office  
and CONTRACTOR

First and last name: Danny Garcia 

Address: Las Cruces, N.M. 88007

Date-of-birth: .....

Social Security No.: .....

**1. Position**

The contractor is hereby contracted as Part-time Crime Scene Investigator and Secondary Evidence Custodian on the following terms and conditions.

**2. Commencement of the Contract**

The Contract commences on \_\_\_\_\_.

**3. Probationary Time Period**

The probationary time period is 30 days during which the contractual individual can be terminated by either party under observance of a time period of notice of 7 days.

**4. Working Hours**

The normal weekly working hours are after hours call-out No compensation for extra hours.

**5. Place of Work**

The contractor is to work mainly at the main premises of the Mesilla Marshal's Office located at 2670 Calle Del Parian. Mesilla, NM 88046. To include any scene/location called out to assist the Mesilla Marshal's Office.

**6. Duties of Due Care and Fidelity**

The contractor is to carry out the work assigned to him or her with all due care and to treat the materials and/or working tools respectively entrusted to him or her with all due care. During the duration of the contract of this specialty the contractor may not carry out work for third parties against remuneration in so far as the contractor infringes his or her duty of loyalty and in particular is in competition with the Town of Mesilla.

**7. Remuneration**

The contractor is to receive gross yearly remuneration of pay at \$1.00 (One-Dollar) per year.

## **8. Paid Vacation**

The contractor is entitled to paid vacation of ZERO amount.

## **9. Termination of the Contractual**

Notice of one month to terminate the contract of services can be given by either party to take effect as of the end of a calendar month.

## **10. Alterations to this Contract of Services**

All alterations to this contract of services are to require the written agreement of both the parties.

## **11. Applicable Law**

All disputes under this contract of services are solely to be settled by the application of the New Mexico Law. The Place of Jurisdiction is Mesilla, New Mexico.

## **12. Part-time Contract Employee Special Agreements Duties:**

- General job description for this position is to process crime scenes through identifying, documenting, processing, collecting, analyzing, interpreting, maintaining chain of custody, and reporting evidence, and testifying in court the conclusive findings of the crime scene, maintain and drive an issued Crime Scene Vehicle, where equipment will be stored for processing scenes.
- Responds to requests for crime scene processing and analysis; identifies and collects evidence.
- Documents evidence through video, photography, and sketching; processes physical evidence using various chemicals/processes; maintains chain of custody of evidence;
- Prepares reports on crime scenes and evidence collected. Tracks leads for criminal suspects and/or compares suspects and classifies fingerprints; analyzes evidence;
- Performs laboratory processing; interprets test results.
- Checks criminal histories;
- Searches database for suspects;
- Obtains DNA biological evidence from crime scenes, suspects and victims, then submits DNA evidence to the NM Department of Public Safety Lab Biological Section.
- Submits latent fingerprints to the NM Department of Public Safety Latent Unit to identify suspect persons.
- Testifies in local, state and federal courts as an expert witness.
- Secondary Evidence Custodian, performs administrative duties associated with evidence processing or intake;
- Performs latent fingerprint identification requests; Known versus the Unknown.
- Scans latent print images.
- Attends required and optional training conferences to maintain certification as a Crime Scene Investigator and to enhance performance;
- Instructor for Mesilla Marshal's Office Deputies, in the subject of Crime Scene Investigation for Patrol Officers.
- Instructor for Mesilla Marshal's Office Detective, in the subjects of Basic/Advanced Crime Scene Investigation, Forensic Death Investigation, Forensic Blood and Bullet Analysis, Crime Scene Photography, Basic Accident Investigation
- Answers telephone calls from citizens, departmental employees, or other government agencies;
- Assists other agencies as needed.



Date:

.....

Town of Mesilla, N.M. and Mesilla Marshal's  
Office

Danny Garcia  
Retired Police Investigator  
Crime Scene Investigator/Instructor  
Senior Crime Scene Analyst (I.A.I)

**Memorandum of Understanding**  
**Between**  
**United States International Boundary and Water Commission**  
**and**  
**Mesilla Marshal's Department**  
**and**  
**Mesilla Town Attorney**  
**and**  
**Third Judicial District Attorney**

**ARTICLE 1. PARTIES & BACKGROUND**

**1.1 Parties**

This Memorandum of Understanding (MOU) is entered into between the United States International Boundary and Water Commission (USIBWC or Agency), Mesilla Marshal's Department, and the Third Judicial District Attorney (DA), collectively referred to as "the Parties."

**1.2 Background**

*The Convention Between the United States and Mexico for the Equitable Distribution of the Waters of the Rio Grande*, U.S.-Mex., May 21, 1906, T.S. 455 ("1906 Treaty"), provides for the equitable distribution of Rio Grande water between the United States and Mexico. The 1906 Treaty is implemented in part by the Rio Grande Canalization Project ("RGCP") which extends for approximately 105.6 miles along the Rio Grande from the Percha Diversion Dam, located 2.0 miles below Caballo Dam, to the American Dam, in El Paso, Texas. The Act of June 4, 1936, P.L. No. 648, 49 Stat. 1463 ("1936 Act"), provides USIBWC the authority and funding to acquire all real and personal property necessary for the RGCP. The USIBWC is a federal agency charged with implementing the provisions of certain U.S.-Mexico treaties. See *The Utilization of Waters of the Colorado and Tijuana rivers and of the Rio Grande Treaty Between the United States of America and Mexico*, U.S. - Mex., Feb. 3, 1944, T.S. 994, including the 1906 Treaty. However, the USIBWC has limited law enforcement authority.

The RGCP was necessary to ensure compliance with the 1906 Treaty because it ensures delivery of Rio Grande water to Mexico. USIBWC, *Report: Control & Canalization of the Rio Grande Caballo Dam, New Mexico to El Paso, Tex.*, Pub. Res. No. 4, 74<sup>th</sup> (Feb.13, 1935) ("1935 Report"). The details of the RGCP were set-forth in the 1935 Report which was submitted to the United States Secretary of State. *Id.*

The RGCP is an engineered river system that consists of a normal flow channel and a leveed floodway. The normal flow channel has a depth of 3 to 5 feet, and a width ranging from 110 to 500 feet. It is designed to carry flood waters of a certain flow amount and velocity. Similarly, the floodways and levees are designed to carry excess floodwaters of a certain flow amount and velocity. The levee roads are gravel surfaced to facilitate access during flood emergencies. The levees are constructed with specific materials and are designed to withstand flood flows. The USIBWC continues to perform regular maintenance on the river channel, the floodways, and the levees to ensure the integrity of the RGCP system.

Pursuant to the 1935 Act, the USIBWC acquired from private party's fee title or rights-of-way to the riverbed and flood channel of the Rio Grande from Percha Dam, New Mexico to El Paso, Texas. No levee system exists in Selden Canyon because the river is confined within canyons and no channel control projects were needed. The USIBWC's primary objectives in implementing and maintaining the RGCP is to control the river and flood channel between Caballo Dam and El Paso, Texas, in order to (1) ensure the delivery of Rio Grande water to Mexican and U.S. users as guaranteed by the 1906 treaty and (2) protect lands along the RGCP from floods.

The USIBWC has limited law enforcement authority and has identified the need for law enforcement in the RGCP, particularly in areas with high levels of recreational users. Residents along the Rio Grande levees have complained of illegal and nuisance activity, including full-size and all-terrain vehicle (ATV) use in the floodways and river channel, littering, excessive noise, and camping. Vehicular activity within the floodways and river channel degrade federally maintained structures and negatively impact the RGCP as a flood-control structure.

The purpose of this MOU is to acknowledge the jurisdiction of the Mesilla Marshal's Department law enforcement authorities to enter USIBWC-controlled lands in Mesilla, New Mexico to enforce the laws under their authority. The USIBWC recognizes the need for emergency vehicles such as fire protection, ambulance, and law enforcement, to enter the USIBWC-controlled land for protection of the general welfare, and hereby authorizes such entry for emergency vehicles.

## **ARTICLE 2. AUTHORITIES**

### **2.1 USIBWC**

- a) *The Convention Between the United States and Mexico for the Equitable Distribution of the Waters of the Rio Grande*, U.S.-Mex., May 21, 1906, T.S. 455 ("1906 Treaty"), which obligates the United States to deliver a portion of Rio Grande water to Mexico;
- b) Act of June 4, 1936, P.L. No. 648, 49 Stat. 1463 ("1936 Act"), which authorizes the USIBWC to undertake the RGCP and ensure the United States' compliance with the 1906 Treaty;
- c) *The Utilization of Waters of the Colorado and Tijuana rivers and of the Rio Grande Treaty Between the United States of America and Mexico*, U.S. - Mex., Feb. 3, 1944, T.S. 994

(“1944 Treaty”), assigns the USIBWC its authority and duties to implement both the 1944 Treaty and “other treaties or agreements;”

- d) The American-Mexican Treaty Act of 1950, P.L. No. 786, 64 Stat. 846, (Sept. 13, 1950) (“1950 Act”) (codified as amended at 22 U.S.C. § 277d-1 *et seq.*), was to “facilitate compliance with the [1944 Treaty], but applies to “any project under the jurisdiction of the United States Section, International Boundary and Water Commission, United States and Mexico.” Sec. 101.
- e) 22 U.S.C. §§ 277d *et seq.*
- f) The USIBWC-controlled land in the RGCP is not a federal enclave and state and local authorities may exercise criminal and civil jurisdiction on USIBWC-controlled lands and prosecute offenders for violations of state law that occur on USIBWC-controlled land. The USIBWC retains the authority to promulgate regulations for use of or activity on USIBWC-controlled lands and has the discretion to pursue federal criminal or civil action for violations of federal law through the U.S. Department of Justice.

## **2.2 Mesilla Marshal’s Department**

- a) New Mexico law provides: “The Marshal shall be conservator of the peace within his city; shall suppress assaults and batteries, and apprehend and commit to jail, all felons and traitors, and cause all offenders to keep the peace and to appear at the next term of the court and answer such charges as may be preferred against them.” N.M.S.A. § 4-41-2.

## **2.3 DA**

- a) N.M. Const. art. VI, § 24 establishes the office of the District Attorney as the law officer of the state within the county of the district, with authority to prosecute and defend for the state in courts of the county within the judicial district, as enabled by §§ 36-1-18, 36-1-19, and 36-1-20; in conjunction with Rules 6-108, 6-201, and 5-201 NMRA.

## **ARTICLE 3. ROLES & RESPONSIBILITIES**

Pursuant to this MOU, the Parties agree to undertake the following actions:

### **3.1 USIBWC**

- a) The USIBWC allows four categories of use in different areas of USIBWC-controlled land:
  - i. Use for non-motorized recreation such as bicycling, walking, or horseback riding.
  - ii. Use for avian hunting, where motorized access remains prohibited.
  - iii. Use for habitat restoration, where any and all use is prohibited.
  - iv. Land that is leased to entities for recreation (parks) where the only traffic must stay on designated trails.

Exhibit A is an overview map of the entire reach of USIBWC-controlled land from Percha Dam to Sunland Park, New Mexico, that indicates the areas where the four different categories of uses are located. Exhibit B is a set of 33 maps of the same area.

- b) The USIBWC will post and maintain signage indicating areas that the USIBWC intends to be used for one of the four categories above, as follows:
  - i. USIBWC Drawing 26424-1 Sign A (attached hereto as Exhibit C) will be the sign used for areas that are designated for non-motorized recreation.
  - ii. USIBWC Drawing 26424-1 Sign B and Drawing 26424-2 Sign E (attached hereto as Exhibit C) will be the sign used for areas that are designated for avian hunting.
  - iii. USIBWC Drawing 26424-2 Sign C (attached hereto as Exhibit C) will be the sign used for areas that are designated for habitat restoration.
  - iv. USIBWC Drawing 26424-1 Sign D (attached hereto as Exhibit C) will be the sign used for land that is leased for recreational purposes and where traffic must stay on designated trails.
  
- c) The USIBWC will coordinate with lease holders for recreational parks in New Mexico, including City of Las Cruces, Anthony Country Club, and City of Sunland Park regarding signage and enforcement. The lease holder is responsible for maintaining signs and providing security. The USIBWC will provide copies to the Mesilla Marshal's Department and DA of any agreements or other instruments executed between the local leaseholders and USIBWC regarding security on USIBWC property.
  
- d) The USIBWC will assist the Mesilla Marshal's Department, the DA, and the Mesilla Municipal attorney in prosecuting violators who have trespassed, destroyed USIBWC property, or otherwise conducted themselves in an unlawful manner on USIBWC property. Such assistance will include written or oral testimony, providing evidence of the USIBWC's interest in the land at issue, or any other manner of assistance requested by the Mesilla Marshal's Department, the DA, or the Mesilla Municipal attorney.
  
- e) The USIBWC will identify persons or entities that may have USIBWC's permission to use motorized vehicles in no-trespass areas, including, but not limited to, USIBWC government vehicles, USIBWC contractors' vehicles, and Elephant Butte Irrigation District vehicles.
  
- f) The USIBWC will cooperate with the New Mexico Department of Game and Fish (NMGF) to monitor and enforce state regulations for hunting activity on USIBWC land. The USIBWC will provide copies to the Mesilla Marshal's Department and DA of any agreements or other instruments executed between the NMGF and USIBWC to enforce state hunting regulations on USIBWC property.

### **3.2 Mesilla Marshal's Department**

- a) The scope of the Mesilla Marshal's Department support shall be limited to law enforcement, search and rescue, medical response, and other emergency activities provided by the Mesilla Marshal's Department to other landowners in Doña Ana County.
- b) The Mesilla Marshal's Department shall enforce state and/or Municipal ordinances and laws under its authority on USIBWC-controlled land.
- c) The Mesilla Marshal's Department will report to the USIBWC's Office of Legal Advisors and the Security Division, regarding any arrest made on USIBWC-controlled land. Correspondence may be sent by email or mail to the contacts provided in Article 6 below, or sent to:

International Boundary and Water Commission, U.S. Section  
Attention: Chief Legal Counsel and Chief, Security Services Division  
4191 North Mesa  
El Paso, TX 79902-1441

### **3.3 DA & Mesilla Municipal attorney**

- a) The DA or the Mesilla Municipal attorney will notify USIBWC's Office of Legal Advisors in writing of any assistance it requires in prosecuting offenders arrested on USIBWC-controlled land. Correspondence may be sent to Chief Legal Counsel at the address provided above or by email.
- b) The DA will prosecute violators for violations of state law occurring on USIBWC land and the Mesilla Municipal attorney may prosecute violations of Municipal Ordinance occurring on USIBWC land.

## **ARTICLE 4. DURATION & COST**

### **4.1 Duration & Termination**

This MOU shall be in effect from the date of execution until either party provides written notice to the other of its intention to terminate the agreement. Nothing in this agreement shall prevent the parties from renegotiating its terms to provide for a reallocation of duties between the Parties; however, until such renegotiation has been agreed to, pursuant to the terms of Article 5 herein, this agreement will remain in full force and effect.

### **4.2 Cost**

This MOU is neither a fiscal nor funds obligation document. This MOU defines in general terms the basis on which the Parties will cooperate, and as such, does not constitute a financial obligation to serve as a basis for expenditures. Resources, equipment, supplies, facilities, training, public information, and expertise will be provided by each Party to the extent that their participation is required, and resources are available.

