

## Capital Improvements Advisory Committee

Minutes for the Meeting on  
February 20, 2020  
1:30 p.m.  
Utilities Center  
Conference Room 225

### Committee Members Present

Jason Lorenz, Vice-Chairman  
Steve Newby, Committee Member  
Mark O'Neill, Committee Member  
Adam Roberts, Committee Member

### Committee Members Absent

Eugene Suttmiller, Committee Member

### Others:

Becky Baum, RC Creations, LLC  
Greg Shervanick

### City Staff Present:

Liam Beasley, Accountant  
Paul Brock, Police Department  
Amanda Mendez, Administrative Assistant  
Lizeth Nanez, Sr. Office Assistant  
Jose Provencio, Deputy Director Business Services  
Alma Ruiz, Officer Manager Senior  
Ted Sweetser, Fire Department

Chair Lorenz called the regular meeting to order at approximately 1:30 p.m.

### 1. Conflict of Interest:

Lorenz: First thing on the agenda is to find out if we've got any Conflict of Interest between any Committee Member, any City staff has a know conflict of interest with any item on the agenda.

*\*Board Member Newby arrived 1:32 p.m.*

There were none.

### 2. Acceptance of the Agenda:

Lorenz: Next do I hear a motion to approve the agenda or accept the agenda as written.

Newby: So move.

Roberts: Second.

Lorenz: All in favor.

**The Agenda was Accepted Unanimously 4-0.**

**3. Acceptance of the Minutes:**

**a. Regular Meeting on November 21, 2019.**

**b. Regular Meeting on December 19, 2019.**

Lorenz: All right. We have minutes from the November meeting and the December meeting, and we didn't have a January meeting. Do I hear a motion to pass those, or to accept those?

Newby: So move.

Roberts: Second.

Lorenz: All in favor.

**The Minutes were Approved Unanimously 4-0.**

**4. New Business**

**a. Verbal Public Safety Impact Fees Process**

Lorenz: Okay. New Business, today we have Public Safety Impact Fee Process presentation from Battalion Chief Ted Sweetser.

Sweetser: Come up here, right.

Lorenz: Please.

Sweetser: Making sure.

O'Neill: A little turned around here by the room.

Sweetser: Okay, good afternoon Members. My name is Ted Sweetser. I'm the Battalion Chief for the Las Cruces Fire Department. I'm here to report on the Public Safety Impact Fee and what we're doing moving forward.

Myself, and Deputy Chief Paul Brock in the back, we met with our Fire Chief and Police Chief and we have decided to ask for an extension on the Public Safety Impact Fees. We'll probably start this process in about a year from now. The reasons why we have decided to extend the process out a year, is currently right now we're working on paying down a considerable amount of debt for the East Mesa Public Safety Complex. Those fees are paid for with Public Safety Impact Fee and so we're very focused on paying down as much of that debt as we can before we get into another project like that. That was one reason that we wanted to extend out these Public Safety Impact Fees.

Another reason that we had discussed was the General Obligation Bonds that are ongoing. Part of the General Obligation Bonds is the construction of a

new Station 3, so taxpayers are having to pay an additional amount of taxes into the General Obligation Bonds to fund what part of us is Station 3, along with the Parks and Rec projects.

Another thing that we just went through, or that you just went through are the Parks Fees and Utilities Fees, that process and review. From that process and review the Parks Fees have gone up. I think one Utility fee went up, another one went down, but I think collectively all the fees are going up a little bit. That's another burden on the taxpayers right now that they're going to have to pay for.

Lastly, part of the Public Safety Impact Fees is developed from a Capital Improvement Projects Plan. Right now both Fire and Police don't have anything in the CIP, the Capital Improvement Projects Plan. We would need to identify something in that plan so that if we did do the fees again, we had another target to point those fees towards. We're just trying to do our due diligence and be responsible for the debt that we have, pay down the debt that we have, separate ourselves out, give the taxpayers some time to work on what has to be paid in now and then in a year from now we will probably work with the consultant to start this process and start looking at fees then. We just wanted to give everybody a breather, really focus on what we have and then a year from now start that process. I'm here to ask for an extension of one year which is I believe permissible by the Municipal Code.

Lorenz: Any comments from the Committee?

O'Neill: Well thank you for your help in protecting the taxpayers.

Sweetser: We owe a responsibility to everybody.

O'Neill: Thank you for your honesty. I don't think there's any reason to not extend this unless the City has some reason.

Sweetser: No. We spoke with Alma and Dr. Garcia also who helped guide us through some of our options with this. We looked at every opportunity and we feel that this is best for Fire and Police and is best for the residents of the City of Las Cruces.

