



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

MONDAY, AUGUST 10, 2026

~ 6:00 P.M.~

AGENDA

Governing Board

- Russell Hernandez, Mayor
- Stephanie Johnson Burick, Mayor Pro Tem
- Trustee Garcia
- Trustee Cadena
- Trustee Nevarez

Staff

- Ben Azcarate, Marshals' Office
- Gregg Whited, Fire Department
- Lorenzo Astorga, Public Works
- Eddie Salazar, Community/Economic Development
- Gloria Maya, Town Clerk/Treasurer

Public

- Leah Graham
- Beverly Estrada
- Sumer Nolen
- Melissa Molina
- David Rutledge
- Bridgett Snow
- Crystal Whited

1. PLEDGE OF ALLEGIANCE - [6:15]

Mayor Hernandez called for the Pledge of Allegiance. Those present stood and recited the Pledge.

2. ROLL CALL & DETERMINATION OF A QUORUM - [6:41]

Mayor Russell Hernandez - Present

Mayor Pro Tem Stephanie Johnson Burick - Present

Trustee Garcia - Present

Trustee Cadena - Present

Trustee Nevarez - Present

A quorum was established.

3. APPROVAL OF THE AGENDA - [7:00]

Trustee Nevarez moved to approve the agenda, seconded by Trustee Garcia.

Mayor Hernandez requested an amendment to remove Item 4(a), BOT Minutes - Minutes of BOT, July 27, 2026, explaining that the wrong set of minutes had been included in the agenda packet. The correct minutes would be brought back at the next Board meeting.

With the amendment to remove Item 4(a), the Board proceeded with the vote.

Motion: Trustee Nevarez

Second: Trustee Garcia

Vote: Approved

Outcome: Motion carried. Agenda approved as amended with Item 4(a) removed.

4. APPROVAL OF CONSENT AGENDA - [8:23]

Following removal of Item 4(a), the Consent Agenda consisted of:

- b) PURCHASE REQUISITION: SMA - Colonias Emergency Payment \$10,381.67
- c) PURCHASE REQUISITION: Cobb Fendley - Mesilla Water Lines \$54,509.70
- d) PURCHASE ORDER: Milestone Construction, LLC - EV Charging Stations \$1,295.28

Mayor Pro Tem Johnson Burick moved to approve the Consent Agenda. Trustee Garcia seconded the motion. There was no objection.

Motion: Mayor Pro Tem Johnson Burick

Second: Trustee Garcia

Outcome: Motion carried; Consent Agenda approved.

5. STAFF UPDATES & STAFF COMMENTS - [9:20]

Marshal's Department

The Marshal's Department reported that Lieutenant Diaz had submitted his two-week notice and would leave the department on August 15 to pursue another career opportunity. He was recognized for approximately five years of service and for his contributions to departmental growth, the intern program, and leadership.

Staff discussed school-related traffic and safety issues. RGPI had added a middle-school class and was planning an auxiliary school. The department had met with Las Cruces Public Schools and other first responders regarding school safety, including the possibility of installing flashing school-zone lights. Traffic congestion associated with different student release times was also being addressed.

The department continued patrols of trails and other areas and was preparing for the upcoming fiesta parade. The intern program had grown to more than 20 interns and now included specialized intel, evidence, and crime-scene functions.

The Marshal's Department was also awaiting law-enforcement funding to repair a Durango and potentially acquire two additional vehicles. Because of mileage and maintenance issues with the Dodge Chargers, the department was considering transitioning toward Ford Explorers.

A Board member asked about School Resource Officers. Staff explained that one SRO was assigned full-time to RGPI and another to Zia. Mesilla Elementary calls could be handled by an available SRO or patrol officer. A third dedicated SRO would require additional funding from Las Cruces Public Schools.

A Board member also relayed positive comments from residents regarding nighttime patrol officers using spotlights while checking neighborhoods and asked that the officers be thanked for their visibility and work.

Fire Department - [13:46]

Fire Chief Whited reported that the department had graduated its latest academy class, adding seven firefighters, several of whom were EMT certified or working toward certification.

The department had reached approximately 1,217 calls for the year, nearly matching the total number of calls handled during all of the previous year. At the time of the meeting, a Mesilla engine crew was assisting with a structure fire in the county as part of mutual-aid operations.

Chief Whited shared a letter of appreciation received from a resident thanking firefighters Kelly and Raphael for their care during a cardiac emergency and transport to Memorial Hospital.

Administratively, the department continued developing procedures and guidelines necessary to transition firefighters to a 48/96 schedule once personnel funded through the county-approved grant could be onboarded.

Chief Whited also reminded residents that the Fire Department has smoke alarms available for homes and can assist residents with installing house and building numbers.

Public Works Department - [16:04]

Public Works Director Astorga reported that the Town's water tank had recently been cleaned and inspected and received a good report.

Public Works and staff had also met with Cobb Fendley regarding of the lead and copper service-line inventory. Three areas had been selected as initial locations. As implementation approached, Cobb Fendley and Town staff would make a presentation to residents explaining the work and what residents could expect when crews began locating and identifying service lines.

Public Works continued pothole repairs on Snow Road, Bowman, McDowell, San Albino, Santiago and other areas. Weed removal was ongoing, and the department was beginning preparations for the upcoming fiesta, including work around the Plaza and Avenida de Mesilla.

