

1 **BOARD OF TRUSTEES**
2 **TOWN OF MESILLA**
3 **MEETING**
4 **MONDAY, JULY 25, 2011**
5 **6:00 P.M.**

6
7 **TRUSTEES:** Nora L. Barraza, Mayor
8 Jesus Caro, Mayor Pro Tem
9 Carlos Arzabal, Trustee
10 Sam Bernal, Trustee
11 Linda L. Flores, Trustee
12

13 **STAFF:** Nick Eckert, Town Clerk/Treasurer
14 Ashley Echavarria, Special Events
15 Jeff Gray, Marshal
16 Kevin Hoban, Fire Chief
17 Debbie Lujan, Public Works Director
18 Gloria Maya, Reporter
19

20 **PUBLIC:** Yolanda Kinman Robert Kinman
21 Erlinda Portillo Dennis Prickett
22 Ivan Ivonivich
23
24
25
26
27

28 **OPENING CEREMONIES**

29
30 A. Pledge of Allegiance

31
32 Mayor Barraza led the Pledge of Allegiance.
33

34 **ROLL CALL AND DETERMINATION OF A QUORUM**

35
36 **Roll Call.** 

37 **Present:** Mayor Barraza, Mayor Pro Tem Caro, Trustee Arzabal, Trustee Bernal
38

39 **CHANGES TO THE AGENDA**

40
41 **Motion:** To approve the agenda, **Moved by** Mayor Pro Tem Caro, **Seconded by** Trustee
42 Arzabal.
43

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

45 **Yes:** Mayor Pro Tem Caro, Trustee Arzabal, Trustee Bernal, Trustee Caro.
46

47 **ACCEPTANCE OF THE CONSENT AGENDA**

48
49 **Motion:** To approve the agenda, **Moved by** Mayor Pro Tem Caro, **Seconded by** Trustee Bernal.
50

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

2 **Yes:** Mayor Pro Tem Caro, Trustee Arzabal, Trustee Bernal, Trustee Caro

3
4 **BOT MINUTES:**

5 1. Regular Meeting 7-11-11 *Approved by consent agenda*

6
7 **NEW BUSINESS:**

8 2. For approval/disapproval: A request by the Free Wheelchair Mission to waive the Plaza
9 rental fees for “A Taste of Mesilla” Saturday, August 27, 2011. *Ashley Echavarria, Events*
10 *Coordinator.*

11
12 Ms. Ashley Echavarria stated the organization is requesting a waiver of fees for the event. They
13 will still pay the refundable cleaning deposit of \$375 and \$100 for tables, chairs and trash pick-
14 up.

15
16 Mayor Barraza asked how many of these events have been held on the plaza.

17
18 Ms. Erlinda Portillo responded this is the 3rd year of the event.

19
20 Ms. Echavarria responded this event was previously held June and now it will be held in August.
21 Last year they paid a non-profit fee of \$125; the non-profit fees have changed and now non-
22 profits get a 50% discount of the fees.

23
24 Ms. Portillo thanked the trustees for allowing them to bring this very humanitarian event to the
25 town. They feel that Mesilla has the right ambiance for promoting this type of event. She feels
26 that waiving the fees gives a clear message that the Town of Mesilla understands the project and
27 they will give the town publicity. The event was changed due to the time of year being to hot.
28 The focus is to highlight and showcase all what Mesilla is; the food, the art, the music, the
29 history. We have extended an invitation to the Mesilla vendors. We are going to have a
30 children’s area and utilizing music and art from Mesilla, if needed we will invite performers from
31 other areas. Also, there will be a request for north to south street closings.

32
33 Trustee Flores asked if the \$100 will cover the cost of personnel.

34
35 Ms. Debbie Lujan responded the \$100 will not cover the cost of personnel; the town will have to
36 pay the rest.

37
38 Trustee Flores asked about the street closing.

39
40 Ms. Lujan responded that will add to the cost.

41
42 Mayor Barraza stated we rent the barricades for our fiestas. The event organizers would be
43 responsible for the set up.

