



Town of Mesilla, New Mexico

**BOARD OF TRUSTEES (BOT)
TOWN OF MESILLA
MEETING
MONDAY, APRIL 11, 2022
6:00 P.M.**

TRUSTEES: Nora Barraza, Mayor
Stephanie Johnson-Burick, Mayor Pro Tem
Biviana Cadena, Trustee
Veronica Garcia, Trustee
Adrianna Merrick, Trustee

STAFF: Rani Bush, Town Clerk/Treasurer
Ben Azcarate, Lieutenant
Kevin Hoban, Fire Chief
Joe Padilla, Community Development Coordinator
Gloria Maya, Recorder

PUBLIC:

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|-------------------|----------------|
| Frank Torres | Anthony Lucero |
| Michele Rasch | Jeff McBride |
| Russell Hernandez | Juan Garcia |
| Susan Krueger | Carol McCall |
| Anne Chase | Marsha H. |
| Jon Sepp | |

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 Johnson-Burick, Trustee Cadena, Trustee Garcia, Trustee Merrick.

3. CHANGES TO THE AGENDA & APPROVAL

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

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

Mayor Pro Tem Johnson-Burick Yes
Trustee Cadena Yes
Trustee Garcia Yes
Trustee Merrick Yes

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

Mr. Torres expressed his concerns regarding the application submitted for a rock wall to match the existing rock wall. He was told by Mr. Padilla that more documentation was needed by the Architectural Style

Committee; that information was on the original zoning application. He understood they had trouble reading it because it was too small and there was an issue with the gate which they can wait on. We are trying to streamline the process. He would like for the board to respond to his son's email.

Ms. Haggard read letter from AAVW, congratulated the Town of Mesilla for an all women Board of Trustees.

Mr. Albert stated he supports the town giving Film Las Cruces a \$20,000 annual donation.

Mr. Hernandez stated he is concerned with the procedural issues at the last two meetings. He does not feel Mr. Lucero was given the opportunity to have his case heard fairly, accordingly, and appropriately. A decision was made arbitrarily and capriciously. Listening to the recording there were trustees stating how they would be voting before the vote was called for. A trustee requested legal opinion which was blocked by the mayor. It was asked if there was adequate representation for a vote and the response was, we are moving forward, so a vote was taken. It was highly inappropriate for a trustee to say that legal opinion would not change her vote which puts the town in a position for a lawsuit. The vote outcome needs clarification since Ms. Maya stated motion passed and the mayor stated motion denied.

Mr. Lucero read letter stating his concerns regarding his application which was denied.

Ms. Krueger recommended that there be a guide outlining the process for Historic Preservation and referenced 18.43.080 and 18.45.040 Section J.

5. PRESENTATION

a) Tuba Day – April 30, 2022

Ms. McCall & Ms. Rash read proclamation making April 30, 2022, Tuba Day in the Town of Mesilla. Invited everyone to an event on April 30th at the Fountain Theatre.

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 *)

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

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

Mayor Pro Tem Johnson-Burick Yes

Trustee Cadena Yes

Trustee Garcia Yes

Trustee Merrick Yes

a) ***BOT MINUTES** – Revised Minutes of Regular Meeting, March 14, 2022. *Approved by consent agenda*

b) ***BOT MINUTES** – Minutes of Regular Meeting, March 28, 2022. *Approved by consent agenda*

c) ***PZHAC Case #061364** – 2043 Calle de Correo, submitted by Alison Tinsley to install a residential rooftop solar system, **Zoned: Historic Residential (HR)**. *Approved by consent agenda*

d) ***PZHAC Case #061368** - 2305 Calle de Colon, submitted by Gerard Nevarez to coat exterior of house with elastomeric and clear coat wood on gate, no changes in colors. **Zoned Historic Residential (HR)**. *Approved by consent agenda*

e) ***PZHAC Case #061371** – 331 Capri Arc submitted by Francis Williams to install a ground mounted solar system. **Zoned: Historic Residential (HR)**. *Approved by consent agenda*

7. NEW BUSINESS

- a) **For Approval:** Resolution 2022-03: Acceptance and Approval of the FY 2021 Audit – Presentation by Carmen Jimenez, Beasley, Mitchell & Co.

Ms. Jimenez gave a presentation of the FY 2021 Audit.

Motion: To approve: Resolution 2022-03: Acceptance and Approval of the FY 2021 Audit- Presentation by Carmen Jimenez, Beasley, Mitchell & Co., Moved by Mayor Pro Tem Johnson-Burick, Seconded by Trustee Garcia.

Trustee Merrick stated she would like more information regarding the court findings before voting.

Mayor Barraza stated it is currently in litigation. She asked Ms. Bush if the board could go into a Closed Session if it is not posted on the agenda.

Ms. Bush responded no since it had not been posted.

Trustee Merrick asked to postpone approval of item 7a.

Trustee Garcia asked what the due date for submission is.

Ms. Jimenez stated this has been submitted to the State Auditor. We are here to present the results and to get approval.

Trustee Garcia asked if this was submitted without the board's approval.