In response to questions, Astorga explained that the lead and copper rule requires identification of materials within the Town's water service system. Approximately 10 percent of services would initially need to be identified by 2027, with the inventory continuing until all services were identified. The work would also involve coordination with property owners because the State wanted information regarding customer-side service lines. The eventual objective would include replacement where lead-containing infrastructure was identified, with information regarding possible assistance to be provided to residents as the program developed.

Community/Economic Development Department - [20:58]

Community/Economic Development Director Salazar reported that implementation of the iWorQ software system was progressing well and was expected to be completed by the end of September. Staff had already begun entering cases. He stated that the system would improve communication between Community Development, department heads, and Code Enforcement.

After completion of the current implementation, staff would begin working on the business module, which would have an implementation period of up to approximately 90 days.

Regarding Historic Preservation, Salazar reported that hearings were scheduled for August 17 concerning nominations to the Town's local historic registry. He thanked Mayor Pro Tem Johnson Burick for providing historical information concerning one of the nominations. A public hearing concerning proposed Planning and Zoning amendments relating primarily to code enforcement and land-use matters was also scheduled for August 17.

Staff was also preparing for the upcoming September event and had scheduled an organizational meeting so departments could begin planning well in advance.

Salazar then discussed Code Enforcement activities. Officer Ramirez was actively patrolling and responding to calls, including numerous animal-control matters involving stray and community cats. One

situation involved a community-cat colony of more than 20 cats previously cared for through a trap-neuter-return arrangement. Because the individual responsible for the colony was reportedly no longer able to maintain it, staff was considering how responsibility for the animals should be addressed.

Salazar explained that impounding animals results in shelter fees paid by the Town. Similar costs occur when owners surrender animals and cannot pay associated fees. He stated that the Town may need to examine an agreement with the shelter or seek Board direction regarding responsibility for these expenses.

Code Enforcement was also addressing weeds. Salazar discussed the difficulty of applying general weed regulations uniformly across residential, commercial, historic, and agricultural properties. Agricultural properties may intentionally retain vegetation to preserve soil moisture and reduce erosion, while vacant or unused agricultural land presents different concerns. He indicated that staff and the Planning and Zoning Commission had discussed the need for clearer standards.

Salazar provided an extended update regarding trees and rights-of-way in the Mesilla Park area. A previous complaint involved a tree limb that had broken and potentially could have injured someone. After that situation was addressed, Code Enforcement was instructed to continue inspecting the neighborhood for similar hazards.

Staff observed numerous mature trees in poor or declining condition. Salazar expressed concern about the loss of vegetation, potential falling limbs, fire hazards, and possible Town liability. Approximately 32 letters had been sent to residents concerning hazardous conditions.

Research into subdivision plats and historical records also raised questions concerning Town rights-of-way. Salazar explained that some plats appeared to establish approximately 50-foot roadways, while the existing paved roadway was considerably narrower. Because residents had developed landscaping and other improvements close to the pavement, portions of those improvements might extend into Town rights-of-way.

Staff had therefore sought review before determining how those right-of-way issues should ultimately be handled. Salazar suggested that a future work session could allow the Board, staff, attorney, and residents to review the information comprehensively.

Board discussion followed regarding responsibility for trees within Town rights-of-way and the need for a long-term plan. Potential approaches were mentioned, including possible transfer, sale, or lease arrangements involving portions of rights-of-way, but Salazar emphasized that these were only preliminary possibilities and that staff was not prepared to make a recommendation until legal review and Board discussion occurred.

A Board member expressed concern about the letters sent to Mesilla Park residents, particularly the language suggesting action within 14 days. The member stated that residents had previously raised concerns about the trees and that communication should have occurred before enforcement letters were issued. Concern was expressed that residents could interpret the letters as threatening and become worried about the financial burden of complying.

Salazar explained that the municipal code provides Code Enforcement authority to abate violations and generally allows up to 30 days. Initial notices may provide a shorter period to encourage communication and follow-up. He acknowledged that he had not reviewed the specific letter before it was sent and stated that, because the Code Enforcement Officer was new, he would pay closer attention to the wording of future correspondence.

The Board also noted that the specific ordinance language was not included in the letter. Salazar acknowledged the concern and reiterated that the intention was not to alarm residents. No final action concerning ownership or responsibility for the right-of-way areas would occur until the Town obtained additional input, including from the Town Attorney.

Discussion returned to the community-cat colony. A Board member offered to contact animal-welfare organizations that might assist rather than have the animals impounded. The approximate location was identified as the area near Calle de Colon and the lateral/bridge area, where a feeding station had reportedly been maintained.

Salazar discussed how TNR programs depend upon controlled trapping, spaying/neutering, and release rather than simply feeding stray cats. Staff agreed to obtain additional information regarding the colony and available options.

Finance/Town Clerk - [48:59]

Town Clerk/Treasurer Maya reported a change affecting delivery of Town utility bills. Previously, local postal employees familiar with residents' post-office boxes could route Town mail locally. Mail was now being processed differently, resulting in returned bills when addresses or box information were incorrect.

Residents were encouraged to update their mailing information and opt into electronic/email correspondence to reduce returned bills and late notices.

Maya also reminded Trustees to respond promptly when staff sends requests for Board input and asked members planning to attend the New Mexico Municipal League conference to confirm their attendance and preferred sessions by Friday.

The Town's auditors had begun requesting preliminary information and samples. An audit entrance meeting and onsite testing were scheduled for October 13.

Additional discussion regarding utility billing. Ms. Maya reiterated the importance of residents updating mailing information or switching to electronic delivery.