This MOU in no way restricts the Parties from participating in similar activities or arrangements with other public or private agencies, organizations, or individuals.

Any activities proposed that would involve reimbursement or contribution of funds between the Parties of this MOU will be handled in accordance with applicable laws, regulation, and procedures including the Economy Act (31 U.S.C. § 1535). Such activities will be documented in separate agreements, with specific projects between the parties spelled out. The separate agreements will reference this MOU. This MOU does not establish authority for noncompetitive award to the cooperator of any contract or other agreement

This MOU does not obligate the Parties to enter into any agreements, contracts, or other obligations.

Nothing in this MOU may be construed to financially obligate the Parties, the USIBWC or the United States to any current or future expenditures of resources in advance of the availability of appropriations from Congress. Nor does this agreement obligate the Parties, the USIBWC or the United States to spend funds on any particular project or purpose even if funds are available.

#### **ARTICLE 5. MODIFICATIONS**

This MOU may be modified at any time by written agreement of all Parties. Any party may request a review of the contents of this MOU, at any time, to provide recommendations for amendments.

#### **ARTICLE 6. INTERAGENCY COMMUNICATIONS**

To provide for consistent and effective communication between all Parties, the USIBWC assigns the Chief Counsel for the Agency or his/her designated representative and Chief of Security for the Agency or his/her designated representative; Marshal assigns the Marshal or the Marshal's designated representative as the Mesilla Marshal's Department primary point of contact; and DA assigns the District Attorney and Chief Deputy District Attorney or his designated representative as the points of contact on all matters related to this MOU.

IN WITNESS WHEREOF, the Parties hereto execute this instrument to be effective when signed by all Parties.

**FOR USIBWC**

\_\_\_\_\_  
(Date)

\_\_\_\_\_  
Daniel Avila, P.E.  
Principal Engineer, Operations

\_\_\_\_\_  
(Date)

\_\_\_\_\_  
Diana Forti  
Chief Administrative Officer

\_\_\_\_\_  
(Date)

\_\_\_\_\_  
Carmella Spear  
Supervisory Contracting Officer

**FOR MESILLA MARSHAL'S DEPARTMENT**

\_\_\_\_\_  
(Date)

\_\_\_\_\_  
Edward Lerma  
Mesilla Marshal's Department



**MESILLA TOWN ATTORNEY**

\_\_\_\_\_  
(Date)

\_\_\_\_\_  
Joseph Cervantes  
Attorney at Law

**FOR THIRD JUDICIAL DISTRICT ATTORNEY**

\_\_\_\_\_  
(Date)

\_\_\_\_\_  
Mark D'Antonio  
District Attorney

\_\_\_\_\_  
(Date)

\_\_\_\_\_  
Gerald M. Byers  
Chief Deputy District Attorney

## Exhibit "A"

### MEMORANDUM OF UNDERSTANDING BETWEEN ELEPHANT BUTTE IRRIGATION DISTRICT AND TOWN OF MESILLA FOR THE USE OF DISTRICT DRAINS, CANALS, AND LATERALS AS MULTI-USE, NON-MOTORIZED PATHWAYS

This Memorandum of Understanding, hereinafter MOU, is made and entered into by and between the Elephant Butte Irrigation District, hereinafter EBID, and the Town of Mesilla, hereinafter the Town.

WHEREAS, EBID is a political subdivision of the State of New Mexico and an irrigation district formed under the New Mexico statutes entitled "Irrigation Districts Cooperating with the United States Under Reclamation Laws" found at NMSA 1978, Section 73-10-1 to 73-11-55; and

WHEREAS, the Town is a municipal corporation formed under the laws of the State of New Mexico; and

WHEREAS, EBID and the Town desire to facilitate the Town's creation and maintenance of multi-use, non-motorized pathways on EBID property within Town limits; and

WHEREAS, the New Mexico Legislature approved the Trails Act in 2007, an amendment to the New Mexico Tort Claims Act, NMSA 1978, Section 41-4-6 ( c ), that retains the immunity of EBID where it allows trail uses of its property; and

WHEREAS EBID and the Town desire to jointly and cooperatively exercise their governmental authority to enter into this MOU in accordance with the terms and conditions set forth below.

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

1. Recitals: The above recitals are hereby incorporated into this MOU.
2. Purpose of MOU: The purpose of this MOU is to allow the Town to use one bank shelf of designated EBID drains, canals and laterals within Town limits for multi-use, non-motorized pathways. This MOU shall function as a blanket agreement, authorizing the issuance by EBID of special use permits for discrete segments of EBID's system

3. Term and Effective Date: This MOU becomes effective upon the date of the last signature hereon. This MOU shall continue for an initial term of five (5) years and shall be renewable for successive five-year (5 year) periods by agreement of the parties, up to a total of twenty-five (25) years. Since this recreational use of EBID property is new, and authorized under a new law, the parties understand and agree that this agreement is experimental and initially short but renewable terms of this Agreement are appropriate. Both parties recognize and agree that they will be flexible in amending the terms of this Agreement as experience with its implementation and use is deemed required by either party. After twenty-five (25) years the parties may negotiate a new agreement in order to continue the uses authorized.
4. Definitions: (For purposes of this document only)
  - a. Water Prism: The maximum cross-sectional area of the flow stream of a canal, lateral or drain.
  - b. Multi-use: Bicycle, pedestrian and non-motorized uses.
  - c. Bank Shelf: One side, as authorized by EBID by special use permit, of an EBID canal, lateral or drain exclusive of the water prism and its freeboard; or stated otherwise, the area above the freeboard along the top of the berm to the outside toe of slope; or, as otherwise limited by the specific terms stated in the individual EBID special use permit.
5. Restriction to One Side of the Bank Shelf: Each EBID special use permit issued to the Town under this Agreement will designate which side of an EBID drain, canal or lateral the Town is authorized to use. Under no circumstances shall the Town use, or EBID allow for simultaneous use of, both sides of a drain, canal or lateral for multi-use non-motorized pathways; however, EBID may allow for crossover of the Town use, or EBID allow for simultaneous use of, both sides of the drain, canal or lateral for multi-use non-motorized pathways; however, EBID may allow for crossover of the Town's use from one side to the other side, provided that the crossover will be over an EBID water control structure.
6. Prohibition on Interference with Maintenance: EBID shall have the authority to prohibit access to any multi-use pathway at any time, if EBID determines that such use will interfere with EBID operation and maintenance procedure.
7. Responsibilities of the Town:
  - a. Submission of application for and receipt of a special use permit for each section of EBID property that the Town desires to incorporate into the Town's trail system. Each special use permit shall be limited to the use of one bank shelf designated by EBID and shall contain specifications for authorized development and use and required maintenance, prior to commencing any activities on EBID

drains, canals and laterals. The permits must be approved by the EBID Board of Directors. A sample/generic special use permit application is attached as Exhibit A to this Agreement, but the parties understand that terms of actual special use permits issued pursuant to this Agreement may differ.

- b. Construction, installation and ongoing maintenance of structures and facilities associated with the pathways in accordance with specifications set forth in special use permits issued by EBID. Maintenance shall include, but is not limited to the pathways, landscaping, and any other structures included in the Town development on the specified bank shelf.
- c. Designation of a representative from the Town who shall serve as a single point of contact for a representative of EBID.
- d. Enforcement of the limitation on use of the pathways, including but not limited to ensuring that no motorized traffic utilizes the pathways, with the exception of the Town equipment, which is permitted when necessary on the pathways.
- e. Compliance with the following general requirements/conditions:
  - No structure or park equipment within or impediment to the water prism or the freeboard;
  - Landscaping is not permitted on the bank shelf reserved for EBID or within the water prism and landscaping shall not impede emergency or maintenance vehicles;
  - No water shall be removed or redirected from EBID facilities without meeting specific EBID conditions for water use;
  - Any use of EBID facilities for multi-use pathways is subservient to the intended agricultural function of canals, laterals and/or drains. One bank must be a minimum 8 feet wide for EBID vehicle traffic and EBID shall solely determine the bank retained for its use;
  - No use shall be permitted which will degrade the quality of the water in the canals, laterals or drains.
  - Along the entire length along and on the top of the berm on the side of the EBID canal, lateral or drain used by the Town, the Town shall leave at least an eight-foot (8') wide area for EBID vehicle passage for maintenance and in the event of emergencies. Such area need not be straight but must allow for unobstructed motor vehicle use.
  - All special use permits issued by EBID to the Town shall be non-exclusive;
  - The Town must insure that its licensees do not use or enter the water prism or freeboard of the EBID canal, lateral or drain.
- f. In the event that facilities or landscaping installed by the Town are damaged during irrigation procedures, the Town shall be solely responsible for the cost associated with repairing and replacing the landscaping. No liability shall fall

upon the District for damage to any facilities or landscaping installed by the Town in and around the irrigation facilities.

- g. Prior to making any installations on the permitted property, the Town shall submit to EBID an application for a special use permit for each discrete segment of an EBID canal, lateral or drain, containing a detailed plan showing the locations of any such installations on permitted property and pay EBID all required administrative fees for the permit. No land use fees will be charged by EBID. The administrative and inspection fees shall be in accordance with the policy attached hereto as Exhibit B or the current policy then in effect. EBID shall determine the division of its canals, laterals and drains into segments for purposes of special use permits. All construction on the permitted property shall be performed in accordance with specifications approved by EBID. Unless waived in writing by EBID, the Town will make installation and perform construction in the non-irrigation season when water is not present in the water delivery/distribution system. A construction clearance, as referenced in subparagraph H, does not constitute a written waiver. At least ten (10) days prior to the beginning of any construction on the permitted property, the Town shall provide EBID notice of the date that construction will begin and a schedule listing all construction activities will be performed. The Town shall give EBID written notice of all changes in the schedule and delays in construction as soon as practicable.
- h. The Town shall contact EBID a minimum of 72 hours in advance of start of construction to obtain a construction clearance. Phone number: (575) 526-6671. NOTE: A CONSTRUCTION CLEARANCE DOES NOT ASSURE THAT THE CANALS, LATERALS OR DRAINS WILL BE WITHOUT WATER.
- The Town's materials, facilities, improvements and appurtenances constructed, installed, operated and maintained on the permitted property shall not interfere with EBID's use of EBID's existing and/or future irrigation facilities on or adjacent to the permitted property.
  - EBID may regulate the scheduling of construction, if any, located on the permitted property relating to irrigation operation, traffic control, backfilling, compacting, or paving, and relating to locating or relocation materials, facilities, improvements or appurtenances.
  - If relocation of the Town's materials, facilities, improvements or appurtenances is necessitated by EBID's use of facilities or the construction of improvements by or on behalf of EBID, the Town shall bear the entire cost of relocating said materials, facilities, improvements and appurtenances. Should any such relocation become necessary EBID will, except in emergencies, contact the Town to allow the Town a

reasonable amount of time to mitigate the impact on its facilities before EBID starts its work.

- i. The Town shall provide policing for the permitted property and acknowledges that EBID shall not be responsible for any liability associated with the safety of individuals utilizing the permitted property or with criminal activity on or in the vicinity of the permitted property to EBID requests for policing of any problem areas identified by EBID arising out of the use of EBID property authorized under this agreement.
- j. At all times, the Town will maintain the trails or trail system in a manner necessary to retain EBID's immunity under NMSA 1978, Section 41-4-6 (c)
- k. The town shall keep the inside and outside of slopes of the bank of EBID's canal, lateral, or drain free of weeds, trash, debris, and erosion.
- l. The town shall address and respond to any and all concerns or complaints of the public, users of the trail, neighboring land owners, and EBID members stemming from the trail and any permitted use, including but not limited to concerns about the condition, design, maintenance, or safety of the trail; trespassing onto neighboring property's; or illegal activities on the trail bank, designated bank for a trail, or slopes of the bank designated for a trail. The town shall designate a point of contact for all such complaints or concerns and shall avoid directing concerns or complaints to EBID.
- m. The town shall place and maintain signage along trail route notifying users that only the bank designate for a trail is for public use and that use of the other bank or other EBID structures is trespass and may be prosecuted. Signage will be subject to revision and approval by EBID
- n. The town shall not allow the permitted uses of EBID property to prevent or detriment EBID's ability to operate and maintain its facilities or agricultural uses or farming practices of neighboring landowners including but not limited mowing, use of pesticides, application of fertilizers, and harvesting. The permitted use of EBID property shall not detriment the right to farm of the neighboring landowners.
- o. Construction and maintenance of the bank that is designated for a trail must provide adequate freeboard (elevation to be determined by EBID) to prevent normal operations from overflowing or spilling from that bank.
- p. Gates or removable bollards shall be constructed and maintained by the town to prevent non-motorized use of the trail and limit public access to and use of the bank not designated for a trail. Gates in addition to those included within the design of the trail may be required if problems arise. EBID shall have access to all its property at any time and reserves the authority to prohibit access to any of its property at any time for the purposes of operations or maintenance.

8. Responsibilities of EBID:

- a. Review in a timely manner all applications for establishment of a pathway and issue a special use permit if, in the sole discretion of EBID, such a permit should be issued. The permit shall a minimum define the applicable area upon which a pathway shall be allowed, the authorized improvements and structures, and general maintenance obligations of the Town.
- b. Maintain those structures that are required to perform the day-to-day delivery of water.
- c. Specify limitations on the type and frequency of traffic allowable under any special use permit and provide feedback to the Town regarding observed violations of those limitations.
- d. Permit the Town to post and maintain signs, such as “No Motorized vehicles”, approved by EBID.
- e. Should damage occur to an EBID canal, lateral, drain or other property as a result of activities authorized under this agreement, EBID shall repair its property or facilities and the Town shall reimburse EBID its reasonable costs of such work. The Town shall not repair EBID property or facilities and the Town shall not repair EBID property or facilities without the express advance permission of EBID. Any work on EBID property performed by the Town shall be in accordance with EBID engineering and other EBID requirements.

9. Annual Inspection: The parties shall jointly perform an annual inspection of the permitted property prior to the beginning of the irrigation season. The Town and EBID will appoint representatives, and as part of the inspection they will generate a report identifying major repair concerns and setting forth a schedule of repairs that the Town shall ensure are timely completed. Failure to rectify any identified maintenance and repair needs within thirty (30) days of identifying the need for maintenance and repair may, in the sole discretion of EBID, result in the termination of the special use permit, and the permitted property may, in the sole discretion of EBID, revert back to the sole use and control of EBID, with all improvements and structures becoming the property of EBID. In the event of such a reversion, EBID may require the Town to remove any Town-installed improvements and restore that area to the condition which previously existed.

10. Equal Opportunity Compliance: The Town and EBID agree to abide by all State and Federal laws, rules, and regulations pertaining to equal employment opportunity. In accordance with all such laws and rules and regulations, the Town and EBID agree to assure that no person in the United States shall on the grounds of race, color, national origin, sex, sexual preference, age, or handicap, be excluded from employment with or participation in, be denied the benefits of, or be otherwise subjected to discrimination under, any program or activity performed under this MOU. If the Town and/EBID are found to be out of compliance with these requirements during the life of this MOU, the Town and EBID agree to take appropriate steps to correct these deficiencies.