44
45 Ms. Portillo stated town staff only had to pick up trash; the organizers did everything else. There
46 were no complaints from town staff.

47
48 Trustee Arzabal stated he feels the event is getting bigger and the fees are not covering the town’s
49 expenses. He asked how much will the employee cost.

1 Ms. Lujan responded that would depend who the worker is and it would be paid at overtime. She
2 asked if the vendors will be on the sidewalks or on the plaza.

3
4 Mayor Barraza responded Ms. Portillo stated she would like them on the street; leaving more
5 room on the sidewalks.

6 Ms. Lujan stated there are areas where there is no electricity.

7
8 Mayor Barraza stated it would work if the event paid the \$375 to cover all the costs that the town
9 may incur.

10
11 Trustee Bernal stated he supports the event but feels we should meet somewhere in between.

12
13 Ms. Portillo responded if that's the case we have to abide by your decision. Asked what the fee
14 would be.

15
16 Mayor Barraza responded the fee would be \$375 which would be better than charging you a fee
17 and the cost of the employee.

18
19 Ms. Portillo stated she agrees to the final fee of \$375 and a refundable cleaning deposit of \$100.

20
21 Mayor Barraza indicated that in the past many of the rental fees were waived; we are trying to
22 recoup some of the funds so that we do not operate in the minus. We want to share the plaza; it is
23 to promote this type of events. We do want this event to continue and we want to be a part of it.

24
25 Inaudible (14:23)

26
27 Ms. Echavarria stated this is the promotion weekend of "Catch the Kid" which will work well.

28
29 Mayor Pro Tem Caro inaudible (15:23)

30
31 Mayor Barraza stated Ms. Echavarria does a wonderful job doing promotions for the whole year
32 so if this is going to continue to be an annual event send the information to Ms. Echavarria so that
33 she can post it along with the town's events calendar.

34
35 Ms. Portillo responded the National Office is in San Diego and she can vouch for Dennis that this
36 will be an annual event.

37
38 Mayor Barraza stated we can post the information.

39
40 Trustee Bernal asked if a dumpster will be needed for the event.

41
42 Ms. Lujan responded we did not have a special dumpster for the event.

43
44 Trustee Bernal stated if the event gets bigger that may need to be looked into.

45
46 Ms. Portillo asked that if anyone has ideas for booths that they would like to see on the plaza let
47 them know.

48
49 Mayor Barraza responded Ms. Echavarria would be the one to speak to. She asked if the
50 organization is getting a percentage of the booth rentals.

51

1 Ms. Portillo responded they are charging a booth fee.

2
3 Mayor Barraza indicated any new vendor will need a business license.

4
5 Ms. Portillo responded Ms. Echavarria gave her a packet and she is familiar with Fire Chief
6 Hoban.

7
8 **Motion:** To approve the non-profit fee of \$375 for the Free Wheelchair Mission for “A Taste of
9 Mesilla” Saturday, August 27, 2011, **Moved by** Trustee Arzabal, **Seconded by** Trustee Flores.

10
11 **Vote:** Motion passed (**summary:** Yes = 4).

12 **Yes:** Mayor Pro Tem Caro, Trustee Arzabal, Trustee Bernal, Trustee Caro

13
14 Ms. Echavarria asked if that included the request for the closing of the plaza.

15
16 Mayor Barraza responded yes but the organizers will need to provide the barricades. Ms.
17 Echavarria will provide the information regarding the merchants.

18
19 3. For approval/disapproval: a wastewater agreement with City of LC. *Debbie Lujan, Public*
20 *Works Director.*

21
22 Ms. Debbie Lujan stated an agreement has been made regarding the fees charged for wastewater.
23 The fee will be based on use during the months of December, January, & February making it a
24 consistent fee.