6. PUBLIC INPUT ON CASES - [53:43]

Mayor Hernandez opened Public Input on Cases and invited anyone wishing to comment regarding Items 7(a) or 7(b) to approach the podium and state their name for the record.

No public input was received.

7. NEW BUSINESS

a) DISCUSSION: Public Hearing Dates - [54:03]

Mayor Hernandez clarified that the agenda referred to Public Hearing Dates, but the intended discussion concerned proposed work session dates, some of which could ultimately have public hearings associated with them.

The Mayor apologized for a delay in sending the scheduling poll and noted that it had been distributed that afternoon. The Board reviewed availability for several proposed dates.

Mayor Hernandez explained that the purpose of scheduling separate work sessions was to provide sufficient time for detailed review of ordinance and code updates rather than attempting to complete extensive discussions immediately before regular Board meetings.

Four principal work-session subjects were identified:

- Nuisance Ordinance Update - proposed for August 20 or 21, subject to Board availability.
- Noise Ordinance Update - proposed for August 27 or 28. The Board had previously held preliminary discussions and a public hearing, and additional work sessions could be necessary because of the amount of detail involved.
- University Avenue Corridor/Mesilla Park Neighborhoods - proposed for September 3 or 4. Discussion would include green spaces, parkways, and the possibility of historic designation for Mesilla Park neighborhoods as many properties were now more than 50 years old.
- Municipal Streets/One-Way Street Review - intended to examine potential one-way configurations for narrow streets, particularly within the historic core.

Mayor Hernandez emphasized the importance of extensive public communication for discussions affecting University Avenue, Mesilla Park neighborhoods, and municipal streets. The Town intended to use methods such as door-to-door flyers, direct mail, email, and other communication to ensure affected residents were aware of the meetings.

The Mayor also reported that a Town newsletter was expected to be printed and distributed by the end of the week. Arrangements had been made with the Post Office for a location where Town newsletters could

be made available regularly. Final work-session dates would be publicized after Trustee availability was confirmed.

Mayor Hernandez continued discussion regarding scheduling the proposed work sessions. He stated that the meetings would generally be scheduled during the afternoon and into the evening so members of the public would have an opportunity to attend and listen to the discussions. He further indicated that additional public hearings would likely be noticed for matters with significant neighborhood impacts, including the Noise Ordinance, University Avenue/Mesilla Park neighborhood, and municipal streets discussions. The intent was to receive public input before the Board undertook substantive discussion or determined how to proceed.

Trustees discussed their individual availability. Thursday appeared to be the most workable day for several members, although Trustee Nevarez indicated that Fridays generally worked best for his schedule. Mayor Hernandez stated that additional dates could be circulated and asked Trustees to provide the dates on which they were specifically unavailable. The goal was to schedule the work sessions during August and September while ensuring that as much of the Board as possible could participate.

Mayor Hernandez asked whether the Board wanted to schedule any additional work sessions during the next several months. He noted that the four subjects already identified would likely require considerable time and discussion.

Before concluding the item, Mayor Hernandez again requested that Trustees review the proposed ordinance updates in advance and submit comments, questions, or suggested changes to him or staff. He stated that receiving those comments beforehand would assist staff in preparing the materials and would give Trustees more information to consider before the work sessions. He also thanked members of the public who had already submitted information for consideration.

No formal action was taken.

b) DISCUSSION: University Avenue Updates - [1:06:56]

Mayor Hernandez provided an update regarding the ongoing New Mexico Department of Transportation (NMDOT) University Avenue project.

He reported that the sinkhole previously identified near Avenida de Mesilla and University Avenue had been repaired. The problem resulted from utility boring that struck a stormwater distribution line running from the storm pump toward the drainage area behind the bank. NMDOT repaired and replaced the damaged section.

Mayor Hernandez stated that another small depression had subsequently appeared on the opposite corner. Although currently small, he had already notified NMDOT because of concern that it could develop into another sinkhole. He had not yet received a response and would continue following up.

The project's final walkthrough had not yet been scheduled because the contractor continued working through punch-list items. Mayor Hernandez stated that several concerns he had personally submitted were not reflected on the punch list, but NMDOT had indicated that it intended to address all outstanding matters.

Of particular concern was drainage from the pathway onto private residential properties. Mayor Hernandez emphasized that this issue needed to be resolved before NMDOT completed and withdrew from the project. NMDOT had assured him that it was evaluating the drainage issue.

Mayor Hernandez was also awaiting estimates from the Town's lighting contractor for possible replacement of the newly installed lighting. Once the estimates were received, he would bring the information back to the Board. He noted that grant funding might potentially assist with trail enhancements and suggested that lighting and other improvements could be considered as part of the upcoming University Avenue corridor work session and public hearing.

Mayor Hernandez then addressed the Board's previous request to determine whether the Town Engineer should independently evaluate the University Avenue project.

The Town Engineer recommended that the Town first continue working directly with NMDOT because University Avenue is owned and maintained by NMDOT. NMDOT might be willing to conduct or commission its own evaluation, testing, and corrective work.

Mayor Hernandez explained that although the project directly affects Mesilla residents, much of the infrastructure remains the responsibility of NMDOT and, in certain areas, EBID. The Town's agreements primarily concern maintenance rather than ownership of the underlying infrastructure.

If the Board nevertheless wished to commission an independent engineering review, the preliminary proposal identified a base fee of approximately \$70,000, with a comprehensive assessment potentially reaching approximately \$200,000.

