



Town of Mesilla, New Mexico

THE BOARD OF TRUSTEES (BOT) OF THE TOWN OF MESILLA
REGULAR MEETING
AT THE MESILLA TOWN HALL,
2231 AVENIDA DE MESILLA

MONDAY, MARCH 11, 2024 ~ 6:00 P.M.~

MINUTES

TRUSTEES: Russell Hernandez, Mayor
Adrianna Merrick, Mayor Pro Tem
Biviana Cadena, Trustee
Stephanie Johnson-Burick, Trustee
Gerard Nevarez, Trustee

STAFF: Ben Azcarate, Interim Marshal
Greg Whited, Fire Chief
Gloria S Maya, Town Clerk/Recorder

PUBLIC: Cesar Madrid John Montoya
Catharine Walkinshaw Eric Walkinshaw
Crystal Davis-Whited Nora L Barraza
Susan Krueger Jesus Lopez
Felix Armijo Andrea Bryan
Greg Lester Trina Witter

a) PLEDGE OF ALLEGIANCE

Mayor Hernandez led the Pledge of Allegiance.

b) ROLL CALL & DETERMINATION OF A QUORUM

Roll Call.

Present: Mayor Hernandez, Mayor Pro Tem Merrick, Trustee Cadena, Trustee Johnson-Burick, Trustee Nevarez

c) CHANGES TO THE AGENDA & APPROVAL

Motion passed unanimously

d) PUBLIC INPUT – The public is invited to address the Board as allowed by the chair for the agenda being heard.

Ms. Walkinshaw read correspondence. (See Attached)

e) 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 BOT, February 29, 2024 *Approved by consent agenda*
- b) ***BOT SPECIAL MEETING MINUTES** – Minutes of BOT Special Meeting, March 6, 2024 *Approved by consent agenda*

- c) ***PZHAC BUSINESS LICENSE #1198** – 2212 Calle de San Albino, submitted by Jorge Larrazabal. Requesting approval to register a short-term rental with the Town of Mesilla. Zone: Historical Residential (HR). *Approved by consent agenda*

Motion passed unanimously

f) CLOSED EXECUTIVE SESSION

- a) **Discussion of limited personnel matters pursuant to NMSA 1978, Section 10-15-1(H)(2)**
– Marshal Department

Motion passed unanimously

Entered Closed Executive Session at 6:06 p.m.

Motion passed unanimously

Entered Regular Meeting at 6:37 p.m. – no action taken during Closed Executive Session

g) PRESENTATION

- a) **Local Government Road Fund (LGRF) Application 2024-2025 – Mayor Hernandez**

Mayor Hernandez gave an overview of the LGRF Application 2024-2025.

- b) **Transportation Project Fund (TPF) Application 2024-2025 – Mayor Hernandez**

Mayor Hernandez gave an overview of the TPF Application 2024-2025.

c) Adelante Senior Meals – Manuel Escobedo and Justin Gomez

Ms. Barraza, Ms. Padilla and Mr. Gomez gave an overview of the Adelante Senior Meals Program, its needs and asked for support of the town. Invited everyone to go visit the Adelante Senior Program at the Community Center.

Trustee Nevarez requested to look at the current line items, rental fee and in-kind support.

Mayor Hernandez stated he will revisit the program and its needs to see how the town can help.

h) NEW BUSINESS

- a) **APPROVAL: MARSHAL DEPUTY HIRE**

Motion: To approve hiring Ms. Ornelas as a Marshal Deputy for the Town of Mesilla, Moved by Mayor Pro Tem Merrick, Seconded by Trustee Nevarez.

Roll Call Vote: Motion passed (summary: Yes-4)

Mayor Pro Tem Merrick Yes

Trustee Cadena Yes

Trustee Johnson-Burick Yes

Trustee Nevarez Yes

- b) **APPROVAL: MARSHAL DEPUTY HIRE**

Motion: To approve hiring Mr. Boylston as a Marshal Deputy for the Town of Mesilla, Moved by Mayor Pro Tem Merrick, Seconded by Trustee Cadena.