11. Third Party Beneficiary Clause: This MOU is not intended to create in the public, or any member of thereof, any third party beneficiary rights or claims or to authorize anyone not a party to the MOU to maintain a suit or wrongful death, bodily and/or personal injury to person, damage to property, and/or any other claim(s) whatsoever pursuant to its provision.
12. Liability/New Mexico Tort Claims Act: By entering into this MOU, each party agrees that it shall be responsible for liability arising from personal injury or damage to property occasioned by its own agents, invitees, contractors, or employees in the performance of this MOU and activities arising as a result of special use permits issued under this MOU, subject in all cases to the immunities and limitation of the New Mexico Tort Claim Act (NMSA 1978, Section 41-4-1, et seq.) and any amendments thereto. In particular, NMSA 1978, Section 41-4-6, including the 2007 amendment, governs the liability of the parties to this agreement as to third parties. This section is intended only to define the liabilities between the parties hereto and its is not intended to modify in any way the parties' liabilities as governed by common law, statutory law or specifically the New Mexico Tort Claims Act. Neither party nor their "Public employees", as defined in the New Mexico Tort Claims Act, waive sovereign immunity or any defense or any limitation of liability pursuant to law. It is the intent of both parties to this MOU that EBID will not be subjected to the defense of claims or the payment of claims or judgements arising or resulting from the use of EBID property under this agreement.
13. Insurance: The Town shall, at all times, during the term of this MOU have and keep in force liability, property, casualty and workers' compensation insurance in amounts not less than those as set forth in the New Mexico Tort Claims Act. The Town cannot add EBID on said policies as an additional insured because the Town is self-insured, however paragraphs 12, 14, and 15 are intended, in addition to their stated purposes, to serve the same purpose as the addition of EBID onto the Town's insurance policies would have served. The Town agrees to assume all risk in the performance of its services hereunder and in its operations and/or activities in connection herewith and shall be solely responsible and answerable in damages for any and all accidents, deaths, bodily and/or personal injuries to person(s), damage to property and/or for claims of any other nature. The Town will additionally provide a full defense to EBID or any of EBID's public employees named in any claim, lawsuit, or other proceeding arising out of the use of EBID property as authorized in this MOU.
14. Contractual and Other Liabilities: Each party shall be liable for its acts or failure to act in accordance with this MOU, except as otherwise provided herein. Both parties agree that individual utilizing the permitted property are solely responsible for the activities on the permitted property. However, in the event liability arises as a result of providing

permitted property, the Town shall assume all liability, including that associated with agricultural activities that cause harm to individuals who utilize the permitted property. Liabilities contemplated include such matter as the spraying of herbicides and pesticides at times when individuals are utilizing the permitted property.

15. Survival of Obligations: The provisions of sections 12,13 and 14 shall survive termination of this MOU and of any special use permit issued under it.
16. Dispute Resolution: Before any party to this MOU may bring suit against the other party in any court concerning any issues relating to this MOU, such party must first seek in good faith to resolve the issue through negotiation.
17. Authorization of Expenditures: The Town is not committed to expenditure of any funds until such time as they are budgeted, obligated, encumbered and approved for expenditure by the Town. The Town's decisions as to whether its funds are sufficient for fulfillment of the MOU shall be final, except in the event of restoration of EBID property and Town's liability requirements. If funds are not available for maintenance of pathways, the special use permits associated with those pathways that have inadequate maintenance funding shall terminate upon written notice to EBID by the Town, and all improvements upon EBID canals, drains and laterals may become the property of EBID if EBID so notifies the Town in writing. Otherwise, the Town shall restore the drains, canals and laterals to the condition in which the Town found them at the time of insurance of the special use permit. The Town may reapply for terminated permits, if after termination, the Town determines that it has adequate resources to maintain the pathways. However, issuance of the renewal permits shall be at the discretion of EBID.  
  
EBID has no obligation to construct, maintain, repair, remove, or supervise the use of any structures or facilities authorized under this agreement. EBID has no resources to operate a trail system on its own and may lack statutory immunity from damages if it did.
18. Employment Status: This MOU in no way alters the employment status of EBID employees or Town employees who shall remain under the supervision of their respective entities, which entities will cover all employee benefits including, but not limited to, wages, fringe benefits, and workers' compensation coverage associated with their employment.
19. Revenue Generation: No revenues will be derived from the operations of the facilities referred to in this MOU. Other than the administrative fees authorized herein, neither party shall be allowed to charge the other or any member of the public for the use of EBID property authorized under this agreement.

20. Other Uses: The Town's use of EBID property authorized by special use permits issued under this Agreement is non-exclusive. EBID reserves the right to authorize commercial, utility or other uses of the same property permitted to the Town for recreational purposes and to charge third parties for those other uses. EBID will make reasonably diligent efforts to require other users to avoid affecting any Town improvements on EBID property and/or to require other users to replace or repair, or compensate the Town to replace or repair any Town improvements affected by the other uses.
21. Property: There will be no jointly owned property acquired as a result of this MOU. Any personal property of the Town placed upon EBID property shall be removed by the Town or shall become the property of EBID upon the termination of special use permits, as provided in other provision of this agreement.
22. Sanctions/Fines: Each party shall be solely responsible for fiscal or other sanctions, penalties, or fines occasioned as a result of its own violation or alleged violation of the requirements applicable to performance of its obligations under this MOU. Each party shall be liable for its acts or failure to act in accordance with this MOU, subject to the immunities and limitations of the New Mexico Tort Claims Act.
23. Amendment: This MOU shall not be altered, modified or amended except by an instrument in writing and executed by the parties hereto. The parties recognize that this MOU provides for new uses of EBID property, allowed under a new law. Therefore, each party agrees to reasonably and freely amend this MOU as requested by the other party for the purposes of accomplishing the parties' goals of public trail use.
24. Modifications of Prior Agreements: This MOU is not intended to and shall not modify any obligations set forth in any prior contract or agreements in effect between the parties.
25. Termination of MOU: EBID may terminate this MOU for cause for the Town's failure to comply with its requirements under this MOU. EBID may terminate any individual permit for cause for reasons set forth in the permit or herein. This MOU will automatically expire at the end of the term set forth in Paragraph 3, unless extended in writing by both parties. The Town may terminate this MOU without cause upon ninety (90) days written notice to EBID at the following address. Upon termination the Town's improvements shall be removed or shall be left intact, in accordance with the provision of Paragraphs 9, 17, 20 and 21 herein. Upon termination of this MOU by either party, all special use permits issued under authority of this MOU shall immediately terminate.

Notice to EBID by certified letter to: Notice to Town by  
Certified Letter to: Manager/Treasurer Town Manager  
Elephant Butte Irrigation District, Town of Mesilla  
530 S. Melendres, Mesilla NM 88005  
PO Box 20000, Mesilla NM 88004

26. Loss of Immunity: Should EBID lose its immunity from damages arising from the uses of its property authorized by this Agreement, by judicial decision or by legislative change, this Agreement and all special use permits authorized under this Agreement shall terminate upon written notice provided by EBID to the Town. The determination as to whether EBID has lost its immunity as a result of a judicial decision or legislative change is solely that of EBID and such determination is binding upon the Town.
27. Assignment: The Town shall not assign its rights under this Agreement nor under any special use permit authorized by this Agreement. The Town shall not subcontract or sublease any of its rights privileges under this Agreement. The Town cannot allow any use of EBID property for any purposes other than are authorized by this MOU and special use permits issued under this MOU.
28. Environmental and Historic Review: If any environmental, wildlife, water quality, historic preservation or any similar review or process is required as a result of the Town's activities on EBID property under this Agreement, the Town shall be responsible for pursuing such process, while consulting carefully and closely with EBID, and the Town shall be responsible for any costs which arise or result.

IN WITNESS WHEREOF, the parties have set their hands and seals this day and year set forth below.

**TOWN OF MESILLA**

By: \_\_\_\_\_  
                                    , Mayor Town of Mesilla

Dated: \_\_\_\_\_

**Elephant Butte Irrigation District**

By: \_\_\_\_\_  
                                    , President  
                                    Board of Directors

Dated: \_\_\_\_\_

Attest: \_\_\_\_\_

Dated: \_\_\_\_\_

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## MEMORANDUM

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**TO: MAYOR NORA L. BARRAZA AND BOARD OF TRUSTEES**  
**FROM: LARRY SHANNON, COMMUNITY DEVELOPMENT COORDINATOR**  
**SUBJECT: ACTIVITY REPORT – OCTOBER 2020**  
**DATE: NOVEMBER 3, 2020**

**PZHAC BUSINESS**  
**OCTOBER 2020**

**[Items presented to the PZHAC]**

**WORK SESSION**

- A. 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)
- B. Submitted by Jesus Candelaria for Empyrean Energy Solution; a request to discuss an appeal of a staff decision to deny a new power pole at 2363 Calle de Santiago as part of a photo-voltaic panel installation on the dwelling at this address. Zoned: Historic Residential (HR)
- C. Submitted by Jessie L. Herrera; a request to discuss plans to construct an addition to a dwelling at 2929 Calle de Guadalupe. (Permit 061132). Zoned: Residential Agricultural (RA)

**ADMINISTRATIVE APPROVAL**

**Zoning Permits**

1. **Case 061124** – 3211 Calle del Norte, submitted by Yellow Bird Services LLC for Jerome Gohrick; a request for a zoning permit to allow the installation of photo-voltaic panels on a dwelling at this address. Zoned: Rural Farm (RF)
2. **Case 061125** – 205 Capri Arc, submitted by Chet Savage; a request for a zoning permit to upgrade the electrical service for a dwelling at this address. Zoned: Residential, one-acre (R- 1)
3. **Case 061126** - 3385 Avenida de Mesilla, submitted by Arturo Jurado; a request for a zoning permit to allow the replacement of antenna arrays on a cell tower at this address. Zoned: General Commercial (C)
4. **Case 061130** – 2833 Ermininda Street, submitted by Marsha B. Toomey; a request for a zoning permit to repair and repaint the stucco on a dwelling at this address. Zoned: Historic Residential (HR)
5. **Case 061131** – Along the northwest end of Calle del Oeste, submitted by Rod McGillivray for the Town of Mesilla; a request for a zoning permit to allow the Town to install a cattle fence between a Town easement and a property along this part of Calle del Oeste. Zoned: Historic Residential (HR)

**PZHAC DECISION ITEMS:**

**Appeal of Staff Decision**

1. 2363 Calle de Santiago, submitted by Jesus Candelaria for Empyrean Energy Solutions, LLC; an appeal of a staff decision to refuse a request to allow an additional pole to be installed on this property as part of a photo-voltaic system that was installed on the dwelling. Zoned: Historical Residential (HR) **(This case was discussed during the work session)**

**Zoning Permits:**

2. **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)
3. **Case 061120** – 2230 Avenida de Mesilla, submitted by Jesus Lucero; a request to modify a zoning permit to allow a gate to be installed in a section of previously approved fencing on a commercial property at this address. Historical Commercial (HC)

4. **Case 061132** – 2929 Calle de Guadalupe, submitted by Jessie L. Herrera; a request for a zoning permit to allow an addition to a dwelling at this address. Zoned: Residential Agricultural (RA)
5. **Case 061133** – 1433 Snow Road, submitted by Les Mathers; a request for a zoning permit to install a photo-voltaic array on a ground mounted stand for a dwelling at his address. Zoned: Rural Farm (RF)
6. **Case 061134** – 3116 Highway 28, submitted by Norm Fristoe for Lama Properties, LLC; a request for a zoning permit to allow the completion of a wall around a dwelling at this address. Zoned: Residential Agricultural (RA)

**Business Permit:**

7. **Permit 0857** – 2309 Calle de Guadalupe, submitted by Gabriela Gaxiola-Reichel for “Le Boutique, LLC”; a request for a business license to allow the applicant to operate a commercial retail operation at this location selling women’s clothing, purses, shoes, unique gifts and other small retail products. Zoned: Historic Commercial (HC)

**Sign Permits:**

8. **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)
9. **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)
10. **Case 061112** – 2230 Avenida de Mesilla, submitted by Roman Prieto for “Prieto Imports”; a request to modify an existing sign permit to install two wall signs instead of a hanging sign on a business at this address. Zoned: Historical Commercial (HC)
11. **Case 061135** – 2230 Avenida de Mesilla, submitted by Joshua Prieto for “Merch de Mesilla”; a request for a sign permit to install two wall signs on a business at this address. Zoned: Historical Commercial (HC)
12. **Case 061136** – 2309 Calle de Guadalupe, submitted by Gabriela Gaxiola-Reichel for “Le Boutique, LLC”; a request for a sign permit to allow a wall sign on a business at this address. Zoned: Historic Commercial (HC)

**Summary Subdivisions**

13. **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.)**

**If you have any questions, comments or concerns please feel free to call me at 524 -3262 ext. 104; or e-mail me at [larrys@mesillanm.gov](mailto:larrys@mesillanm.gov).**



**Town of Mesilla Assessor's Report  
OCTOBER 2020**

Mesilla CASE #	DAC ACC'T #	APPL. DATE	ISSUEE/CONTRACTOR	VALUATION / COST	FEE	BLDG CODE	ADDRESS	DESCRIPTION OF WORK
061130	04-01029	10/14/20	Mark Toomey/Ernesto Olivas	3,500.00	90.00	MI	2833 Erminda Street	Repair and repaint stucco on dwelling
061131	04-00160	10/14/20	Town of Mesilla Public Works	N/A	0.00	MI	Northwest end of Calle del Oeste	Install 6 foot high cattle fence between easement and private property
061132	04-00674	10/15/20	Jessi L. Herrera/John Rivera	150,000.00	235.00	AD	2929 Calle de Guadalupe	Build an 1800 square foot addition on an existing dwelling at this address
061133	04-00021	10/15/20	Les Mathers/Organ Mountain Solar	103,795.00	166.50	MI	1433 Snow Road	Install ground mounted photo-voltaic array
061134	04-00696	10/15/20	Norm Fristoe/self	1,200.00	11.00	MI	3116 Highway 28	Finish a privacy wall on a dwelling at this address.
061135	04-00324	10/15/20	Joshua Prieto for "Merch de Mesilla"	250.00	50.00	SIGN	2230 Avenida de Mesilla	Install a wall sign on a business at this address
061136	04-00318	10/2/20	Gabriola Gaxiola-Reichel for "Le Boutique, LLC"	250.00	16.00	SIGN	2309 Calle de Guadalupe	Install a wall sign on a business at this address
061137	04-01261	9/17/20	Rebecca Segovia/self	280.00	0.00	MI	2928 Las Mesilla Circle	Instll railroad ties along property entrance
061138	04-00279	10/26/20	Basilica de San Albino	50,000.00	85.50	ADN	2280 Calle Principal	Build a columbarium on a church property at this address.