A Trustee questioned whether, even after spending that amount for an independent evaluation, the Town would still have to present the engineer's findings to NMDOT and depend upon NMDOT to undertake corrective work.

Mayor Hernandez confirmed that this was essentially the situation because the infrastructure was not Town-owned. The proposed engineering review would provide an objective technical assessment of existing conditions, potential causes of observed problems, recommendations for corrective action, document review, field investigation, drainage evaluation, engineering analysis, and a findings and recommendations report. However, NMDOT would ultimately have to evaluate and respond to those findings.

Discussion followed regarding whether the Town should spend substantial funds obtaining another engineering opinion when the project had already been designed by professional engineers and overseen by NMDOT. Mayor Hernandez noted that Bohannon Huston had performed engineering work on the project and that civil engineering and environmental professionals had participated throughout the design process.

Board members emphasized that NMDOT should be responsible for correcting deficiencies in a project it owns and oversaw. Mayor Hernandez agreed that the Town Engineer's recommendation was to continue identifying specific concerns - particularly drainage and vegetation/chemical issues - and work directly with NMDOT to have those matters corrected.

A Trustee expressed frustration with NMDOT's responsiveness, noting that a requested list of chemicals used on the project had still not been provided. Concern was also expressed regarding weeds, cleanliness, mosquito-producing conditions, and whether the Town should accept responsibility for maintaining areas that had not yet been properly completed.

Mayor Hernandez clarified that this was NMDOT's project and punch list, not the Town's. The Town participated because the project passed through and directly affected the community, but the Town did not control final project acceptance in the same manner as it would for a Town-owned project.

The Board discussed whether existing maintenance agreements with NMDOT could be reconsidered to create greater accountability. It was suggested that the Town examine whether responsibility for dirt, debris, weeds, or other maintenance could be shifted back to NMDOT until deficiencies were corrected.

Mayor Hernandez stated that the maintenance agreements had previously been brought before and unanimously approved by the Board. He agreed that staff could consult with legal counsel regarding whether those agreements could or should be revisited.

There was additional discussion concerning project warranties. A Trustee recalled being told that a warranty period had begun when construction started and expressed concern that the warranty could expire before all problems were corrected. Mayor Hernandez distinguished the one-year plant warranty from responsibility for the roadway and other infrastructure and stated that NMDOT remained responsible for its infrastructure.

The Town's maintenance responsibilities were described as primarily involving cleanup of the pathway, including dirt, debris, and weeds, maintenance of ponding areas, and payment of electrical costs associated with the lighting.

The Board returned to drainage and lighting concerns. It was noted that drainage corrections could require redesign and a federal-project change order, which could take additional time. Regarding lighting, members stated that shields and adjustments to fixture angles had not adequately addressed the impacts on nearby residences and that replacement of the fixtures might ultimately be necessary.

Mayor Hernandez also reported receiving a Section 106 letter of concurrence concerning historic-preservation review. He stated that SHPO had concurred with NMDOT's findings. The discussion

reinforced the importance of examining the University Avenue and Mesilla Park neighborhoods as gateways into historically significant portions of the community and considering stronger preservation measures in the future.

A Trustee asked when NMDOT intended to clean the project area. Mayor Hernandez stated that he and Public Works Director Astorga had been discussing the matter and that he would continue following up. He anticipated that NMDOT would conduct a comprehensive cleanup before completing the project but emphasized that weeds and other existing conditions still needed attention.

No formal action was taken.

8. PUBLIC INPUT - [1:26:08]

Mayor Hernandez opened general Public Input and invited members of the public to approach the podium and state their names for the record.

Sumer Rose Nolen

Ms. Nolen initially sought clarification concerning the Town Engineer's proposed \$70,000 to \$200,000 cost to review the University Avenue project and questioned whether such review should already fall within the engineer's responsibilities. Mayor Hernandez explained that the agenda item was public input rather than a question-and-answer period and offered to speak with her following the meeting. Ms. Nolen then identified herself for the record.

Beverly Estrada

Ms. Estrada addressed the Code Enforcement letters sent to Mesilla Park residents regarding trees. She stated that she had spoken with the Code Enforcement Officer but believed there had been a significant communication breakdown.

She characterized the letter as intimidating rather than informational and questioned why residents were being given approximately 14 days to comply when questions remained unresolved regarding ownership of the parkway/right-of-way areas. She stated that residents had maintained these areas for years and were hesitant to spend substantial money on trees located on property whose ownership remained uncertain.

Ms. Estrada requested that the Town first resolve the underlying ownership issue and then establish a clear agreement with residents regarding maintenance responsibilities.

She then addressed the University Avenue project, particularly the lighting. She stated that removal or pruning of vegetation would further expose nearby homes to extremely bright lights and questioned whether those conditions, weeds, and other project conditions conflicted with the same standards the Town expected residents to follow.

Ms. Estrada raised concerns regarding the walking path, sinkholes, drainage, vegetation loss, and dying fruit trees and grass. She stated that residents had invested considerable amounts in their landscaping and asked when NMDOT would be held accountable for project impacts.

Regarding the Section 106 review, Ms. Estrada stated that she had been working with Historic Preservation staff and continued researching the former ditch, wildlife habitat, sound-buffering effects, and related documentation. She stated that removal of the ditch had increased traffic noise experienced by residents and that she had not yet received all requested Section 106 materials.

She concluded by asking the Town and residents to work together toward solutions and emphasized the need for better two-way communication.

