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**BOARD OF TRUSTEES
TOWN OF MESILLA
MEETING
TUESDAY, DECEMBER 27, 2011
6:00 P.M.**

TRUSTEES: Nora L. Barraza, Mayor
Jesus Caro, Mayor Pro Tem
Carlos Arzabal, Trustee
Sam Bernal, Trustee
Linda L. Flores, Trustee

STAFF: Nick Eckert, Town Clerk/Treasurer
Jeff Gray, Town Marshal
Kevin Hoban, Fire Chief
Debbie Lujan, Public Works Director
Gloria Maya, Recorder

PUBLIC:

OPENING CEREMONIES

A. Pledge of Allegiance

Mayor Barraza led the Pledge of Allegiance.

ROLL CALL AND DETERMINATION OF A QUORUM

Roll Call.

Present: Mayor Barraza, Mayor Pro Tem Caro, Trustee Arzabal, Trustee Bernal, Trustee Flores.

CHANGES TO THE AGENDA

Trustee Caro requested that items #5 and #6 be placed on the consent agenda.

Trustee Flores stated she had a question on #6; asked how the precinct board is chosen.

Mr. Eckert responded we look at previous precinct board workers and this year the county clerk provided us with a list of the precinct workers that live in Mesilla.

Motion: To approve agenda as amended, **Moved by** Mayor Pro Tem Caro, **Seconded by** Trustee Arzabal.

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

Yes: Mayor Pro Tem Caro, Trustee Arzabal, Trustee Bernal, Trustee Flores.

ACCEPTANCE OF THE CONSENT AGENDA

Motion: To approve agenda as amended, **Moved by** Trustee Flores, **Seconded by** Trustee Arzabal.

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

2 Mayor Pro Tem Caro Yes

3 Trustee Arzabal Yes

4 Trustee Bernal Yes

5 Trustee Flores Yes

6
7 **BOT MINUTES:**

8 1. Regular Meeting 12-12-11 *Approved by consent agenda*

9
10 **PZHAC BUSINESS:**

11 2. Case 011116; 2310-2469 Calle de San Albino, MCBE Partners, summary subdivision for
12 re-platting existing lot lines. No new lots will be created. Zone: HC. *Approved by*
13 *consent agenda*

14 3. Case 011133, 1885 W. Boutz, Connie Hines, Sign Permit for Connie Hines Interior
15 Design @ the Studio. Zone: HC. *Approved by consent agenda*

16
17 **NEW BUSINESS:**

18 4. Presentation: bond process/timeline discussion by Chris Muirhead.

19
20 Mr. Muirhead reviewed the General Obligation Bond process. They help communities like
21 Mesilla to insure they go properly go through the election process for a General Obligation debt
22 which is a pledge of taxes. This is different from other types of debts which are called Special
23 Revenue debts. The General Obligation debt, if passes, adds more on taxes or revenue of any
24 governmental entity toward repayment. The election resolution was adopted a couple of weeks
25 ago which allows the question, for 1.5 million dollars, to be placed on the ballot for the March 6th
26 municipal election. This conforms to the New Mexico Constitution as well as statutes relating to
27 general obligation debt. We have taken the broadest statement that we could under the
28 constitution of statutes. This question is consistent with the statutes and constitutions. The
29 calendar shows the various steps needed to be followed by the Town Clerk and my company to
30 insure we comply with the New Mexico Statutes as related to an election on a bond questions.
31 This will provide enough information and notice to the residents. There will be 4 publications
32 (English/Spanish) at locations required by the Open Meeting Act. If the bond passes this will
33 authorize the debt and you have up to 4 years to issue the debt. That process will require an
34 ordinance for the specific amount of issuance with the same question and authorization of the
35 issuance of the bond which will be sold at a public sale which is required under New Mexico
36 Statutes. This gives notice that the town is incurring this debt; soliciting bids from investors this
37 ensures you get the most competitive price for those bonds. If everything goes well we will try to
38 close making that money available by the first part of the summer; we will help you during this
39 process. At the end of the day we will give an opinion which is what investors are looking for
40 from nationally recognized bond council. If the bond passes he will be there explaining each step
41 of the process. The primary source of repayment is going to be through the taxes; as a general
42 obligation any revenue of the community is available for that service if needed which is probably
43 unlikely since it will be a set amount. Since it is a broad pledge of the community State Statute
44 does require an election.

45
46 Mayor Barraza stated she feels Mr. Eckert has us on the right track by keeping in contact with
47 Mr. Mark Valenzuela and other George K. Baum representatives.

48
49 Mr. Muirhead responded Mr. Eckert has done a great job. We will monitor everything as it
50 moves along to insure we are complying.

1
2 Mayor Barraza responded Mr. Eckert has done a good job in keeping us informed and updated.
3 The trustees have had numerous questions which have been answered. We know that you will be
4 available in the event that we have questions.