# Community Projects Report

Project	Description
Current Contact information	Dorothy Sellers Email: <a href="mailto:DorothyS@mesillanm.gov">DorothyS@mesillanm.gov</a> Work: 575-524-3262 Cell:575-571-3890
Census in Mesilla	Census in Mesilla has concluded. Mesilla recorded well over 2010 numbers.
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. A noticeable rise in visits were recorded. A 17% rise over Sept. visits and a 78% rise over August visits. Attached to the end of this report is a look at numbers of visits to the official website. Will continue to push visitors to the website.
Mesilla Night Out	Second Mesilla night out is to be Saturday, November 28 <sup>th</sup> . Radio spot will announce as well as Social Media push.
Mercado	Mercado has been closed until further notice.
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.

Covid-19	Have been updating the website with valid Covid-19 information as well as providing PSA for 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.
Google DMO Program	<p>The Town of Mesilla has been awarded Recovery Initiatives that have a total market value of \$27,750.</p> <p>1<sup>st</sup> 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</p> <p>Photographers will be in Mesilla on Thursday, November 5<sup>th</sup> to shoot the photos and videos.</p>
Fall Newsletter	2020 Fall Newsletter is at the printers and will mail out by Monday, November 9th

Verizon 10:34 AM 88%

< users last month X





# MEMORANDUM

**To:** Mayor and Trustees

**From:** Cynthia Stoechner-Hernandez  
Town Clerk-Treasurer *CSH*

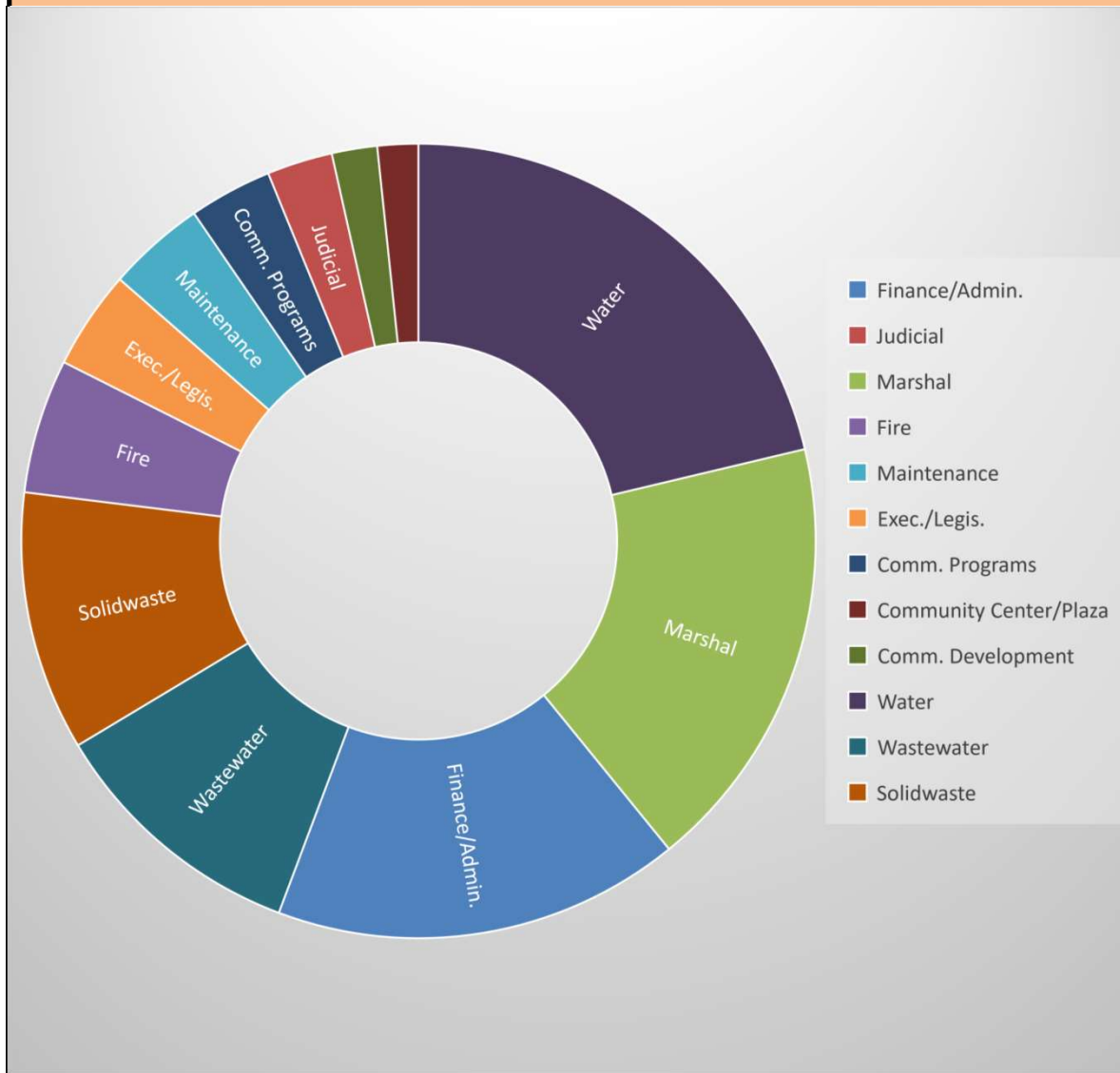
**RE:** Monthly Finance Report

Listed below is a review of department and fund expenditures for: Oct-20  
General Fund should be at: 25.00% spending

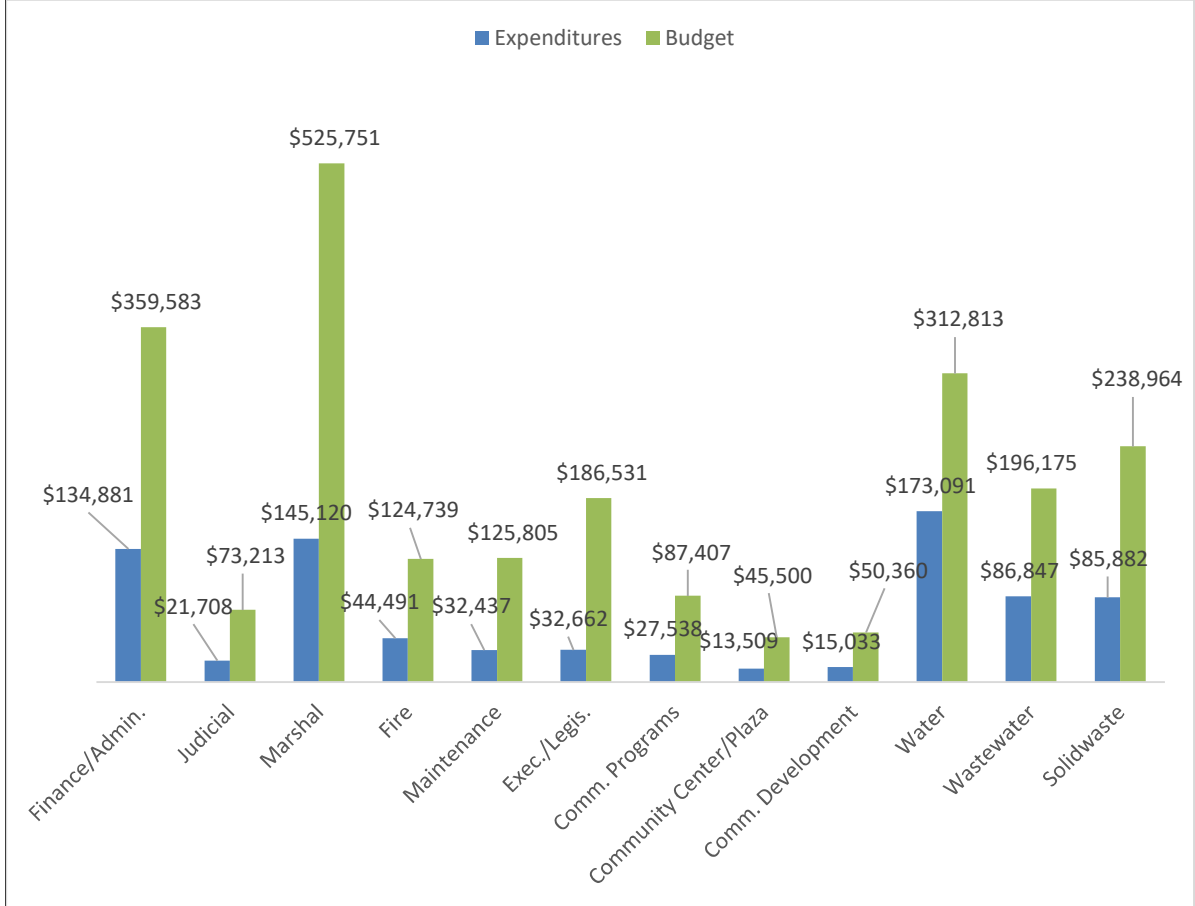
**PER THE MAYOR'S DIRECTION -  
BUDGETS HAVE BEEN FROZEN WITH THE EXCEPTION OF EMERGENCY EXPENDITURES.  
EXPENDITURES ARE HIGHER DUE TO 1ST HALF OF INSURANCES BEING DUE IN JULY**

YTD EXPENDITURES	%Exp.	\$ Money YTD	Mo.%	YTD % over/under	Approved Budget
Finance/Admin.	37.51%	\$134,881	100.00%	-62.49%	\$ 359,583
Judicial	29.65%	\$21,708	100.00%	-70.35%	\$ 73,213
Marshal	27.60%	\$145,120	100.00%	-72.40%	\$ 525,751
Fire	35.67%	\$44,491	100.00%	-64.33%	\$ 124,739
Maintenance	25.78%	\$32,437	100.00%	-74.22%	\$ 125,805
Exec./Legis.	17.51%	\$32,662	100.00%	-82.49%	\$ 186,531
Comm. Programs	31.51%	\$27,538	100.00%	-68.49%	\$ 87,407
Community Center/Plaza	29.69%	\$13,509	100.00%	-70.31%	\$ 45,500
Comm. Development	29.85%	\$15,033	100.00%	-70.15%	\$ 50,360
<b>General Fund</b>	<b>29.60%</b>	<b>\$467,379</b>	<b>100.00%</b>	<b>-70.40%</b>	<b>\$ 1,578,889</b>
Water	55.33%	\$173,091	100.00%	-44.67%	\$ 312,813
Wastewater	44.27%	\$86,847	100.00%	-55.73%	\$ 196,175
Solidwaste	35.94%	\$85,882	100.00%	-64.06%	\$ 238,964
<b>Enterprise Fund</b>	<b>43.12%</b>	<b>\$345,819</b>	<b>100.00%</b>	<b>-56.88%</b>	<b>\$ 801,952</b>

# EXPENDITURES



## EXPENDITURES VS BUDGET

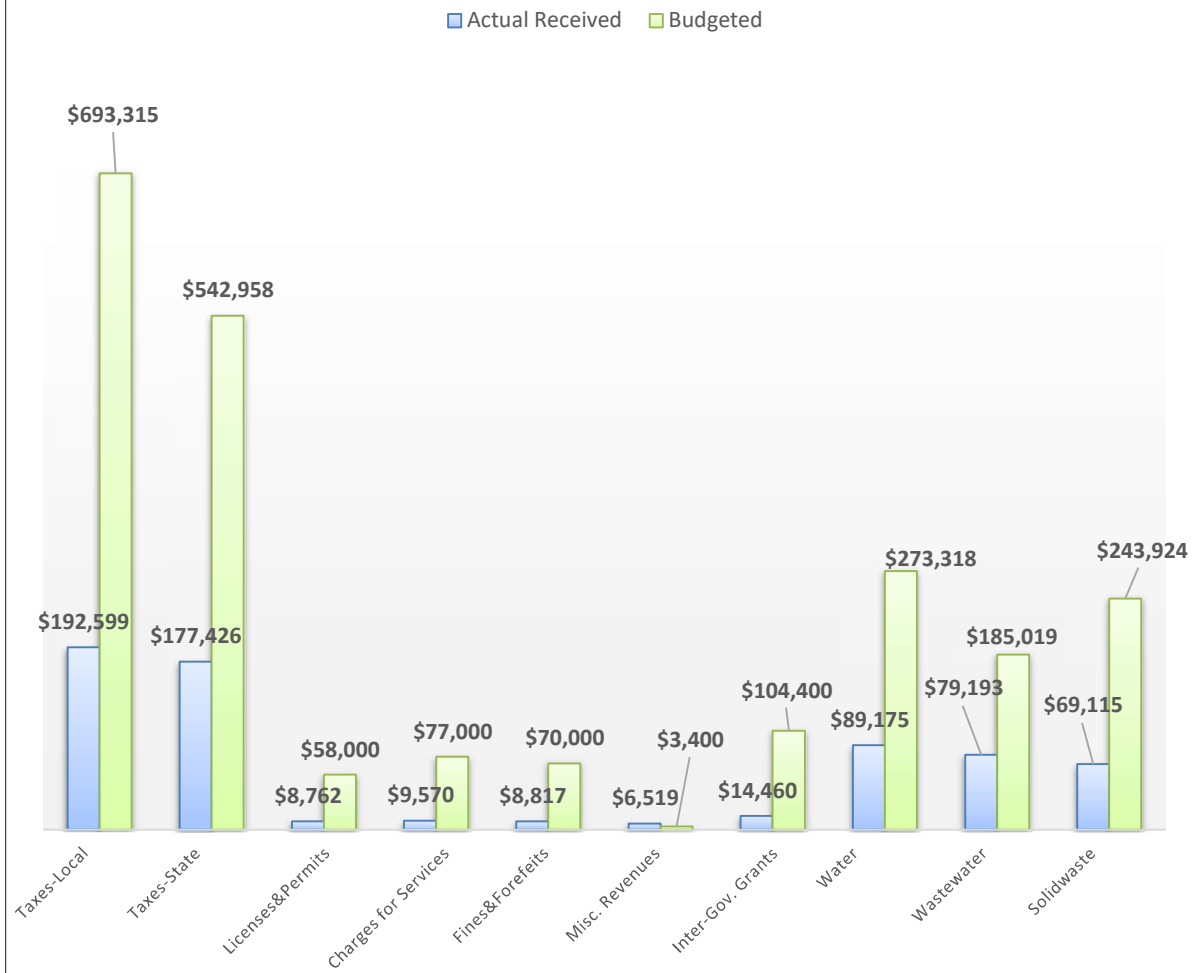


Please request the INCODE report for detail revenues and expenses by fund.