Leah Graham

Ms. Graham stated that she had lived on Capri Road for approximately 30 years and described the mature mulberry-tree canopy as a defining characteristic of the neighborhood.

She expressed concern about the professionalism and presentation of the Code Enforcement notice and questioned the consistency of enforcement. She stated that she had received a notice regarding a relatively small branch while other properties with visibly dead or overhanging branches apparently had not received notices.

Ms. Graham emphasized that residents wanted their neighborhood to remain safe but asked the Town to apply requirements consistently and communicate with residents in a more constructive manner.

Sumer Rose Nolen

Ms. Nolen returned to provide formal public comment. She stated that she lived at 321 Capri Arc, with her property backing directly onto the University Avenue project area.

Regarding the trees, she acknowledged the importance of maintaining clearance around the fire hydrant on her property and stated that her family would address necessary trimming. She requested, however, that the Town provide residents with better information concerning appropriate seasonal care of mature mulberry trees.

Ms. Nolen then discussed privacy and property impacts associated with the elevated walking path behind her home. She stated that pedestrians now had direct visibility into her yard and pool area and that her homeowner's insurance had raised concerns regarding the pool. She expressed concern about increased insurance costs, safety risks, loss of privacy, and possible reduction in property value.

She stated that she had originally supported the project and expected a lower, more natural walking path with retained vegetation and shade. She expressed willingness to work with the Town on remedies and supported exploring historic designation for the neighborhood.

Virginia Martin

Ms. Martin agreed with previously expressed concerns regarding loss of the former noise barrier and the intensity of the University Avenue lighting.

Regarding the tree notices, she acknowledged that some trees needed attention but stated that residents historically responded when the Town communicated neighborhood-wide clearance concerns. She cautioned against treating the fall of one severely deteriorated tree as justification for overly broad enforcement throughout the neighborhood.

Ms. Martin also questioned the 14-day compliance period, explaining that residents might receive the notice after being away and have very little practical time remaining to arrange professional tree work.

She expressed strongly regarding suggestions that areas residents had maintained for decades might constitute Town right-of-way. She stated that residents had treated and cared for those areas as part of their properties for many years and worried that future Town development could fundamentally alter the narrow, neighborhood character of Mesilla Park.

Ms. Martin additionally identified a large piece of construction/demolition debris remaining near the ditch in the vicinity of Mesilla Farms and asked that NMDOT be contacted regarding its removal.

Ben Schmitt

Mr. Schmitt, identifying himself as a resident of 323 Capri Arc, thanked the Marshal's Department for neighborhood patrols but raised concerns regarding speeding along University Avenue, including vehicles reportedly traveling approximately 50 to 60 miles per hour at night and motorcycles using the pathway.

He also raised concerns regarding a nearby property where fill had reportedly raised the land approximately four feet, resulting in blowing sand affecting neighboring properties. He questioned the regulatory treatment of that work.

Regarding Mesilla Park right-of-way issues, Mr. Schmitt noted the potentially significant expense residents could face for tree maintenance and questioned whether the Town would become responsible if the areas were ultimately determined to be Town property.

Mr. Schmitt also stated that rocks and debris continued entering his backyard from the University Avenue project, vegetation continued dying, the lighting remained excessively bright, and weeds remained throughout the ponding and pathway areas.

He argued that the constructed walking path did not appear consistent with the elevation depicted in the original plans and expressed concern regarding privacy, property values, and insurance costs. He suggested considering either lowering the path or constructing some form of wall or sound/privacy barrier.

Bridgett Snow

Ms. Snow, a resident of 303 Capri Arc, stated that she had originally raised concerns regarding one of the neighborhood trees and thanked Community/Economic Development Director Salazar for discussing the matter with her.

She emphasized that residents were not opposed to maintaining trees but first wanted clear determination of ownership. She described the parkway/right-of-way situation as a longstanding gray area in which residents had historically maintained areas that might legally belong to the Town.

Ms. Snow supported exploring a solution that would allow residents to continue maintaining those areas while providing greater certainty regarding their use and ownership. She stated that uncertainty regarding the front portions of properties could also complicate real-estate transactions.

She additionally discussed the University Avenue lighting and loss of vegetation, stating that the project had increased both light and traffic noise experienced by the neighborhood. She asked the Town to continue examining the parkway issue and possible solutions.

Melissa Molina

Ms. Molina addressed continuing noise concerns involving New Mexico Vintage Wines and a neighboring residence at 1991 Calle de Santiago.

She stated that amplified outdoor music continued to affect the residence and argued that businesses should not be permitted to take advantage of the period before adoption of a revised Noise Ordinance.

Ms. Molina requested that the Board consider some form of interim direction or temporary measure until the ordinance was adopted. She asked that the final ordinance protect pre-existing residences, establish firm outdoor-patio curfews, and require decibel measurements to be taken from the residential property line.

She emphasized that responsibility for controlling commercial sound should rest with the business generating the noise rather than neighboring residents and asked the Board for assistance while the ordinance remained under development.

Seeing no additional public comment, Mayor Hernandez closed Public Input and proceeded to the next agenda item.

9. CLOSED EXECUTIVE SESSION - [1:53:02]

a) Executive Closed Session

The Governing Board convened in Executive Closed Session pursuant to Section 10-15-1(H)(2), NMSA 1978, for discussion of limited personnel matters including the appointment, employment, evaluation, discipline, or dismissal of public employees for the Public Works Department, Marshal's Department, and Economic and Community Development Department.