25
26 Mayor Barraza responded this is the third time the agreement has been revised. The cost was
27 based on water consumption use even if a resident was on a septic tank. We asked if they could
28 revisit the agreement and come up with an average for the Town of Mesilla. The agreement was
29 sent to the attorney for review. We will be meeting with the City of Las Cruces; we are going to
30 request that we be on the Utility Board Agenda for August. There are 2 bills that we are going to
31 ask the City of Las Cruces to prorate. If we are offered a better rate is it will come back to the
32 board for a revision.

33
34 Trustee Flores read section of the agreement.

35
36 Ms. Lujan responded we will need to follow and adopt their ordinance.

37
38 Mayor Barraza indicated there is an ordinance in place that does address that item. It is the
39 restaurant that throws the grease in there; the restaurant owner is responsible for cleaning. Ms.
40 Lujan is checking each trap.

41
42 Trustee Flores asked if we are covered to avoid the town paying for that.

43
44 Ms. Lujan responded she believes a new ordinance needs to be adopted for the City of Las
45 Cruces.

46
47 Mayor Barraza stated we need to add that to our ordinance which is in place and it will be
48 referenced.

49 We are working with a private consultant that will be installing the needed equipment.

50

1 Ms. Lujan indicated on the agreement we need to control the Hydrogen Sulfate (odor). All the 7
2 entities receiving wastewater treatment from the City of Las Cruces are aware of what needs to be
3 done. The drip system would be installed in 2 manholes (Calle Oeste and Calle Principal). They
4 are willing to help and educate us in this area. A fine will be assessed if we are out of
5 compliance.

6 Mayor Barraza stated with the savings we will have to pay the consultant to get this moving.

7
8 Trustee Flores referenced section 13 page 4.

9
10 Ms. Lujan responded that will not affect us.

11
12 **Motion:** To approve a wastewater agreement with the City of Las Cruces, **Moved by** Trustee
13 Arzabal, **Seconded by** Trustee Bernal.

14
15 **Roll Call Vote:** Motion passed (**summary:** Yes = 4).

16 Mayor Pro Tem Caro Yes

17 Trustee Arzabal Yes

18 Trustee Bernal Yes

19 Trustee Caro Yes

20
21 4. For approval/disapproval: a resolution reversing the burn ban. *Kevin Hoban, Fire Chief.*

22
23 Fire Chief Hoban gave a presentation. PowerPoint available in the Town Clerk/Treasurer's
24 office. He will create a press release; even though the ban will be lifted people will still need to
25 follow our ordinances. The Town Code allows the fire department to stop burning at any time. If
26 we conditions getting out of hand we can shut down operations.

27
28 Mayor Pro Tem Caro inaudible (35:22)

29
30 Fire Chief Hoban responded there are restrictions for burn times; 30 minutes after sunrise and 30
31 minutes before sunset. Some agricultural burns may be allowed to burn through the night due to
32 the size of the items to be burned. The Fire Department can stop burning if it becomes a nuisance
33 to the residents, school children, if there is smoke that blocks the roadways and they do respond
34 to those complaints.

35
36 Trustee Flores reviewed some of the items of concerns. (37:31)

37
38 Mayor Barraza stated the ordinance is in place.

39
40 Fire Chief Hoban responded it should read "the ratification of the ordinance should take place
41 immediately."

42
43 Trustee Caro asked who should be called.

44
45 Fire Chief Hoban responded they can call the Fire Department at 523-1311. Burn permits will be
46 available at the Town Hall. There is a \$500 fine and/or 90 days in jail for anyone who burns
47 without a permit. Dona Ana County did away with the burn permits and have had issues ever
48 since; the burn permit process is educational.

49
50 **Motion:** To approve a resolution reversing the burn ban, **Moved by** Trustee Arzabal, **Seconded**
51 **by** Mayor Pro Tem Caro.

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Inaudible

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

Mayor Pro Tem Caro Yes

Trustee Arzabal Yes

Trustee Bernal Yes

Trustee Caro Yes

5. For approval/disapproval: a resolution for FY 2010-2011 budget adjustments. **Nick Eckert, Town Clerk/Treasurer.**

Mr. Nick Eckert reviewed the FY 2010-2011 budget adjustments. PowerPoint available in the Town Clerks/Treasurer.