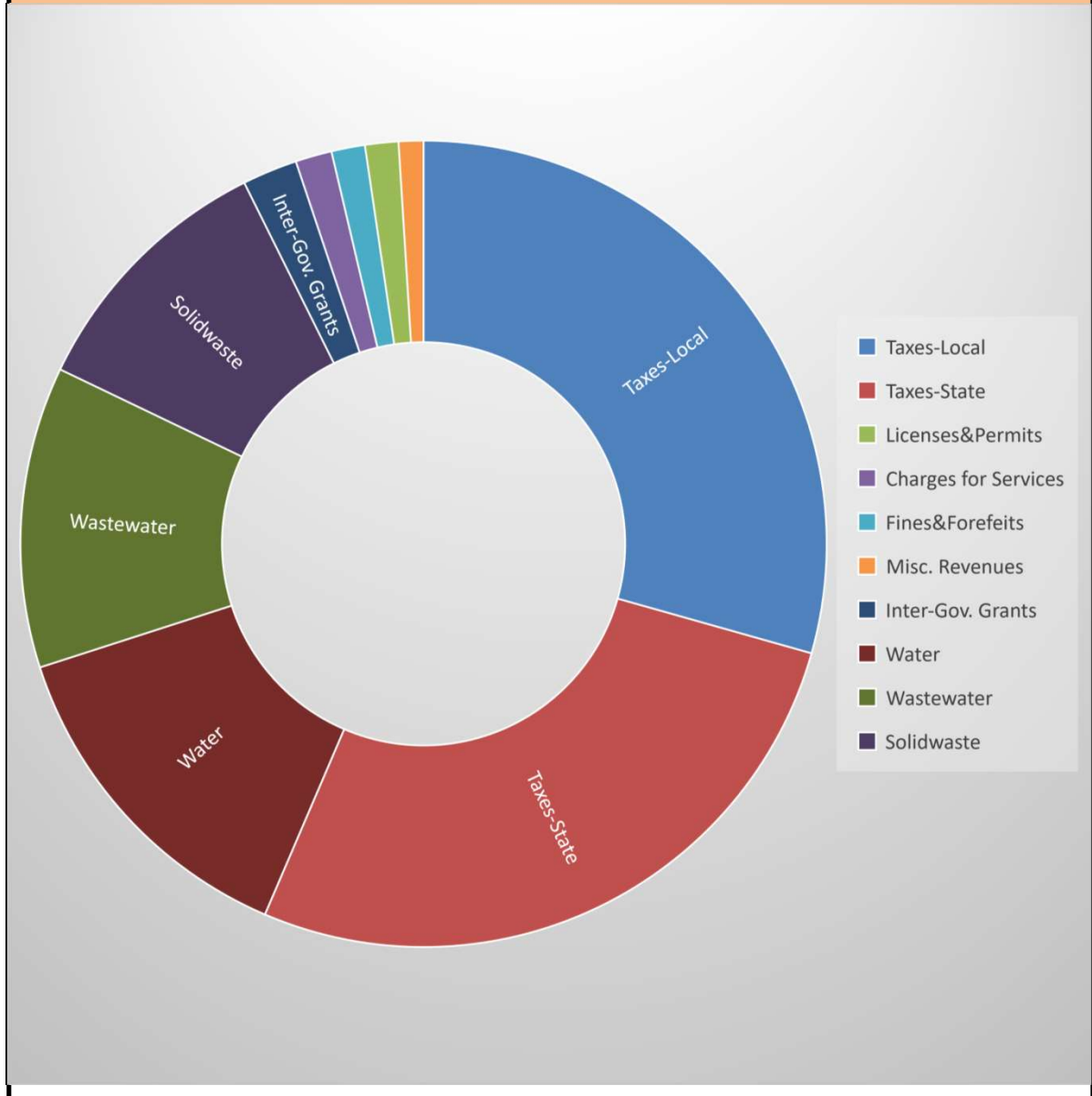
REVENUE					
YTD REVENUES	% Rec.	YTD Money \$	% Est.	YTD % over/under	AMOUNT BUDGETED
Taxes-Local	27.78%	\$192,599	100.00%	-72.22%	\$693,315
Taxes-State	32.68%	\$177,426	100.00%	-67.32%	\$542,958
Licenses&Permits	15.11%	\$8,762	100.00%	-84.89%	\$58,000
Charges for Service	12.43%	\$9,570	100.00%	-87.57%	\$77,000
Fines&Forefeits	12.60%	\$8,817	100.00%	-87.40%	\$70,000
Misc. Revenues	191.72%	\$6,519	100.00%	91.72%	\$3,400
Inter-Gov. Grants	13.85%	\$14,460	100.00%	-86.15%	\$104,400
<b>General Fund</b>	<b>26.47%</b>	<b>\$418,152</b>	<b>100.00%</b>	<b>-73.53%</b>	<b>\$1,579,673</b>
Water	32.63%	\$89,175	100.00%	-67.37%	\$ 273,318
Wastewater	42.80%	\$79,193	100.00%	-57.20%	\$ 185,019
Solidwaste	28.33%	\$69,115	100.00%	-71.67%	\$ 243,924
<b>Enterprise Fund</b>	<b>33.82%</b>	<b>\$237,484</b>	<b>100.00%</b>	<b>-66.18%</b>	<b>\$702,261</b>



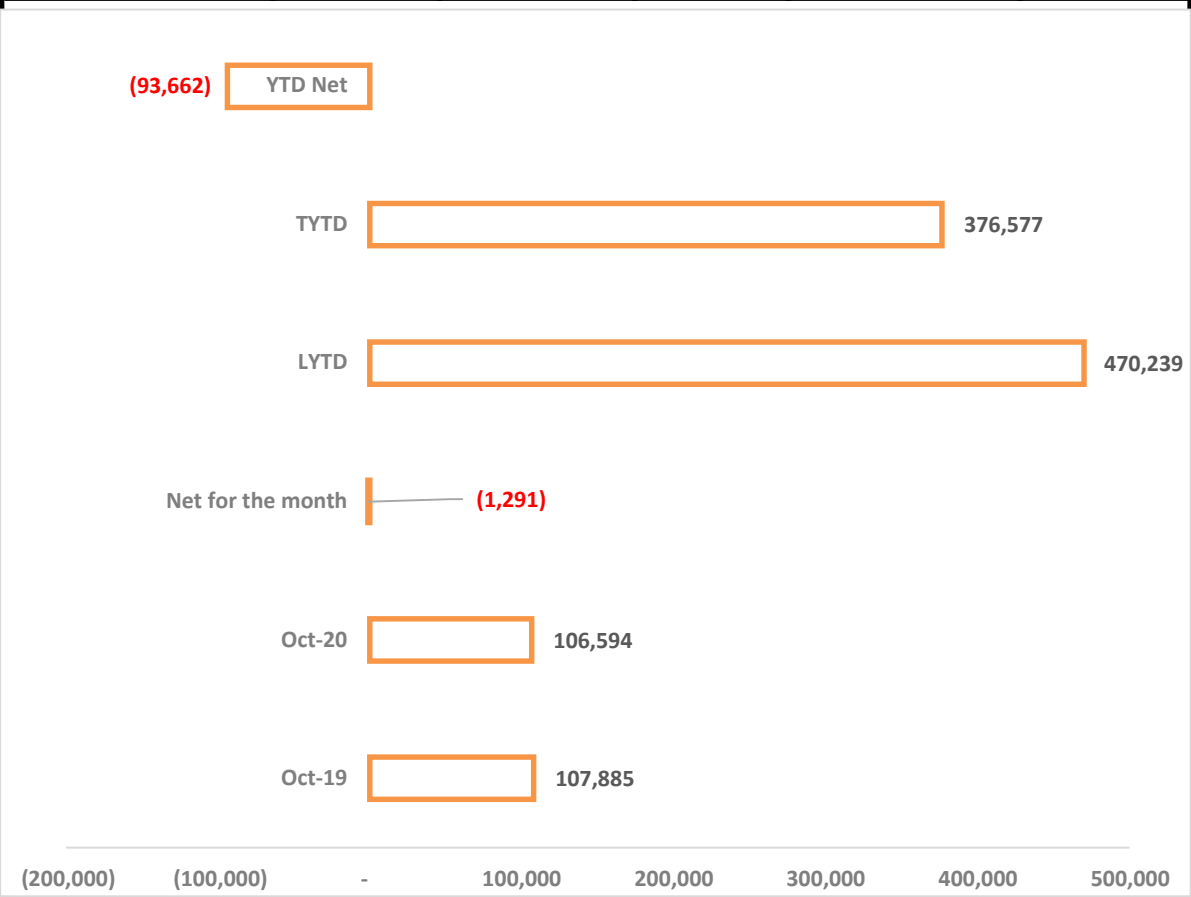
## REVENUES VS BUDGET



# REVENUES



GRT COMPARISONS					
Oct-19	Oct-20	Net for the month	LYTD	TYTD	YTD Net
107,885	106,594	(1,291)	470,239	376,577	(93,662)



Business GRT in AUGUST 2020			
Percentage over last FY	-1%	Percentage over last FYTD	-20%

**TOWN OF MESILLA FIRE DEPARTMENT  
MONTHLY BOT REPORT**



**DATE:**            **October, 2020**

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**MAJOR ADDITIONS TO INVENTORY**

Ionizing electrostatic disinfectant sprayer received. This device can disinfect entire rooms, vehicles and other spaces.  
4 Thermal Imaging Cameras were added to replace aging units that can no longer be repaired.

**MAINTENANCE OF EQUIPMENT**

Annual hose testing completed. Two 1.75 inch hose sections failed. Bauer compressor station received annual inspection and 2 yr. maintenance check. One fill nipple connection to be replaced. Seatbelt replaced on Engine 32. Coolant leak repaired under warranty on new engine. New battery placed in Battalion 31. Wiper blades replaced on Battalion 32 and Squad 32.

**COMMENTS**

Aceademy 13 continues to train and move towards graduation in December. One cadet has left as he relocated to another city for family reasons. Spot quarantines continue for MFD personnel as family members contract COVID-19 however operations continue uninterrupted. Radio and other equipment have been installed in the new HME engine and this apparatus will be in service as soon as personnel have completed orientation and operations training. We will then be selling the 1994 Pierce engine. We already have interest from two NM departments in buying the unit. Personnel have also been working on an EMS System Improvement grant to provide EMT training to MFD personnel. This will be ready for submission in November.

**SUBMITTED BY**

Fire Chief Kevin Hoban \_\_\_\_\_

# Mesilla Fire Department

Mesilla, NM

This report was generated on 11/2/2020 12:42:55 PM



## Count of Classes by Personnel by Class Category

Passed/Failed: Both Passed and Failed | Personnel: All Personnel | Start Date: 10/01/2020 | End Date: 10/31/2020

### Almeida, Alexis B

Class Category	Class Count	Total Class Hours
EMS Training	1	2:00
I.S.O. Company Training	2	5:00
I.S.O. New Driver and Operator Training	1	3:00
I.S.O. New Recruit Training	8	55:00
<b>Total for Almeida, Alexis B</b>	<b>12</b>	<b>65:00</b>

### Boyd, Lachlan James

Class Category	Class Count	Total Class Hours
I.S.O. Company Training	2	6:00
I.S.O. New Driver and Operator Training	1	3:00
I.S.O. New Recruit Training	5	36:00
<b>Total for Boyd, Lachlan James</b>	<b>8</b>	<b>45:00</b>

### Caro, Ariel M

Class Category	Class Count	Total Class Hours
I.S.O. New Driver and Operator Training	1	3:00
I.S.O. New Recruit Training	2	13:00
I.S.O. Officer Training	2	5:00
<b>Total for Caro, Ariel M</b>	<b>5</b>	<b>21:00</b>

### Davis-Whited, Crystal L

Class Category	Class Count	Total Class Hours
EMS Training	1	2:00
I.S.O. Company Training	1	3:00
I.S.O. New Driver and Operator Training	1	3:00
I.S.O. New Recruit Training	9	62:00
I.S.O. Officer Training	2	5:00
<b>Total for Davis-Whited, Crystal L</b>	<b>14</b>	<b>75:00</b>

### Embury, Andy G.

Class Category	Class Count	Total Class Hours
EMS Training	1	2:00
I.S.O. New Driver and Operator Training	1	3:00
I.S.O. Officer Training	2	5:00
<b>Total for Embury, Andy G.</b>	<b>4</b>	<b>10:00</b>

### Evans, Harry A

Class Category	Class Count	Total Class Hours
EMS Training	1	2:00
I.S.O. New Driver and Operator Training	1	3:00

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I.S.O. Officer Training	2	5:00
<b>Total for Evans, Harry A</b>	<b>4</b>	<b>10:00</b>

**Frietze, Trevor R**

Class Category	Class Count	Total Class Hours
EMS Training	1	2:00
I.S.O. Company Training	2	5:00
I.S.O. New Driver and Operator Training	1	3:00
I.S.O. New Recruit Training	7	46:00
<b>Total for Frietze, Trevor R</b>	<b>11</b>	<b>56:00</b>

**Garcia, Diego**

Class Category	Class Count	Total Class Hours
EMS Training	1	2:00
I.S.O. Company Training	1	3:00
I.S.O. New Driver and Operator Training	1	3:00
I.S.O. New Recruit Training	7	46:00
<b>Total for Garcia, Diego</b>	<b>10</b>	<b>54:00</b>

**Gaytan, Aleksandra Melina**

Class Category	Class Count	Total Class Hours
I.S.O. Company Training	1	3:00
<b>Total for Gaytan, Aleksandra Melina</b>	<b>1</b>	<b>3:00</b>

**Guzman, Phillip b**

Class Category	Class Count	Total Class Hours
I.S.O. New Recruit Training	1	6:00
<b>Total for Guzman, Phillip b</b>	<b>1</b>	<b>6:00</b>

**Hoban, Kevin M**

Class Category	Class Count	Total Class Hours
EMS Training	1	2:00
I.S.O. New Driver and Operator Training	1	3:00
I.S.O. Officer Training	2	5:00
<b>Total for Hoban, Kevin M</b>	<b>4</b>	<b>10:00</b>

**Klebansky, George A**

Class Category	Class Count	Total Class Hours
EMS Training	1	2:00
I.S.O. Company Training	1	3:00
I.S.O. New Recruit Training	1	6:00
I.S.O. Officer Training	2	5:00
<b>Total for Klebansky, George A</b>	<b>5</b>	<b>16:00</b>

**Linares-Chacon, Sebastian**

Class Category	Class Count	Total Class Hours
I.S.O. New Recruit Training	1	6:00
<b>Total for Linares-Chacon, Sebastian</b>	<b>1</b>	<b>6:00</b>

**Lucero, Jojo**

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Class Category	Class Count	Total Class Hours
I.S.O. Company Training	1	3:00
I.S.O. New Driver and Operator Training	1	3:00
<b>Total for Lucero, Jojo</b>	<b>2</b>	<b>6:00</b>

#### Manriquez, Humberto

Class Category	Class Count	Total Class Hours
EMS Training	1	2:00
I.S.O. New Driver and Operator Training	1	3:00
<b>Total for Manriquez, Humberto</b>	<b>2</b>	<b>5:00</b>

#### Molinar, Junshiro Lazos

Class Category	Class Count	Total Class Hours
EMS Training	1	2:00
I.S.O. Company Training	1	3:00
I.S.O. New Driver and Operator Training	1	3:00
I.S.O. New Recruit Training	8	54:00
<b>Total for Molinar, Junshiro Lazos</b>	<b>11</b>	<b>62:00</b>

#### Navarro, Nicolas A

Class Category	Class Count	Total Class Hours
EMS Training	1	2:00
I.S.O. Company Training	8	17:00
I.S.O. New Driver and Operator Training	1	3:00
I.S.O. New Recruit Training	9	62:00
I.S.O. Officer Training	2	5:00
<b>Total for Navarro, Nicolas A</b>	<b>21</b>	<b>89:00</b>

#### Ostos, Cipriano J

Class Category	Class Count	Total Class Hours
EMS Training	1	2:00
I.S.O. Company Training	1	3:00
I.S.O. New Driver and Operator Training	1	3:00
I.S.O. New Recruit Training	8	56:00
<b>Total for Ostos, Cipriano J</b>	<b>11</b>	<b>64:00</b>