Motion: Trustee Nevarez

Second: Trustee Garcia

Outcome: Motion carried.

Mayor Hernandez announced that the time was approximately 7:50 P.M. and that the Governing Board would enter Executive Closed Session.

Return to Open Session - [3:21:58]

Mayor Hernandez stated that only the matters identified on the agenda had been discussed during Executive Closed Session pursuant to Section 10-15-1(H)(2), NMSA 1978, concerning limited personnel matters involving the Public Works Department, Marshal's Department, and Economic and Community Development Department.

Motion: Mayor Pro Tem Johnson Burick

Second: Trustee Garcia

Outcome: Motion carried.

The Board returned to open session at approximately 9:19 P.M.

b) Any Possible Action in Open Session That May Arise as a Result of Executive Session - [3:22:49]

Public Works - Water Technician: Chris Naranjo

Mayor Hernandez presented the recommendation to rehire Chris Naranjo as a Water Technician. Mr. Naranjo had previously worked for the Town and was returning to the Public Works team.

Mayor Pro Tem Johnson Burick moved to approve the hire, seconded by Trustee Garcia.

During discussion, a Trustee asked about the starting pay. Mayor Hernandez indicated that the position paid a little over \$19 per hour and requested that Mr. Naranjo return at the same pay rate he had when he left the Town approximately one month earlier.

Trustee Garcia moved to amend the motion to include the condition that Mr. Naranjo return at his previous rate of pay. Trustee Nevarez seconded the amendment.OO

Amendment Motion: Trustee Garcia

Second: Trustee Nevarez

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

Outcome: Amendment approved 4-0.

The Board then voted on the original motion as amended.

Motion: Mayor Pro Tem Johnson Burick

Second: Trustee Garcia

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

Outcome: Motion carried 4-0. Chris Naranjo was approved to rejoin the Public Works Department at the pay rate he was earning when he previously left Town employment.

Public Works - Grounds and Maintenance: Jose Hernandez - [3:25:02]

Mayor Hernandez presented the recommendation to hire Jose Hernandez for the Grounds and Maintenance position.

The starting pay was identified as \$15.50 per hour.

Motion: Mayor Pro Tem Johnson Burick

Second: Trustee Garcia

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

Outcome: Motion carried 4-0. Jose Hernandez was approved to join the Public Works Department.

Mayor Hernandez noted that one additional Public Works position remained to be filled.

Economic & Community Development - Community Development Coordinator - [3:26:03]

Mayor Hernandez presented the hiring committee's recommendation for Mr. Paulo Rocha to fill the Community Development Coordinator position.

Motion: Trustee Nevarez

Second: Trustee Cadena

There was no additional discussion.

- Mayor Pro Tem Johnson Burick - No
- Trustee Cadena - Yes
- Trustee Garcia - No
- Trustee Nevarez - Yes
- Mayor Hernandez - Yes

Outcome: Motion carried 3-2. Mr. Rocha was approved to join the Economic & Community Development Department as Community Development Coordinator.

Marshal's Department - Lieutenant Promotion - [3:27:20]

Mayor Hernandez recommended promoting Sergeant Hernandez to the Lieutenant position.

During discussion, a Trustee asked about the pay increase. Staff indicated that the position would move to the Lieutenant pay rate, which was referenced in the discussion as approximately \$26 per hour.

Motion: Trustee Cadena

Second: Trustee Garcia

- Mayor Pro Tem Johnson Burick - No
- Trustee Cadena - Yes
- Trustee Garcia - No
- Trustee Nevarez - Yes
- Mayor Hernandez - Yes

Outcome: Motion carried 3-2. Sergeant Hernandez was approved for promotion to Lieutenant.

Marshal's Department - Sergeant Promotion - [3:28:42]

Mayor Hernandez presented the recommendation to promote Deputy Nanez to Sergeant.

Staff stated that the position would be compensated at the Sergeant pay rate previously approved by the Board.

Motion: Trustee Garcia

Second: Trustee Cadena

Vote: The transcript reflects unanimous affirmative votes by the Trustees participating in the roll call.

Outcome: Motion carried. Deputy Nanez was approved for promotion to Sergeant.

Marshal's Department - Deputy I: Matthew Alvarez - [3:29:27]

Mayor Hernandez presented the recommendation to hire Matthew Alvarez as a Deputy I.

The exact starting pay was not available during the discussion. Mayor Hernandez stated that he would provide that information later.

Motion: Trustee Garcia

Second: Trustee Cadena

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

Outcome: Motion carried 4-0. Matthew Alvarez was approved to join the Marshal's Department as a Deputy I.

Mayor Hernandez reported that the Town's CDBG application had been fully submitted that day. Tiffany had hand-delivered the application to DFA in Santa Fe, and the Town had received confirmation of receipt. The Town had also submitted Notices of Intent to the Water Trust Board for two water-related projects involving water-line and sewer-line extensions. Resolutions authorizing full applications would be brought before the Board at the next meeting.

Mayor Hernandez also reported receiving clarification concerning municipal citations in Magistrate Court. Previously, staff understood that municipal-code provisions had to be separately entered before the Marshal's Department could issue citations. The Town was now advised that officers could issue citations as needed, provided the applicable municipal-code provision was clearly cited. The Marshal's Department would assist with enforcement while the Town continued work on the nuisance ordinance and related hearings.