5
6 Mr. Muirhead responded they should not hesitate to ask since there are certain limitations that
7 need to be adhered to. Mr. Valenzuela and Mr. Baum will come in during the structure of those
8 so they can determine what is better for the Town of Mesilla.

9
10 Mayor Barraza stated there are some residents that are organizing themselves and seek donations
11 to fund flyers that can be set to the residents. They will also be hosting public meetings; asked if
12 the trustees can be present to answer questions.

13
14 Mr. Muirhead responded private citizens can hold meetings and advocate for any position they
15 are for. Trustees can be present and answer questions; insure that the Open Meeting Act is
16 followed; you need to be careful.

17
18 Mayor Barraza asked if the trustees can ask the residents to vote for the bond.

19
20 Mr. Muirhead responded it would be better for them to only state the facts.

21
22 Mayor Barraza asked if the trustees can go out in the community to advocate for the bond.

23
24 Mr. Muirhead responded that as individual board members you can state your opinion; it is fair
25 game. You do not want to as a governing body as a whole. Inaudible

26
27 Trustee Bernal stated as he and Trustee Arzabal have been out campaigning that questions is
28 being brought up.

29
30 Mr. Muirhead responded this is in consistent with the democratic process; individually you can
31 say your position.

32
33 Mayor Barraza responded so as a governing body we do not want to state our position.

34
35 Mr. Muirhead reiterated to be careful not to violate the Open Meeting Act at the various
36 educational meetings. It is always the process guidance we get caught in. Do not hesitate to
37 contact us with any concerns. We are your consultants and want to make sure you feel
38 comfortable.

39
40 Mayor Barraza stated we appreciate your guidance in keeping Mesilla out of the newspaper and
41 out of trouble. We are going to rely on your guidance since this is the first time for the Town of
42 Mesilla.

43
44 5. For approval: a resolution providing for determination of reasonable notice of meetings
45 of the Board of Trustees pursuant to the Open Meetings Act. **Nick Eckert, Town Clerk.**
46 ***Approved by consent agenda***

47
48 6. For approval: appointment of absentee and precinct board to serve on Election Day,
49 March 6, 2012. **Nick Eckert, Town Clerk-Treasurer.** ***Approved by consent agenda***

50

1 7. Closed session pursuant to 10-15-1 (H) (2) for the purpose of discussing limited
2 personnel matters pertaining to the Finance, Community Programs, Community
3 Development, Marshal, Fire, and Public Works Department and 10-15-1 (H) (7) for the
4 purpose of discussing pending litigation. *Nora L. Barraza, Mayor.*

5
6 **Motion:** To enter closed session pursuant to 10-15-1 (H) (2) for the purpose of discussing limited
7 personnel matters pertaining to the Finance, Community Programs, Community Development,
8 Marshal, Fire, and Public Works Department and 10-15-1 (H) (7) for the purpose of discussing
9 pending litigation, **Moved by** Trustee Arzabal, **Seconded by** Mayor Pro Tem Caro.

10
11 **Vote:** Motion passed (**summary:** Yes = 4).
12 Mayor Pro Tem Caro Trustee Arzabal Trustee Bernal Trustee Flores

13
14 Entered closed session at 6:33 p.m.

15
16 **Motion:** To enter regular meeting after discussing limited personnel pursuant to 10-15-1 (H) (2)
17 for the purpose of discussing limited personnel matters pertaining to the Finance, Community
18 Programs, Community Development, Marshal, Fire, and Public Works Department and 10-15-1
19 (H) (7) for the purpose of discussing pending litigation, **Moved by** Trustee Arzabal, **Seconded by**
20 Trustee Bernal.

21
22 **Roll Call Vote:** Motion passed (**summary:** Yes = 4).

23 Mayor Pro Tem Caro Yes
24 Trustee Arzabal Yes
25 Trustee Bernal Yes
26 Trustee Flores Yes

27
28 Entered regular session at 7:28 p.m.

29
30 **PUBLIC COMMENTS:**

31
32 No comments

33
34 **BOARD OF TRUSTEES COMMENTS:**

35
36 Trustee Arzabal wished everyone a Happy New Year.

37
38 Mayor Pro Tem Caro wished everyone a safe and Happy New Year. Hopes everything will get
39 better.

40
41 Mayor Barraza thanked everyone for the Christmas Eve activities on the plaza; they went very
42 well. She wished everyone a safe and Happy New Year.

43
44 **ADJOURNMENT**

45
46 **Motion:** To adjourn, **Moved by** Trustee Arzabal, **Seconded by** Mayor Pro Tem Caro.

47
48 **Vote:** Motion passed (**summary:** Yes = 4).
49 **Yes:** Mayor Pro Tem Caro, Trustee Arzabal, Trustee Bernal, Trustee Flores.

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51 **MEETING ADJOURNED AT 7:30 P.M.**

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APPROVED THIS 9TH DAY OF JANUARY.

Nora L. Barraza
Mayor

ATTEST:

Nicholas Eckert
Town Clerk/Treasurer