Mayor Barraza responded by state law all municipalities must submit by the deadline date. Once it is reviewed by the state auditor the municipality receives a letter of confirmation.

Ms. Bush explained the audit process and the deadlines.

Mayor Barraza stated the resolution confirms that the board reviewed what was submitted by the auditing firm and staff has corrected the deficiencies presented during the exit conference. Thanked Ms. Jimenez and staff. Asked Ms. Bush if there is a deadline for submission of the Resolution 2022-03.

Ms. Bush responded we must respond to the letter in 2 weeks, no deadline for the submission of resolution.

Amended Motion: To Postpone Resolution 2022-03: Acceptance and Approval of the FY 2021 Audit until the next Board of Trustee's meeting, Moved by Trustee Merrick, Seconded by Trustee Cadena.

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

Mayor Pro Tem Johnson-Burick Yes

Trustee Cadena Yes

Trustee Garcia Yes

Trustee Merrick Yes

Trustee Cadena stated she had not had a chance to read or to ask questions.

Mayor Barraza stated Ms. Bush answered and submitted what was at the end of the audit. Contact us if you have further questions.

- b) **For Approval:** Resolution 2022-04 Calle de Norte Phase II, Second Amendment to the Local Government Transportation Project Fund #LP10004 for extension of time.

Mr. McGillivray gave a presentation on Resolution 2022-04 Calle de Norte Phase II, Second Amendment to the Local Government Transportation Project Fund #LP10004 for extension of time.

Motion: To approve: Resolution 2022-04 Calle de Norte Phase II, Second Amendment to the Local Government Transportation Project Fund #LP0004 for extension of time, Moved by Trustee Merrick, Seconded by Trustee Cadena.

Roll Call Vote: Motion passed (summary: Yes =4).
Mayor Pro Tem Johnson-Burick Yes
Trustee Cadena Yes
Trustee Garcia Yes
Trustee Merrick Yes

c) Discussion: Film Production Process – Senator Jeff Steinborn and Jon Sepp

Senator Steinborn gave a presentation on Film Las Cruces. Requested that the Town of Mesilla join the City of Las Cruces and Dona Ana County in supporting Film Las Cruces. Mesilla’s amount would be \$20,000 annually (3-year agreement).

Mr. Sepp gave a recap of the filming that has been or being done in the area and the company.

Mayor Barraza asked what the timeframe is when filming.

Mr. Sepp responded things move very quickly; gave example of the reality show wanting to film here which from the permitting and camera rolling it has taken 5 days. Also, it depends on what is being filmed.

Mayor Barraza asked what is the City of Las Cruces and Dona Ana County commitment.

Mr. Sepp responded \$95,000 annually from the City of Las Cruces and \$70,000 annually from Dona Ana County. We are also looking at the City of Anthony and City of Sunland.

Mayor Pro Tem Johnson-Burick asked what will be requested from City of Sunland and City of Anthony.

Mr. Sepp responded we are asking for a commitment of \$5,000 to \$10,000 annually as we look to the proximity to Las Cruces.

Senator Steinborn stated Mesilla is the crown jewel of the area. Filming benefits the GRTs.

Mayor Pro Tem Johnson-Burick stated she supports the business and understands how it benefits the town. People already know what a hidden gem Mesilla is. She is concerned regarding our budget; there are dire needs around our community. The comment was that the \$20,000 would be used to take care of your staff; she would like to take care of our staff first. She understands it will benefit our businesses and increase our GRTs. Asked how we will see what you are doing with our dollars.

Mr. Sepp responded monthly and quarterly reports are provided to our supporters and being available for internal conversations.

Mayor Pro Tem Johnson-Burick stated she does support this organization as it brings in other sources of revenue. Our town permits are very low. During the last filming businesses were shut down; there was lack of

communication with the business owners. The food vendors feeding the cast and crew were from Las Cruces, not from Mesilla.

Mr. Sepp responded that stipulation can be part of the agreement.

Mayor Barraza recommended meeting with business owners to see who could provide services.

Trustee Cadena stated Mesilla will benefit from this, but communication needs to be a priority. We want to know that you are advocating for Mesilla as much as you do for the City of Las Cruces.

Mr. Sepp stated we are trying to do a better job in understanding the community we are working in; identify the positives and negatives of the area.

Trustee Merrick stated she received compensation for loss of business during the Chupa filming but unfortunately others did not. We need to work together to make this a positive experience for everyone.

Mr. Sepp stated work together to not hurt businesses.

Senator Steinborn stated we had several movies filming in the area at the same time, historical time. We learned about how to be effective; troubleshoot issues that arose. We realize it takes staff to manage these situations. This commitment needs to be looked at as an investment.

Trustee Garcia asked how they want to be paid.

Senator Steinborn responded the City of Las Cruces makes monthly payments.

Mr. Sepp responded we invoice and provide a progress performance report on a monthly basis.

Trustee Garcia stated we may have to increase our fees.

Mayor Barraza stated our fees are reasonable with the City of Las Cruces and Dona Ana County.

Mr. Sepp stated we will look at ways at keeping cost down.