Regarding speeding on University Avenue, Mayor Hernandez stated that he had spoken with NMDOT about installing electronic speed-feedback signs. NMDOT was reviewing the request. He also noted that the Town had capital-outlay and grant funding available for signage that might be used if necessary.

Mayor Hernandez reported that NMDOT had recently been surveying along Avenida de Mesilla in preparation for installation of a HAWK pedestrian crossing system at the crosswalk.

He also noted that a speed-monitoring box had been placed along Norte as part of an assessment related to possible roadway resurfacing. NMDOT was working with Town staff, and resurfacing of Norte could occur in the coming months.

Mayor Hernandez reminded Board members that the Town newsletter was still being prepared and asked them to submit any additional information by Wednesday morning.

He stated that the newsletter would include information about grants the Town had pursued and received. In particular, he clarified that the EV charging stations, which had been referenced several times during the meeting, cost approximately \$800,000 but were funded 100 percent through a Department of Transportation grant and were not being paid for from the Town's general coffers.

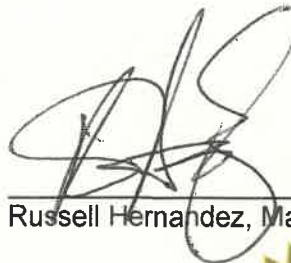
Mayor Hernandez then discussed the next Regular Board meeting scheduled for Monday, August 24. He explained that he would be attending a Municipal League Board of Directors dinner that evening and would not be present.

The Board discussed whether to keep the August 24 meeting as scheduled or postpone it to August 31. Mayor Pro Tem Johnson Burick indicated that she could run the August 24 meeting. Mayor Hernandez stated that staff would ensure all Board action forms and resolutions were prepared and that any major matters could be postponed if necessary.

11. ADJOURNMENT - [3:40:23]

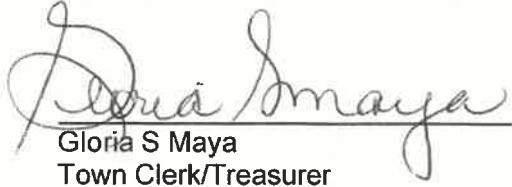
The Town of Mesilla Trustees unanimously agreed to adjourn the meeting. (Summary: Yes-4)
MEETING ADJOURNED AT 9:37 P.M.

APPROVED THIS 24TH DAY OF AUGUST, 2026.



Russell Hernandez, Mayor

ATTEST:



Gloria S Maya
Town Clerk/Treasurer



Marshal's Department - Deputy III: Eric Lopez - [3:30:20]

Mayor Hernandez presented the recommendation to hire Eric Lopez. Based on Mr. Lopez's prior experience and qualifications, he would enter the department at the Deputy III level.

Motion: Trustee Garcia

Second: Trustee Cadena

- Mayor Pro Tem Johnson Burick - Yes
- Trustee Cadena - Yes
- Trustee Garcia - Yes
- Trustee Nevarez - Yes
- Mayor Hernandez - Yes

Outcome: Motion carried unanimously. Eric Lopez was approved to join the Marshal's Department as a Deputy III.

10. BOARD OF TRUSTEE COMMITTEE REPORTS & COMMENTS - [3:31:15]

Trustee Nevarez

Trustee Nevarez reported that he would attend the Taylor Museum Advisory Board meeting that week. He also commented on concerns raised by residents during the meeting and suggested that the Town consider providing staff with additional training or education regarding public relations and handling resident concerns in a more positive manner.

Trustee Garcia

Trustee Garcia reported that the upcoming meeting she referenced would be held Wednesday at the City of Las Cruces building and that she would not be attending.

She encouraged the Marshal's Department to make full use of its newly staffed team and increase patrol activity.

Trustee Garcia also emphasized that residents' concerns should never be treated as a joking or laughing matter and reminded Town staff and the Board that their role is to help and serve the community.

Trustee Cadena

Trustee Cadena reported that she would also attend the Taylor Historic Site Advisory Board meeting.

She also reported on a recent South Central Regional Transit District meeting, stating that transit service continued to grow significantly and was expected to reach approximately 200,000 riders by the end of the calendar year.

She noted that the transit system served a large regional area extending from Sierra County and Truth or Consequences through Dona Ana County and south toward Sunland Park and El Paso. She described the system as successful and well run.

Mayor Pro Tem Johnson Burick

Mayor Pro Tem Johnson Burick referenced the same Wednesday meeting at 1:00 P.M. in the City of Las Cruces and had no additional comments.

Mayor Hernandez Comments - [3:34:03]

Mayor Hernandez stated that he would follow up on the Doodle Poll for the Blacksmith Shop Committee and work with staff to circulate it.

He reported that Dona Ana County had approved the fire agreement at its meeting approximately two weeks earlier. With that approval completed, the Town could begin moving forward with public-safety interviews for the Fire Department and paramedic team.

**BOT REGULAR
MEETING
SIGN IN SHEET
AUGUST 10, 2026**

[illegible]

Subject: Independent Engineering Assessment Proposal – University Avenue (NM 101)
Date: Monday, August 10, 2026 at 9:19:49 AM Mountain Daylight Time
From: Cynthia Stoechner-Hernandez
To: Russell Hernandez
Attachments: image.png, image.png, image.png, Town of Mesilla Independent Engineering Assessment Proposal – University Avenue (NM 101).docx

Good morning, Mayor Hernandez,

Thank you for forwarding the concerns and observations regarding the University Avenue (NM 101) project. Based on the issues raised by residents and Town representatives, SMA has prepared the attached scope of services and fee estimate for an independent engineering assessment of the roadway, drainage, erosion, and related infrastructure conditions discussed in your correspondence. The concerns cited include pavement settlement, erosion, culvert performance, embankment stability, sediment transport, and potential impacts to adjacent properties and vegetation.