Motion: To approve a resolution for FY 2010-2011 budget adjustments, Moved **by** Trustee Arzabal, **Seconded by** Trustee Flores.

Mayor Pro Tem Caro asked if beside the fiesta everything else is reimbursable.

Mr. Eckert responded that is correct everything else is 100% reimbursable line items.

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

Mayor Pro Tem Caro Yes

Trustee Arzabal Yes

Trustee Bernal Yes

Trustee Caro Yes

6. For approval/disapproval: a resolution for the final revenue and expenditure budget for fiscal year 2011-2012. **Nick Eckert, Town Clerk/Treasurer.**

Mr. Nick Eckert reviewed the final revenue and expenditure budget for fiscal year 2011-2012. PowerPoint available in Town Clerk/Treasurer's office. Stated that between the preliminary budget and the meeting for the final budget departments were asked to come forward with any other additional request they felt may be needed for the next fiscal year. Reviewed the requests; some of those requests were denied; the ones approved are on the final budget.

Motion: To approve a resolution for the final revenue and expenditure budget for fiscal year 2011-2012, Moved **by** Trustee Arzabal, **Seconded by** Trustee Bernal.

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

Mayor Pro Tem Caro Yes

Trustee Arzabal Yes

Trustee Bernal Yes

Trustee Caro Yes

PUBLIC COMMENTS:

None

1 **BOARD OF TRUSTEES COMMENTS:**

2
3 Mayor Pro Tem Caro stated he had a resident call him that his water had been shut off at 10:30
4 p.m. and that when he called the emergency number he was told that he needed to pay his bill and
5 that it could not be turned on until then. The employee on call hung up on him. The resident told
6 him that he had paid his bill and that he even had a credit. He feels the resident should get a letter
7 of apology.

8
9 Ms. Debbie Lujan responded she did not hear about the incident until 3:30 p.m. the next day. The
10 mayor sent a letter to Public Works because she had also dealt with the resident. She was very
11 upset and she called Mr. Sean Lucero immediately. This is not the way we handle these
12 situations. If someone would have called her it would have been a different situation. Ms. Gloria
13 Maya usually knows if it is an elderly resident and she will call the resident. This was a very bad
14 mistake and she will be writing a letter of apology. I assure you this will never happen again.

15
16 Mayor Barraza indicated she also assures them that this will never happen again. She was on the
17 phone with the resident to insure his water was turned on. We work very hard to build customer
18 service relations. This has been addressed and we have taken measures to insure that will not
19 happen again. The Life Is Good in Las Cruces-2012 Community Guide has a section which
20 addresses Mesilla; encourages everyone to pick one up. Ms. Ashley Echavarria is working very
21 hard at promoting the Town of Mesilla.

22
23 Ms. Debbie Lujan stated Mr. Matt Lee has been spraying and testing mosquitoes in our area.

24
25 Mayor Pro Tem Caro stated school will be starting up and will need attention.

26
27 Mayor Barraza stated since there was only one watering and very limited rain has helped the
28 situation. The draining ditch near her home is covered with cuttings; Ms. Lujan is working with
29 EBID since we know who is dumping in the ditch. Last Monday some kids came by and asked if
30 they could get the golf cart out of the ditch. People are dumping and dumping into the ditch.

31
32 **ADJOURNMENT**

33
34 **Motion:** To adjourn, **Moved by** Trustee Arzabal, **Seconded by** Mayor Pro Tem Caro.

35
36 **Vote:** Motion passed (**summary:** Yes = 4).

37 **Yes:** Mayor Pro Tem Caro, Trustee Arzabal, Trustee Bernal, Trustee Caro

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40 **MEETING ADJOURNED AT 7:08 P.M.**

41
42 **APPROVED THIS 8TH DAY OF AUGUST, 2011**

43
44
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46
47 _____
48 Nora L. Barraza
49 Mayor

50 **ATTEST:**

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Nicholas Eckert
Town Clerk/Treasurer