Trustee Cadena stated keeping cost down and communication is important. We need to get money into our businesses to help with the GRTs.

Mr. Sepp stated it is important to provide training as part of our service as well.

Mayor Barraza stated we can discuss this further; get something together that is workable for the Town of Mesilla. The GRTs were good during the filming.

Mr. Albert stated the Netflix staff coordinated and communicated very well with everyone involved. We need to showcase and promote Mesilla.

Mayor Barraza stated work out the logistics, see the impact it will have on the businesses. During the meeting with the business owners, they indicated they were pleased during the filming. Netflix went out of their way to work with the businesses that were affected and the town.

Mr. Sepp stated we work on being proactive by communicating with those involved.

Mayor Barraza recommended providing information at one of our meetings.

Mr. Sepp stated there will be a filming at El Patio in the near future.

Trustee Garcia asked if the \$20,000 negotiable.

Mayor Barraza stated this item will be placed on the agenda at the next meeting.

8. BOARD OF TRUSTEE COMMITTEE REPORTS

Trustee Garcia: Architectural Style Committee meeting tomorrow at 3:30 P.M.

Mayor Pro Tem Johnson-Burick: MPO meeting April 13th at 1:00 p.m.

Mayor Barraza: MPO meeting April 13th at 1:00 p.m.; Easter Bunny on the Plaza at 1:00 p.m.

Trustee Merrick: MPO meeting April 13th at 1:00 p.m.

9. STAFF REPORTS

- a) *Community Development
- b) *Community Programs
- c) *Finance Department
- d) *Fire Department
- e) *Marshal Department
- f) *Public Works Department

10. BOARD OF TRUSTEE/STAFF COMMENTS

Fire Chief stated the first movie filmed in Mesilla was in 1920. They have received a grant for the sprinkler system and educational fees. The stipends are delayed further.

Mayor Barraza stated Hang 'Em High was filmed here also.

Ms. Bush stated she is working on providing reports that are straight forward. Inaudible

Trustee Merrick stated she attended the MOLI training, she learned a lot. With regards to cases, her hands are tied; she does want to see what the best course of action is. Look at what PZHAC is doing and be more transparent. Thanked the Marshal Department for taking care of the situation with the vendor. Recommended doing a background check on our vendors as we need to protect our community and our children.

Mayor Pro Tem Johnson-Burick agreed with Trustee Merrick's comments.

Trustee Garcia stated explained the Architectural Style Committee process. Mr. Padilla is doing the best he can. She apologized for not responding to Mr. Lucero's email. There is no timeline so it could be possible to bring back his case. She spoke to Mr. Cervantes who told her to speak to Ms. Bush; if he cannot come to the meeting, he would be available by zoom. She is hoping to put Mr. Lucero's case back on the agenda. Thanked the Marshal's Department for all their hard work. Recommends everyone attend a MOLI training, it is very educational.

Trustee Cadena agreed with Trustee Merrick's comments. She thanked Mr. Lucero for his comments. She did not attend the March 14th so she cannot make comments. We need to ensure that we follow procedures. Board and applicant should be given the reason case was denied. Public Input is useful and beneficial to the Town of Mesilla.

Mayor Barraza stated if a packet is not complete when submitted to starting with Architectural Style Committee, PZHAC or Board of Trustees, it will be kicked back which delays the process. Complete application packets must be submitted to Mr. Padilla by Wednesday to be included in the PZHAC packet for the following meeting which are held on the 1st and 3rd Monday at 2:30 p.m. There is a checklist of what is required in the application packet. She contacted Mr. Torres regarding missing documents. They wanted me to override the decision of PZHAC and the Board of Trustees; she does not have the authority to do that, and she will not do that. There is a process to be followed. She thought the Tuba Day proclamation was interesting. She supports Film Las Cruces and believes it will benefit the Town of Mesilla by getting the word out. She attended a session on Parliament Procedure during MOLI training and feels we are doing things correctly. Even though Ms. Maya made the comment regarding the approval, she is the deciding officer. Ms. Maya will report the vote count and she will announce whether motion is approved or denied. She reviewed the new process regarding agenda items. MOLI training was educational. After speaking to the New Mexico Municipal League attorney, she feels the board is following the correct process and will asked for that in writing. There will be a New Mexico Municipal League will be holding several committee meetings in June, if interested contact Ms. Bush. Easter Bunny on the Plaza on Wednesday at 1:00 p.m. Offices will be closed on Friday, April 15th. Audit and resolutions will be on the agenda at the next meeting.

Trustee Garcia stated a bill was passed for volunteer firefighters.

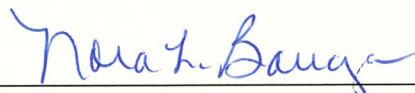
Fire Chief Hoban stated we will be submitting applications apparatus grants.

11. ADJOURNMENT

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

MEETING ADJOURNED AT 7:41 P.M.

APPROVED THIS 25th DAY OF APRIL, 2022.



Nora L. Barraza
Mayor

ATTEST:



Rani Bush
Town Clerk/Treasurer