Our proposed evaluation is intended to provide the Town with an objective technical assessment of existing conditions, identify potential causes of observed issues, and develop recommendations for corrective actions or additional investigation, if warranted. The scope includes document review, field investigation, drainage evaluation, engineering analysis, and preparation of a findings and recommendations report.

It is also our recommendation that the Town first engage the New Mexico Department of Transportation (NMDOT) regarding the concerns that have been raised. Because University Avenue (NM 101) is owned and maintained by NMDOT, the Department may be willing to perform or commission its own evaluation, testing, or corrective action efforts. Pursuing this approach could reduce costs to the Town while leveraging NMDOT's existing technical resources, project records, and subject matter expertise. However, should the Town determine that an independent third-party assessment is necessary, SMA stands ready to assist with the scope and fee outlined in the attached proposal.

Please let me know if you have any questions or would like to discuss the proposed approach in greater detail.

Sincerely,

Cynthia

Cynthia Stoechner-Hernandez, CPO
Local Government Client Community Manager



www.soudermiller.com



Cell: 575-654-4263
Direct: 575-323-8971

3500 Sedona Hills Parkway
Las Cruces NM, 88011

Corporate Registrations: AZ Engineering/Geology/Surveying Firm (14070), FL Engineering Firm (34203), ID Engineering/Surveying Firm (C-3564), KS Surveying Firm (LS-309), ND Engineering Firm (28545PE), NE Engineering Firm (CA5383), NV Engineering/Surveying Firm (39303), OK Engineering/Surveying Firm (8498), SD Surveying Firm (C-7436), TX Engineering Firm (8877), TX Geology Firm (50254), TX Surveying Firm (10162200), WA Engineering/Surveying Firm (24003108), WY Engineering Firm (S-1704)

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August 10, 2026

Town of Mesilla
PO BOX 10
Mesilla, NM 88046

RE: Town of Mesilla Independent Engineering Assessment Proposal – University Avenue (NM 101)

Dear Mayor Hernandez,

Thank you for forwarding the concerns and observations regarding the University Avenue (NM 101) project. Based on the issues raised by residents and Town representatives, SMA has prepared the attached scope of services and fee estimate for an independent engineering assessment of the roadway, drainage, erosion, and related infrastructure conditions. The proposed evaluation is intended to provide the Town with an objective technical assessment of existing conditions, identify potential causes of observed issues, and develop recommendations for corrective actions or additional investigation, if warranted.

Base Assessment Services

The proposed scope includes:

- Review of available design, construction, inspection, and project records.
- Field investigation of roadway, drainage, culvert, and embankment conditions.
- Evaluation of pavement settlement, erosion, and drainage performance.
- Engineering analysis and development of findings and recommendations.
- Preparation of a technical memorandum and presentation of results to Town staff and elected officials.

Base Assessment Fee: \$70,000

Estimated Total with NMGR: \$75,643.75

Optional Forensic Investigation Services

To provide flexibility should the initial assessment identify additional concerns, SMA has also outlined optional forensic investigation services that may be authorized independently or in phases. These services may include:

- Ground penetrating radar to identify subsurface voids and pavement deficiencies.
- Geotechnical borings and laboratory testing to evaluate soil and foundation conditions.
- Pavement coring and material testing.
- Detailed hydraulic and drainage modeling.
- Culvert inspection and condition assessment.
- Settlement monitoring and survey verification.
- Erosion and sediment transport analysis.
- Independent forensic review of construction records, change orders, and inspection documentation.
- Preparation of technical reports suitable for discussions with contractors, regulatory agencies, insurance carriers, funding agencies, or legal counsel.

The optional forensic services are estimated at approximately **\$135,000**, allowing the Town to expand the investigation if warranted by the findings of the initial assessment.

Budget Summary

Description	Amount
Base Assessment Services	\$70,000
Optional Forensic Investigation Services	\$135,000
Potential Project Total	\$205,000
Recommended Authorization Cap	Approximately \$200,000

This phased approach allows the Town to begin with an independent engineering assessment, review the findings, and then determine whether additional forensic-level investigation is necessary before committing additional resources.

It is also our recommendation that the Town first engage the New Mexico Department of Transportation (NMDOT) regarding the concerns that have been raised. Because University Avenue (NM 101) is owned and maintained by NMDOT, the Department may be willing to perform or commission its own evaluation, testing, or corrective action efforts. Pursuing this approach *could reduce costs to the Town* while leveraging NMDOT's existing technical resources, project records, and subject matter expertise. However, should the Town determine that an independent third-party assessment is necessary to provide an objective evaluation of existing conditions and recommendations, SMA stands ready to assist with the scope and fee outlined in the attached proposal. Our goal is to provide the Town with the technical information needed to make informed decisions and effectively coordinate with NMDOT and other stakeholders as the matter moves forward.

Please review the attached proposal and let me know if you would like any modifications to the scope, budget, or deliverables. We appreciate the opportunity to assist the Town and would be pleased to discuss the proposal further.

Sincerely,

MILLER ENGINEERS, INC. D/B/A
SOUDER, MILLER & ASSOCIATES



Michael Johnson, P.E.
Southern NM Civil TS Manager