#### Reyna, Louis Nathen

Class Category	Class Count	Total Class Hours
EMS Training	2	3:00
I.S.O. Company Training	3	7:00
I.S.O. New Driver and Operator Training	1	3:00
I.S.O. New Recruit Training	9	62:00
<b>Total for Reyna, Louis Nathen</b>	<b>15</b>	<b>75:00</b>

#### Rodriguez, Gabriel

Class Category	Class Count	Total Class Hours
EMS Training	1	2:00
I.S.O. Company Training	3	7:00
I.S.O. New Driver and Operator Training	1	3:00

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I.S.O. New Recruit Training	6	40:00
<b>Total for Rodriguez, Gabriel</b>	<b>11</b>	<b>52:00</b>

**Rogers, Travis Adam**

Class Category	Class Count	Total Class Hours
EMS Training	1	2:00
I.S.O. Company Training	1	2:00
I.S.O. New Recruit Training	8	56:00
<b>Total for Rogers, Travis Adam</b>	<b>10</b>	<b>60:00</b>

**Romero, Kevin Marcus**

Class Category	Class Count	Total Class Hours
EMS Training	1	2:00
I.S.O. New Recruit Training	2	12:00
<b>Total for Romero, Kevin Marcus</b>	<b>3</b>	<b>14:00</b>

**Rossman, Tabitha A**

Class Category	Class Count	Total Class Hours
EMS Training	1	2:00
<b>Total for Rossman, Tabitha A</b>	<b>1</b>	<b>2:00</b>

**Sanchez, Xavier**

Class Category	Class Count	Total Class Hours
EMS Training	1	2:00
I.S.O. Company Training	1	3:00
I.S.O. New Driver and Operator Training	1	3:00
<b>Total for Sanchez, Xavier</b>	<b>3</b>	<b>8:00</b>

**Shepan, Lance A.**

Class Category	Class Count	Total Class Hours
EMS Training	1	2:00
<b>Total for Shepan, Lance A.</b>	<b>1</b>	<b>2:00</b>

**Thunhorst, Dylan P**

Class Category	Class Count	Total Class Hours
I.S.O. New Driver and Operator Training	1	3:00
<b>Total for Thunhorst, Dylan P</b>	<b>1</b>	<b>3:00</b>

**Thunhorst, Ines C**

Class Category	Class Count	Total Class Hours
EMS Training	1	2:00
<b>Total for Thunhorst, Ines C</b>	<b>1</b>	<b>2:00</b>

**Tucker, Austin J**

Class Category	Class Count	Total Class Hours
EMS Training	1	1:00
I.S.O. Company Training	5	10:00
I.S.O. New Recruit Training	3	20:00
<b>Total for Tucker, Austin J</b>	<b>9</b>	<b>31:00</b>

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.



**Vizcaino, Eduardo J**

Class Category	Class Count	Total Class Hours
I.S.O. New Recruit Training	6	40:00
<b>Total for Vizcaino, Eduardo J</b>	<b>6</b>	<b>40:00</b>

**Whited, Gregory E**

Class Category	Class Count	Total Class Hours
I.S.O. Company Training	1	3:00
I.S.O. New Driver and Operator Training	1	3:00
I.S.O. New Recruit Training	9	62:00
I.S.O. Officer Training	2	5:00
<b>Total for Whited, Gregory E</b>	<b>13</b>	<b>73:00</b>

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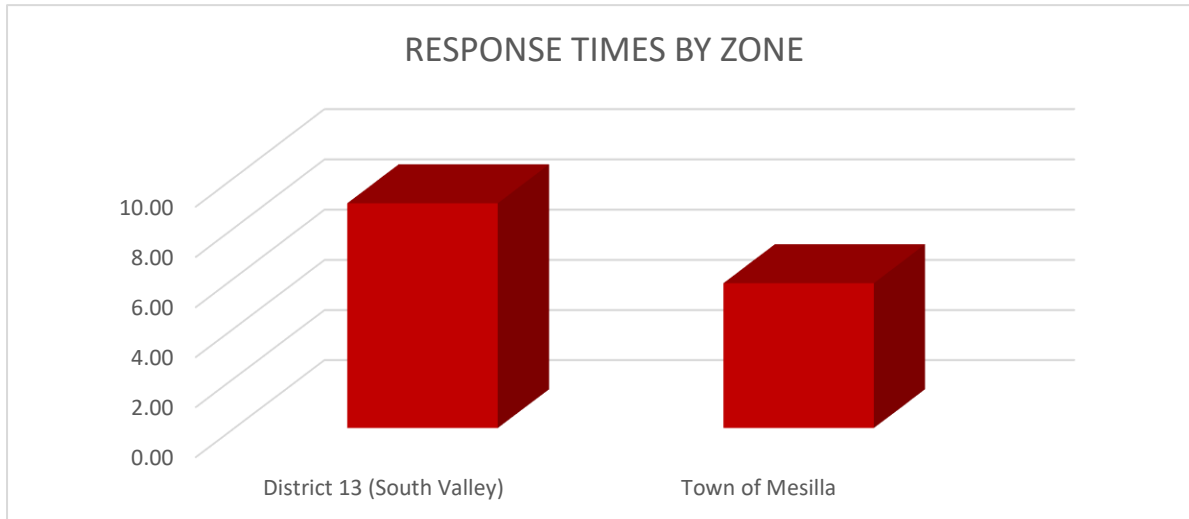
# Mesilla Fire Department

Mesilla, NM

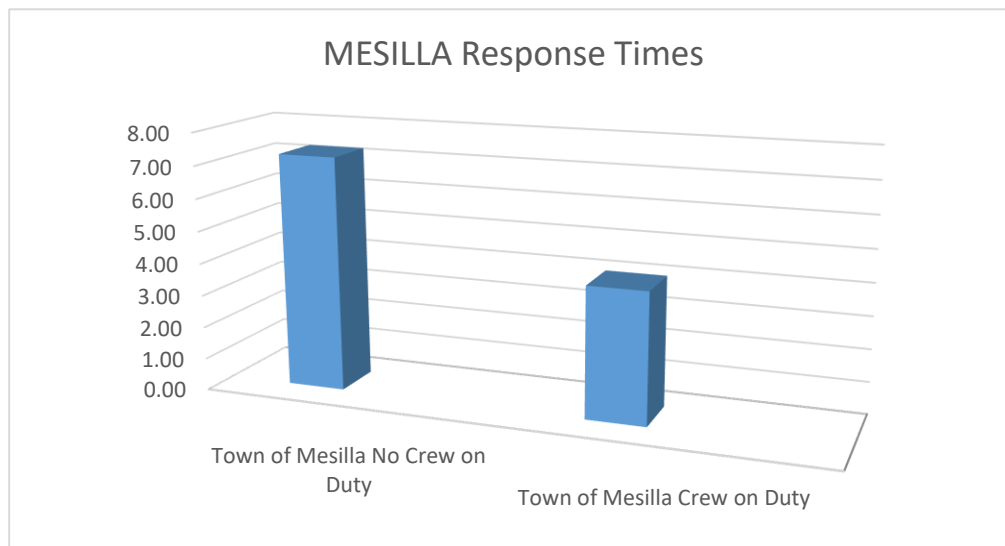
This report was generated on 01/02/2019



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



Zone	AVERAGE RESPONSE TIME (in minutes)
District 13 (South Valley)	8.97
Town of Mesilla	5.79
<b>Town of Mesilla No Crew on Duty</b>	<b>7.26</b>
<b>Town of Mesilla Crew on Duty</b>	<b>4.04</b>



Only REVIEWED incidents included. Response Time is Dispatched to Arrived.

# Mesilla Fire Department

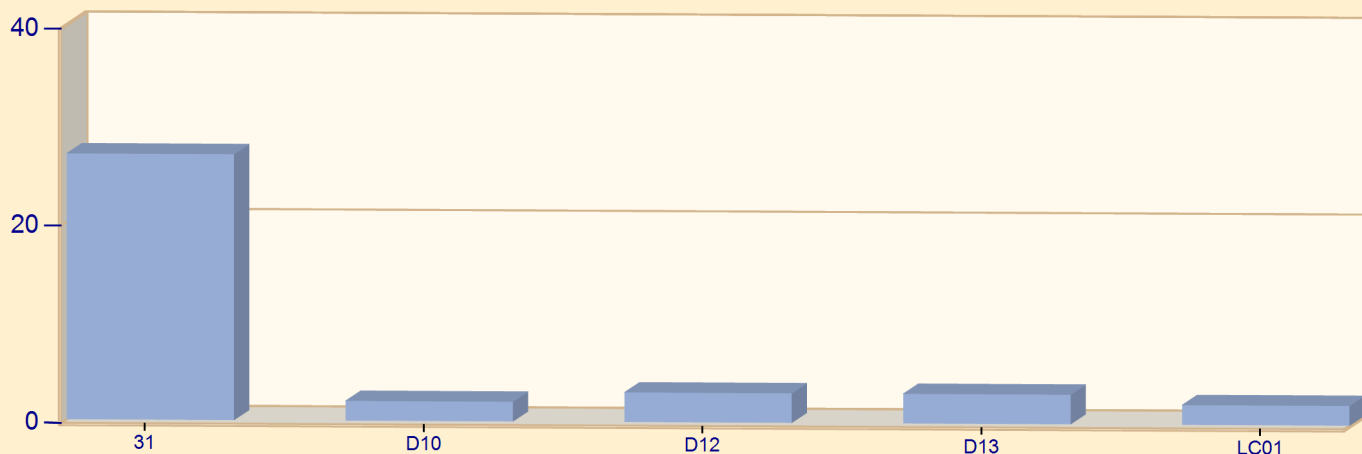
Mesilla, NM

This report was generated on 11/2/2020 12:56:21 PM



## Incident Type Count per Zone for Date Range

Start Date: 10/01/2020 | End Date: 10/31/2020



ZONES	INCIDENT TYPE	COUNT
<b>31 - Town of Mesilla</b>		
	142 - Brush or brush-and-grass mixture fire	1
	311 - Medical assist, assist EMS crew	4
	321 - EMS call, excluding vehicle accident with injury	15
	424 - Carbon monoxide incident	1
	553 - Public service	1
	554 - Assist invalid	2
	561 - Unauthorized burning	1
	745 - Alarm system activation, no fire - unintentional	2
	<i>Total Incidents for 31 - Town of Mesilla:</i>	27
<b>D10 - Mesquite</b>		
	381 - Rescue or EMS standby	2
	<i>Total Incidents for D10 - Mesquite:</i>	2
<b>D12 - Fairacres</b>		
	554 - Assist invalid	1
	611 - Dispatched & cancelled en route	2
	<i>Total Incidents for D12 - Fairacres:</i>	3
<b>D13 - South Valley</b>		
	321 - EMS call, excluding vehicle accident with injury	1
	611 - Dispatched & cancelled en route	2
	<i>Total Incidents for D13 - South Valley:</i>	3

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



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Doc Id: 1404

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ZONES	INCIDENT TYPE	COUNT
<b>LC01 - City of Las Cruces</b>		
	322 - Motor vehicle accident with injuries	1
	553 - Public service	1
	<i>Total Incidents for LC01 - City of Las Cruces:</i>	2
<b>Total Count for all Zone:</b>		<b>37</b>

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

# Mesilla Fire Department

Mesilla, NM

This report was generated on 11/2/2020 12:35:21 PM



## Incident Statistics

Start Date: 10/01/2020 | End Date: 10/31/2020

INCIDENT COUNT			
INCIDENT TYPE		# INCIDENTS	
EMS		23	
FIRE		14	
<b>TOTAL</b>		<b>37</b>	
TOTAL TRANSPORTS (N2 and N3)			
APPARATUS	# of APPARATUS	# of PATIENT TRANSPORTS	TOTAL # of PATIENT
Bat31	9	15	15
BR31	0	1	1
BR33	0	2	2
E31	1	1	1
SQ32	0	2	2
<b>TOTAL</b>	<b>10</b>	<b>21</b>	<b>21</b>
PRE-INCIDENT VALUE		LOSSES	
<b>\$3,000.00</b>		<b>\$2,500.00</b>	
CO CHECKS			
424 - Carbon monoxide incident		1	
<b>TOTAL</b>		<b>1</b>	
MUTUAL AID			
Aid Type		Total	
Aid Given		6	
Aid Received		1	
OVERLAPPING CALLS			
# OVERLAPPING		% OVERLAPPING	
0		#NUM!	
LIGHTS AND SIREN - AVERAGE RESPONSE TIME (Dispatch to Arrival)			
Station	EMS	FIRE	
Mesilla Fire Main Station 31	0:06:06		
<b>AVERAGE FOR ALL CALLS</b>		<b>0:06:27</b>	
LIGHTS AND SIREN - AVERAGE TURNOUT TIME (Dispatch to Enroute)			
Station	EMS	FIRE	
Mesilla Fire Main Station 31	0:02:01		
<b>AVERAGE FOR ALL CALLS</b>		<b>0:02:14</b>	
AGENCY		AVERAGE TIME ON SCENE (MM:SS)	
Mesilla Fire Department		35:09	

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 = #

# Mesilla Fire Department

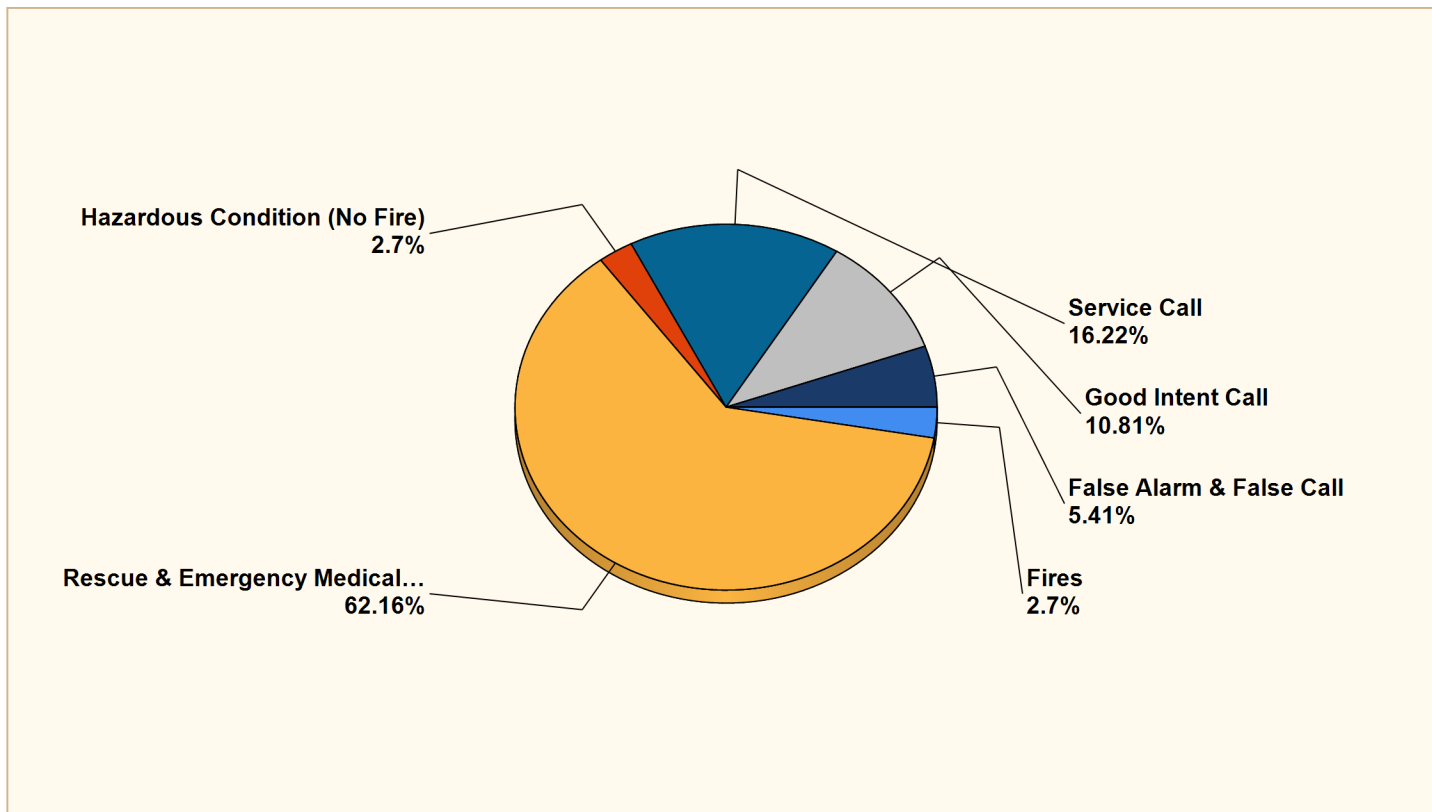
Mesilla, NM

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## Breakdown by Major Incident Types for Date Range