Roll Call Vote: Motion passed (summary: Yes-4)

Mayor Pro Tem Merrick Yes

Trustee Cadena Yes

Trustee Johnson-Burick Yes

Trustee Nevarez Yes

c) APPROVAL: MARSHAL DEPARTMENT SPECIAL INVESTIGATION

Motion: To approve hiring Mr. Carrera as a Marshal Department Special Investigation for the Town of Mesilla, Moved by Mayor Pro Tem Merrick, Seconded by Trustee Nevarez.

Roll Call Vote: Motion passed (summary: Yes-4)

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

d) APPROVAL: Molzen Corbin Professional Engineering Services 5% Obligation for 2023 Capital Outlay (Mesilla Roadway Improvements Phase I) – Calle de Oeste

Motion: To approve Molzen Corbin Professional Engineering Services 5% Obligation for 2023 Capital Outlay (Mesilla Roadway Improvements Phase I) – Calle de Oeste, Moved by Trustee Nevarez, Seconded by Mayor Pro Tem Merrick.

Roll Call Vote: Motion passed (summary: Yes-4)

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

e) APPROVAL: RESOLUTION 2024-09 Local Government Road Fund Application

Motion: To approve Resolution 2024-09 Local Government Road Fund Application, Moved by Mayor Pro Tem Merrick, Seconded by Trustee Johnson-Burick.

Roll Call Vote: Motion passed (summary: Yes-4)

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

i) PUBLIC INPUT – The public is invited to address the Board as allowed by the chair.

Ms. Witter addressed her concerns regarding the March 13, 2024 Agenda.

j) BOARD OF TRUSTEE COMMITTEE REPORTS

(Written staff reports included in packets)

No Board of Trustees Committee Reports

k) BOARD OF TRUSTEE/STAFF COMMENTS

Fire Chief Whited gave an update on the inventory, on the academy that will be coming up soon, the change in station numbers and the increase in calls.

Interim Marshal Azcarate gave an update on the new laptops and training.

Ms. Maya stated all prior projects have been reimbursed.

Trustee Nevarez stated he is looking at being productively engaged with the departments he will be working with.

Trustee Johnson-Burick addressed her concerns regarding the original business license issued to Tropical Cannabis. She will be working with the departments she has been assigned.

Trustee Cadena asked if Mr. Salazar could attend meetings to address concerns. She will be meeting with the Finance Department.

Mayor Pro Tem Merrick stated streamline is working; will be working with the Public Works Department.

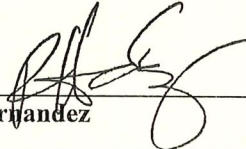
Mayor Hernandez stated we will be looking at the short-term rentals as well as having Mr. Salazar's attendance at the board meetings. Budgeting process will be starting soon. Mr. Salazar is clarifying the Tropical Cannabis business license situation.

1) ADJOURNMENT

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

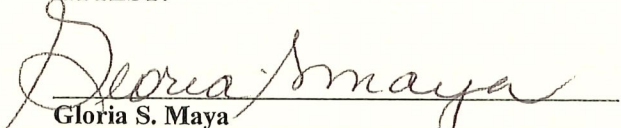
MEETING ADJOURNED AT 7:21 P.M.

APPROVED THIS 25th OF MARCH, 2024.



Russell Hernandez
Mayor

ATTEST:



Gloria S. Maya
Town Clerk/Treasurer





Comments for March 11 BOT Meeting

1 message

Catharine Walkinshaw <catharinewalkinshaw@gmail.com>

Mon, Mar 11, 2024 at 4:07 PM

To: adriannam@mesillanm.gov, Stephanie Johnson-Burick <stephaniejb@mesillanm.gov>, gerardn@mesillanm.gov, Biviana Cadena <bivianac@mesillanm.gov>, Russell Hernandez <mayor@mesillanm.gov>, Mesilla Town Clerk/Treasurer <clerktreasurer@mesillanm.gov>

Cc: Community Development <comdev@mesillanm.gov>, davies@mesillanm.gov, davidr@mesillanm.gov, ericg@mesillanm.gov, carlosa@mesillanm.gov, yolandal@mesillanm.gov

Please include the following comments in the official minutes for the March 11, 2024, Board of Trustees meeting.