Zone(s): All Zones | Start Date: 10/01/2020 | End Date: 10/31/2020



MAJOR INCIDENT TYPE	# INCIDENTS	% of TOTAL
Fires	1	2.7%
Rescue & Emergency Medical Service	23	62.16%
Hazardous Condition (No Fire)	1	2.7%
Service Call	6	16.22%
Good Intent Call	4	10.81%
False Alarm & False Call	2	5.41%
<b>TOTAL</b>	<b>37</b>	<b>100%</b>

Only REVIEWED and/or LOCKED IMPORTED incidents are included. Summary results for a major incident type are not displayed if the count is zero.



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### Detailed Breakdown by Incident Type

INCIDENT TYPE	# INCIDENTS	% of TOTAL
142 - Brush or brush-and-grass mixture fire	1	2.7%
311 - Medical assist, assist EMS crew	4	10.81%
321 - EMS call, excluding vehicle accident with injury	16	43.24%
322 - Motor vehicle accident with injuries	1	2.7%
381 - Rescue or EMS standby	2	5.41%
424 - Carbon monoxide incident	1	2.7%
553 - Public service	2	5.41%
554 - Assist invalid	3	8.11%
561 - Unauthorized burning	1	2.7%
611 - Dispatched & cancelled en route	4	10.81%
745 - Alarm system activation, no fire - unintentional	2	5.41%
<b>TOTAL INCIDENTS:</b>	<b>37</b>	<b>100%</b>

Only REVIEWED and/or LOCKED IMPORTED incidents are included. Summary results for a major incident type are not displayed if the count is zero.

# Mesilla Fire Department

Mesilla, NM

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## Occupancies Inspected for Date Range

Start Date: 10/01/2020 | End Date: 10/31/2020

OCCUPANCY	ID	ADDRESS	ZONE	LAST INSPECTION
Prieto Imports		2230 Avenida de Mesilla		10/27/2020

**# of Occupancies Inspected: 1**

**% Occupancies Inspected: 0.46**

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



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# Mesilla Fire Department

Mesilla, NM

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## Response Activity Report

Start Date: 10/01/2020 | End Date: 10/31/2020

INCIDENT #	DATE	APPARATUS ID	ALARM TIME	ARRIVE TIME	RESPONSE TIME	ADDRESS
<b>142 - Brush or brush-and-grass mixture fire</b>						
2020-00394	10/13/2020	BR31	14:11:41	14:22:28	00:10:47	1680 CALLE DE ALVAREZ
<b>Subtotal Count: 1</b>		<b>Average Response Time for Incident Type: 00:10:47</b>				
<b>311 - Medical assist, assist EMS crew</b>						
2020-00389	10/10/2020	SQ32	04:09:23	04:20:24	00:11:01	2720 BOLDT ST
2020-00391	10/10/2020	BR31	16:15:44	16:25:06	00:09:22	1384 PAISANO RD
2020-00400	10/20/2020	Bat31	13:56:36	14:07:03	00:10:27	219 CAPRI RD
2020-00412	10/31/2020	Bat31	19:00:44	19:10:37	00:09:53	219 Capri RD
2020-00412	10/31/2020	BR31	19:00:44	19:10:44	00:10:00	219 Capri RD
<b>Subtotal Count: 5</b>		<b>Average Response Time for Incident Type: 00:10:08</b>				
<b>321 - EMS call, excluding vehicle accident with injury</b>						
2020-00378	10/02/2020	Bat31	13:09:40	13:21:45	00:12:05	2184 AVENIDA DE MESILLA
2020-00378	10/02/2020	BR31	13:09:40	13:26:00	00:16:20	2184 AVENIDA DE MESILLA
2020-00381	10/04/2020	Bat31	23:44:40	23:55:28	00:10:48	4801 S Main ST
2020-00383	10/05/2020	Bat31	15:33:12	15:43:14	00:10:02	1827 Snow RD
2020-00384	10/05/2020	Bat31	18:14:59	18:22:10	00:07:11	2335 CALLE DE PARIAN
2020-00384	10/05/2020	BR31	18:14:59	18:21:26	00:06:27	2335 CALLE DE PARIAN
2020-00385	10/06/2020	Bat31	10:14:15	10:36:33	00:22:18	2200 Avenida de Mesilla
2020-00387	10/07/2020	Bat31	14:38:57	15:10:34	00:31:37	3100 McDowell RD
2020-00392	10/11/2020	Bat31	03:16:01	03:27:31	00:11:30	2961 MCDOWELL RD
2020-00392	10/11/2020	Bat32	03:16:01	03:27:26	00:11:25	2961 MCDOWELL RD
2020-00392	10/11/2020	BR31	03:16:01	03:27:26	00:11:25	2961 MCDOWELL RD
2020-00395	10/15/2020	Bat31	16:44:26	16:49:24	00:04:58	2521 AVENIDA DE MESILLA
2020-00395	10/15/2020	SQ32	16:44:26	16:52:14	00:07:48	2521 AVENIDA DE MESILLA
2020-00396	10/17/2020	Bat31	07:01:28	07:13:13	00:11:45	2350 Calle de Parian
2020-00396	10/17/2020	BR31	07:01:28	07:06:00	00:04:32	2350 Calle de Parian
2020-00397	10/17/2020	Bat31	18:32:06	18:43:05	00:10:59	2060 CALLE DEL NORTE
2020-00398	10/18/2020	Bat31	09:09:11	09:27:12	00:18:01	2410 CAMINO BODEGAS
2020-00398	10/18/2020	BR31	09:09:11	09:19:14	00:10:03	2410 CAMINO BODEGAS
2020-00399	10/19/2020	BR31	02:27:15	02:37:05	00:09:50	2670 CALLE DE PARIAN
2020-00401	10/20/2020	Bat31	18:29:41	18:39:08	00:09:27	2486 CALLE PRINCIPAL
2020-00401	10/20/2020	E31	18:29:41	18:39:19	00:09:38	2486 CALLE PRINCIPAL
2020-00405	10/25/2020	Bat31	15:27:53	15:37:00	00:09:07	2979 Camino Castillo
2020-00405	10/25/2020	Bat32	15:27:53	15:33:06	00:05:13	2979 Camino Castillo
2020-00405	10/25/2020	BR31	15:27:53	15:33:35	00:05:42	2979 Camino Castillo
2020-00406	10/26/2020	Bat31	09:02:20	09:09:08	00:06:48	1982 Calle de Colon
2020-00406	10/26/2020	Bat32	09:02:20	09:10:58	00:08:38	1982 Calle de Colon
2020-00411	10/30/2020	Bat31	07:57:50	08:14:08	00:16:18	2176 CALLE DEL NORTE
<b>Subtotal Count: 27</b>		<b>Average Response Time for Incident Type: 00:11:06</b>				

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



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<b>322 - Motor vehicle accident with injuries</b>						
2020-00380	10/04/2020	Bat31	10:03:54	10:20:23	00:16:29	S Main ST
<b>Subtotal Count: 1</b>		<b>Average Response Time for Incident Type: 00:16:29</b>				
<b>381 - Rescue or EMS standby</b>						
2020-00390	10/10/2020	SQ32	07:16:56	07:29:55	00:12:59	12000 STERN DR
2020-00393	10/11/2020	BR33	07:58:12	08:00:00	00:01:48	12000 STERN DR
<b>Subtotal Count: 2</b>		<b>Average Response Time for Incident Type: 00:07:23</b>				
<b>424 - Carbon monoxide incident</b>						
2020-00410	10/29/2020	Bat32	21:29:34	21:40:30	00:10:56	2800 CALLE PRINCIPAL
2020-00410	10/29/2020	BR31	21:29:34	21:40:30	00:10:56	2800 CALLE PRINCIPAL
<b>Subtotal Count: 2</b>		<b>Average Response Time for Incident Type: 00:10:56</b>				
<b>553 - Public service</b>						
2020-00402	10/21/2020	Bat31	01:51:03	02:39:00	00:47:57	AVENIDA DE MESILLA
2020-00402	10/21/2020	SQ32	01:51:03	02:34:08	00:43:05	AVENIDA DE MESILLA
2020-00403	10/22/2020	Bat31	10:33:53	10:34:22	00:00:29	HICKORY DR
<b>Subtotal Count: 3</b>		<b>Average Response Time for Incident Type: 00:30:30</b>				
<b>554 - Assist invalid</b>						
2020-00377	10/01/2020	BR31	21:54:12	22:01:35	00:07:23	2711 CALLE DEL NORTE
2020-00386	10/06/2020	Bat31	13:21:21	13:30:26	00:09:05	675 RITTER DR
2020-00404	10/24/2020	Bat31	21:41:44	22:00:50	00:19:06	1600 VIA RUBI
2020-00404	10/24/2020	Bat32	21:41:44	22:06:19	00:24:35	1600 VIA RUBI
<b>Subtotal Count: 4</b>		<b>Average Response Time for Incident Type: 00:15:02</b>				
<b>561 - Unauthorized burning</b>						
2020-00376	10/01/2020	BR31	20:23:24	20:32:34	00:09:10	S FAIRACRES RD
<b>Subtotal Count: 1</b>		<b>Average Response Time for Incident Type: 00:09:10</b>				
<b>745 - Alarm system activation, no fire - unintentional</b>						
2020-00408	10/27/2020	Bat31	12:38:15	12:43:56	00:05:41	2337 CALLE DE PARIAN
2020-00409	10/28/2020	BR31	13:00:05	13:05:53	00:05:48	2337 CALLE DE PARIAN
<b>Subtotal Count: 2</b>		<b>Average Response Time for Incident Type: 00:05:44</b>				
<b>Grand Total: 48</b>		<b>Average Response Time for All Incident Types: 00:12:13</b>				

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

# Mesilla Fire Department

Mesilla, NM

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

Start Date: 10/01/2020 | End Date: 10/31/2020

EVENT TYPE	DATE	EVENT NAME	CATEGORY	LOCATION	HOURS	PARTICIPANTS
<b>Daily Operations Shift</b>						
	10/01/2020	C-Shift	Shifts	Firehouse 31	24	Lachlan Boyd, Trevor Fietze, Humberto Manriquez, Cipriano Ostos, Louis Reyna
	10/06/2020	B-Shift	Shifts	Firehouse 31	13	Trevor Fietze, Sebastian Linares-Chacon, Nicolas Navarro, Austin Tucker
	10/07/2020	C Shift	Shifts		9	Ines Thunhorst
	10/08/2020	A-Shift	Shifts	Firehouse 31	25	Lachlan Boyd, Humberto Manriquez, Nicolas Navarro, Dylan Thunhorst
	10/09/2020	B-Shift	Shifts	Firehouse 31	13	Sebastian Linares-Chacon, Nicolas Navarro, Austin Tucker
	10/10/2020	C-Shift	Shifts	Firehouse 31	8	Trevor Fietze
	10/11/2020	A-Shift	Shifts	Firehouse 31	10	
	10/12/2020	B Shift	Shifts	Firehouse 31	12	Sebastian Linares-Chacon, Louis Reyna, Gabriel Rodriguez, Austin Tucker
	10/15/2020	B-Shift	Shifts	Firehouse 31	16	Sonny Gomez, Nicolas Navarro, Austin Tucker
	10/18/2020	B-Shift	Shifts	Firehouse 31	22	Lachlan Boyd, Alexandra Gaytan, Nicolas Navarro, Louis Reyna, Gabriel Rodriguez, Austin Tucker
	10/20/2020	A-Shift	Shifts	Firehouse 31	20	Nicolas Navarro, Dylan Thunhorst, Ines Thunhorst
	10/20/2020	A-Shift	Shifts	Firehouse 31.	24	Nicolas Navarro, Dylan Thunhorst, Ines Thunhorst
	10/21/2020	B-Shift	Shifts	Firehouse 31	24	Lachlan Boyd, Sebastian Linares-Chacon, Nicolas Navarro, Austin Tucker
	10/25/2020	B-Shift	Shifts	Firehouse 31	8	Nicolas Navarro

Only LOCKED events included.

EVENT TYPE	DATE	EVENT NAME	CATEGORY	LOCATION	HOURS	PARTICIPANTS
	10/25/2020	C-Shift	Shifts	Firehouse 31	24	Lachlan Boyd, Trevor Fietze, Louis Reyna
	10/26/2020	A Shift	Shifts	Firehouse 31	12	Trevor Fietze, Travis Rogers
	10/27/2020	B-Shift	Shifts	Firehouse 31	24	Trevor Fietze, Alexandra Gaytan, Sebastian Linares-Chacon, Nicolas Navarro, Travis Rogers
	10/28/2020	C Shift	Shifts	Firehouse 31	0	Lachlan Boyd, Trevor Fietze, Diego Garcia, Humberto Manriquez, Louis Reyna, Travis Rogers
	10/30/2020	B-Shift	Shifts	Firehouse 31	13	Alexis Almeida, Trevor Fietze, Sebastian Linares-Chacon, Nicolas Navarro
	10/31/2020	C Shift	Shifts	Firehouse 31	24	Trevor Fietze, Travis Rogers

**Total Hours for Daily Operations Shift: 325**

Administration Shift						
	10/02/2020	Administrative Shift	Administrative	Fire House 31	6.75	Harry Evans
	10/06/2020	Administrative Shift	Administrative	Tele-Work Residence	3	Harry Evans
	10/23/2020	Administrative Shift	Administrative	Tele-Work Residence	4	Harry Evans
	10/26/2020	Administrative Shift	Administrative	Tele-Work Residence	2	Harry Evans
	10/27/2020	Administrative Shift	Administrative	Tele-Work Residence	3.5	Harry Evans

**Total Hours for Administration Shift: 19.25**

Special Assignment						
	10/21/2020	New apparatus set up	Special Assignment	Mesilla fire house 31	7.5	Andy Embury, Kevin Hoban, George Klebansky, Nicolas Navarro, Gregory Whited

**Total Hours for Special Assignment: 7.5**

Prevention Division Shift						
	10/22/2020	COVID inspections	Prevention Event	Town of Mesilla	6	Gregory Whited
	10/29/2020	Prevention event	Prevention Event	Town of Mesilla	6	Gregory Whited

**Total Hours for Prevention Division Shift: 12**

Only LOCKED events included.