Dear Trustees Merrick, Burick-Johnson, Nevaraz, Cadena, and Mayor Hernandez,

We are commenting on Item c. under the consent agenda. At last week's PZHAC meeting related to this proposal, there were concerns brought up about short term rentals that we wanted to provide input on. We have 4 years of experience as a short term rental business within Mesilla.

First there was concern that Mesilla has many more short term rentals than those who have business licenses and are paying Lodger's Tax. However, when a person searches for a Mesilla vacation home on the online platforms (i.e., airbnb or vrbo), many choices come up but few are actually within the town of Mesilla. Indeed, we did a count using both airbnb and vrbo and could come up with only about 24 short term rentals within the Town of Mesilla. Mr. Salazar stated at the P&Z meeting that there were 18 business licenses for short term rentals so that means there's only a few not registered with the town. And it means that short term rentals comprise only about 2% of total residences within Mesilla.

Second there was a concern that short term rentals degrade the quality of the property making it look abandoned and neglected. Vacation home rental businesses rely on positive reviews. If we let our property look neglected and rundown we would not have business. But we live on the property and work constantly on its upkeep. We have some concerns about absentee owners, but the short term rental near us that has an absentee owner is well kept by a property management company. I think you would find the same if you looked at the condition of other short term rentals within the town.

There was also concern about short term rentals changing the demographics of Mesilla and driving away young families. We acknowledge that this is happening, but it is a long standing demographic trend throughout the country, not created solely by the small percentage of vacation rentals. Mesilla's Comprehensive Plan discussed this demographic trend in 2017 but it was not due to vacation rentals. Our situation is an example, we purchased our property over 10 years ago from a single mother who had school age children. She needed to sell because she could not afford to renovate her historic adobe structures and her family wanted to move to a newer home in the Sonoma Ranch area. We were able to renovate the historic structures, but it was a long, expensive process and we require the income from the vacation rental to help pay off the loans we have. There is now a new endeavor to help homeowners renovate their homes just being started in Mesilla and we hope that will help people to stay in their homes should they want to.

Finally, Mesilla is a tourist town with an economy heavily reliant on visitation. There is only 1 boutique hotel with few rooms so vacation rentals provide a place for visitors to stay while they spend their money in Mesilla supporting local businesses. We promote these local businesses to our guests and many return because they love to stay in Mesilla. We also attract folks who come to visit their kids at NMSU and then spend their money at Mesilla restaurants and shops. The Town receives GRT and Lodger's Taxes from short term rental businesses.

We directly pay our monthly Lodgers' Tax to Mesilla but it is possible to have the online platforms do this for a business owner. The problem with this is that they will send the Lodgers Tax to the municipality where the rental is located. In our case, our Lodgers' Tax would go to Las Cruces because our address comes up as Las Cruces on Google maps and other online sites. We aren't the only address in Mesilla with this issue.

Before thinking there is a serious problem with short term rentals and creating policy such as a moratorium, we recommend the Board of Trustees do an audit of the current situation with short term rentals, as required by current Town of Mesilla code, section 3.20.110, which states, "the board of trustees of the town shall have random audits conducted every third year to verify full payment of occupancy tax receipts." After the results of such an audit, perhaps a task force could be formed to further study the issue and provide recommendations for any policy changes, if needed. Also researching what other tourism-based municipalities, such as Santa Fe, have done with their short term rental businesses would be another good resource.

We would be willing to help with any audit and/or task force.

Sincerely,
Eric and Catharine Walkinshaw
2134 Calle de Principal
Mesilla, NM 88046
575 932 8313 Catharine
575 932 8524 Eric