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# Mesilla Fire Department

Mesilla, NM

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## Total Hours by Personnel for Date Range for Pay Grade

Pay Grades: All Pay Grades | Start Date: 10/01/2020 | End Date: 10/31/2020

PERSONNEL	INCIDENT TIME	TRAINING TIME	EVENT TIME	TOTAL TIME
Almeida, Alexis B	0:00	65:00	12:00	77:00
Boyd, Lachlan James	2:51	45:00	71:00	118:51
Caro, Ariel M	0:14	21:00	0:00	21:14
Davis-Whited, Crystal L	0:32	75:00	0:00	75:32
Embury, Andy G.	4:34	10:00	7:30	22:04
Evans, Harry A	1:46	10:00	19:15	31:01
Frietze, Trevor R	4:47	56:00	136:00	196:47
Garcia, Diego	0:32	54:00	16:00	70:32
Gaytan, Aleksandra Melina	0:00	3:00	14:00	17:00
Gomez, Sonny F	0:00	0:00	11:00	11:00
Guzman, Phillip b	0:14	6:00	0:00	6:14
Klebansky, George A	13:12	16:00	7:30	36:42
Linares-Chacon, Sebastian	0:00	6:00	67:00	73:00
Lucero, Jojo	0:00	6:00	0:00	6:00
Manriquez, Humberto	0:30	5:00	42:00	47:30
Molinar, Junshiro Lazos	0:32	62:00	0:00	62:32
Navarro, Nicolas A	9:49	89:00	176:30	275:19
Ostos, Cipriano J	0:30	64:00	14:00	78:30
Reyna, Louis Nathen	3:05	75:00	60:00	138:05
Rodriguez, Gabriel	0:35	52:00	23:00	75:35
Rogers, Travis Adam	1:54	60:00	84:00	145:54
Romero, Kevin Marcus	0:10	10:00	0:00	10:10
Rossmann, Tabitha A	0:00	2:00	0:00	2:00
Sanchez, Xavier	0:00	8:00	0:00	8:00
Shepan, Lance A.	0:00	2:00	0:00	2:00
Thunhorst, Dylan P	2:02	3:00	57:00	62:02
Thunhorst, Ines C	3:04	2:00	23:00	28:04
Tucker, Austin J	12:23	31:00	85:00	128:23
Vizcaino, Eduardo J	0:10	40:00	0:00	40:10
Whited, Gregory E	2:24	73:00	19:30	94:54
<b>TOTAL</b>			<b>1962:05:00</b>	

# Mesilla Fire Department

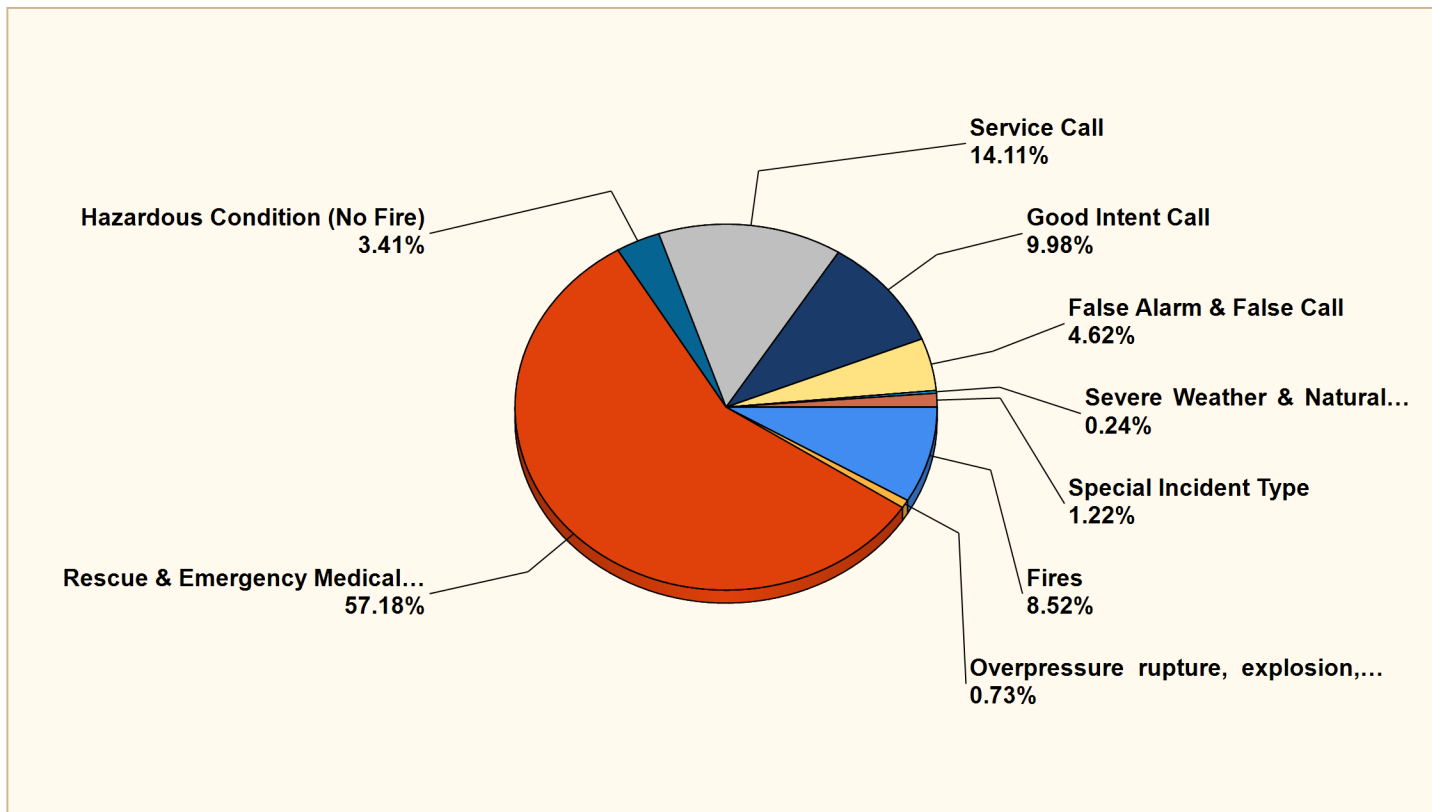
Mesilla, NM

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## Breakdown by Major Incident Types for Date Range

Zone(s): All Zones | Start Date: 01/01/2020 | End Date: 10/31/2020



MAJOR INCIDENT TYPE	# INCIDENTS	% of TOTAL
Fires	35	8.52%
Overpressure rupture, explosion, overheating - no fire	3	0.73%
Rescue & Emergency Medical Service	235	57.18%
Hazardous Condition (No Fire)	14	3.41%
Service Call	58	14.11%
Good Intent Call	41	9.98%
False Alarm & False Call	19	4.62%
Severe Weather & Natural Disaster	1	0.24%
Special Incident Type	5	1.22%
<b>TOTAL</b>	<b>411</b>	<b>100%</b>

Only REVIEWED and/or LOCKED IMPORTED incidents are included. Summary results for a major incident type are not displayed if the count is zero.



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### Detailed Breakdown by Incident Type

INCIDENT TYPE	# INCIDENTS	% of TOTAL
111 - Building fire	4	0.97%
112 - Fires in structure other than in a building	1	0.24%
118 - Trash or rubbish fire, contained	1	0.24%
132 - Road freight or transport vehicle fire	2	0.49%
140 - Natural vegetation fire, other	1	0.24%
141 - Forest, woods or wildland fire	1	0.24%
142 - Brush or brush-and-grass mixture fire	21	5.11%
151 - Outside rubbish, trash or waste fire	1	0.24%
152 - Garbage dump or sanitary landfill fire	1	0.24%
162 - Outside equipment fire	1	0.24%
173 - Cultivated trees or nursery stock fire	1	0.24%
243 - Fireworks explosion (no fire)	3	0.73%
300 - Rescue, EMS incident, other	1	0.24%
311 - Medical assist, assist EMS crew	24	5.84%
320 - Emergency medical service, other	3	0.73%
321 - EMS call, excluding vehicle accident with injury	134	32.6%
322 - Motor vehicle accident with injuries	30	7.3%
324 - Motor vehicle accident with no injuries.	3	0.73%
341 - Search for person on land	2	0.49%
342 - Search for person in water	2	0.49%
361 - Swimming/recreational water areas rescue	2	0.49%
381 - Rescue or EMS standby	34	8.27%
400 - Hazardous condition, other	4	0.97%
412 - Gas leak (natural gas or LPG)	3	0.73%
424 - Carbon monoxide incident	2	0.49%
441 - Heat from short circuit (wiring), defective/worn	1	0.24%
444 - Power line down	2	0.49%
461 - Building or structure weakened or collapsed	1	0.24%
480 - Attempted burning, illegal action, other	1	0.24%
511 - Lock-out	4	0.97%
520 - Water problem, other	4	0.97%
522 - Water or steam leak	6	1.46%
542 - Animal rescue	1	0.24%
551 - Assist police or other governmental agency	8	1.95%
552 - Police matter	2	0.49%
553 - Public service	6	1.46%
554 - Assist invalid	19	4.62%
561 - Unauthorized burning	7	1.7%
571 - Cover assignment, standby, moveup	1	0.24%
611 - Dispatched & cancelled en route	36	8.76%
622 - No incident found on arrival at dispatch address	3	0.73%
651 - Smoke scare, odor of smoke	2	0.49%
700 - False alarm or false call, other	1	0.24%
733 - Smoke detector activation due to malfunction	1	0.24%
735 - Alarm system sounded due to malfunction	4	0.97%
740 - Unintentional transmission of alarm, other	2	0.49%
743 - Smoke detector activation, no fire - unintentional	5	1.22%
745 - Alarm system activation, no fire - unintentional	6	1.46%
800 - Severe weather or natural disaster, other	1	0.24%
900 - Special type of incident, other	4	0.97%
911 - Citizen complaint	1	0.24%
<b>TOTAL INCIDENTS:</b>	<b>411</b>	<b>100%</b>

Only REVIEWED and/or LOCKED IMPORTED incidents are included. Summary results for a major incident type are not displayed if the count is zero.





# MESILLA MARSHAL DEPARTMENT

P.O. BOX 10 MESILLA, NM 88046 PHONE 575-526-4138 FAX 575-652-3776

To: Honorable Mayor and Mesilla Board of Trustees

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

911 hang ups	5	Disorderly	1
		Domestic	7
Abandoned Vehicle	1	Fight	1
		Intoxicated	1
Agency assist	18	Verbal	1
		Domestic standby	1
ACO calls	14		
Call	1	Foot patrol	1
Bite	1	Forgery/Fraud	1
Dead	1		
Custody	2	Frequent patrol	16
Loud	1		
Sick	1	Hold up alarm	1
Stray	7		
Assault	3	Information report	7
		Medical alarm	1
ATV complaint	2		
		Motor Vehicle Crashes	8
Behavioral	1		
		H & R	1
Building check	1	Injury crash	3
		Extra response crash	4
Burglary	4		
		Out with subject	2
Burglary alarm	4		
		Phone call	3
Civil dispute	4		
		Prowler	1
Codes	1		
		Public assist	12
Disturbances	12		

Reckless driver	3		
Shoplifting	1	Threats	1
Shots fired	3	Traffic stops	150
Subject w/ gun	1	Trespassing	3
Suicidal subject	1	Vandalism	4
Supplement	7	Warrant	1
Suspicious activity	15	<u>Welfare check</u>	<u>6</u>
Activity	4	Total # of calls for service	319
Person	6		
Vehicle	5		

Thank you,

Eddie Lerma  
Marshal



# MESILLA MARSHAL DEPARTMENT

P.O. BOX 10 MESILLA, NM 88046 PHONE 575-526-4138 FAX 575-652-3776

MARSHAL  
EDWARD "EDDIE" LERMA

## Inter-Departmental Memorandum

**TO:** Cynthia Stoechner-Hernandez, Clerk/Treasure  
Nora L. Barraza, Mayor

**From:** Eddie Lerma / Marshal

**Subject:** Matthew Rivera

**DATE:** 11/04/2020

---

Ladies,

I was contacted by Mr. Matthew Rivera who was formerly a school resource officer for the Town of Mesilla assigned to Zia Middle School. As you know, Mr. Rivera's position was put on hold because the Las Cruces School Board refused to fund his position due to the COVID-19 pandemic causing the public schools to close.

Mr. Rivera has contacted me and would like to be reinstated as our animal control officer to be used on an as needed on call basis. He has indicated to me that his fee for his service would be at an amount not to exceed one dollar (\$1.00) per year or until he can submit a request for reinstatement of the stipend that he had been paid while employed with the Town of Mesilla in the past.

Any consideration given to this request would be greatly appreciated.

Respectfully

*/S/ Eddie Lerma*

Eddie Lerma




# TOWN OF MESILLA

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

## MEMORANDUM

Date: November 4, 2020

TO: Mayor Barraza, Board of Trustees and Cynthia Stoechner-Hernandez

FROM: Rodney J. McGillivray, Public Works Director 

RE: **Public Works Division Activity Report – October 2020**

### **On-going maintenance, custodial and operations:**

Continued Covid-19 Disinfecting/Cleaning  
On-call/standby for emergency repairs or assistance  
Meter reading continues  
Monthly water sampling and reporting is up-to-date  
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  
Grounds maintenance on-going  
Custodial responsibilities on-going  
Valve exercise program continues  
Utility location services  
Vehicle maintenance on-going

### **Miscellaneous items/work orders/accomplishments:**

Replaced all sprinkler valves at the Baseball Park  
Added dirt and performed grading at Community Center Park  
Spraying for weeds continue  
Performed grading and backfill at Community Center Park  
Painted public restroom floors  
Adjusted water valve boxes for construction projects  
Community Center roof leak repairs  
Pothole repairs  
Plaza concrete curb replacement



**Project update:**

**LGRF (2019-2020)** – Project underway. Project anticipated to be complete end of November.

**Parian Capital Outlay** – Project underway. Project anticipated to be complete end of November.

**LGRF (2020-2021)** – Awaiting agreement.

**La Llorona Extension multi-use path** – Project was considered substantially complete on October 30, 2020. Contractor is in the process of completing punch list items.

**Calle del Norte Trail Phase II** – Design is underway. Survey is complete. EBID permit application and MOU is underway.

**Plaza Lighting Capital Outlay** – Project on-hold pending materials procurement. Project is anticipated to begin late November 2020.