Newby: Chief. Thank you very much for considering paying down a debt important financial objective.

Sweetser: Yes. Thank you Mr. Newby.

Newby: We're the public sector. Thank you.

Lorenz: Good stewardship of the funds is important. I appreciate that.

O'Neill: Yes.

Sweetser: Thank you.

Lorenz: Well do I hear a motion to accept or approve Battalion Chief's request?

Newby: So move.

Lorenz: Second.

Roberts: Second.

Lorenz: All in favor.

### **A Year Extension on Public Safety Impact Fees were Approved Unanimously 4-0.**

#### **5. Old Business**

##### **a. Verbal Utilities Department Impact Fee Update**

Lorenz: All right. Next Mr. Provencio.

Provencio: Good afternoon Chairman and Commissioners. Jose Provencio, Deputy Director for Business Services on the Utilities side. I want to provide or brief you on activity with respect to the Utilities Development Impact Fees for Water and Wastewater. On January 9th we had a work session with our Utilities Board and presented the development and the update of the Development Impact Fees for Water and Wastewater. At that work session there was no real questions or significant questions raised by the Board other than general agreement that they need to be updated. At that meeting the Director briefed the Board that he would be taking the study that TischlerBise presented at the work session. He will be taking and requesting a work session before the City Council to present the same information that TischlerBise presented in front of the Board, to provide them background to what goes in, what's in and part of any Development Impact Fee update and calculation. Part of that driven is there's questions that have been coming from the Council saying, "Well what's the reason for the allocation?" The allocation that I mean by is the split that we have currently and since the inception of Development Impact Fees back in the '90s splitting it between the developer, the customer, and current customers, what we call rate base.

That work session is scheduled for April 13th. Then there will be a work session to present the development and the update of the current Development Impact Fees and to address the questions and answer any questions that may arise with respect to the allocation that we currently have. With that approach we will only have to deal with the question of the allocation once. If for some reason Council was satisfied with the presentation, any questions they had, Utility staff would come back to the Board and present the actual unit charges for Development Impact Fee, if there's no change to the allocation. If there is a change to the allocation we'll have to see what the schedule would be to address those questions

before City Council. With that, I stand by for any questions you may have with respect to the proposed schedule. That's the current timeline for the Development Impact Fee update that was recently completed.

Lorenz: What date did you say that work session is on?

Provencio: The work session's April 13th.

Lorenz: Thank you. I have no questions. Anybody else?

O'Neill: Would it be helpful for our Board to be there at that meeting, or we can be, if we're interested I understand, you know I'm ... would they be looking for any thing from us?

Provencio: I believe since it's a work session it's really information, there'll be no decision made. There'll be no input requested from the attendees, so it's really an information briefing process for Council, namely to inform newly elected Councilmembers of what the process is, what Development Impact Fees fund with any activity here in the City. If the questions do come up about the allocation, the genesis and the evolution of that entire allocation since the very beginning of Impact Fees in the mid '90s.

O'Neill: You may want to extend it too like the Fire Chief did.

Newby: Good try.

Provencio: I leave that question up to the Director.

Lorenz: Thank you Mr. Provencio. I thought we had ... the construction activity update is next month. I was thinking that was this month.

## **6. Next Meeting Date:**

Lorenz: Next month we'll have another update from Mr. Provencio, some financials from a few departments. Then after that we may not have need to meet for quite a while, until probably the next financials come out after that, maybe have the whole summer off looks like. Okay. Please step to the podium.

O'Neill: It would be (*inaudible*) other charge.

Ruiz: Alma Ruiz, the Senior Office Manager for Utilities. Also on future agendas we do have the current state of current projects, so if you want to bypass those updates as well or just kind of schedule them according to, take several months off and do it. It's really up to the Board to set the agenda, Chair with concurrence with the Board Members. Just keep that in mind. We normally give an update every three months, or quarterly on current projects and the status of those projects that use Impact Fee.

Lorenz: I think that would be often for us to meet. Maybe we can communicate by e-mail.

O'Neill: Combine the items. Combine the items.

Lorenz: Right. Get our financials next month and then maybe sometime this summer we meet together to hear that.

Ruiz: Thank you.

O'Neill: Excuse me. Question. Do you foresee any other items that might be coming up, that could be coming up that we would need to deal with?

Ruiz: No. Next month you'll have a mid-year financial which is key to letting you know what the status of the financials for Parks, Public Safety, and Utilities. Following that, we just really on the schedule have updates for the status of the Utilities Impact Fee as far as after going to Council and then to our Board. Other than that it was just always going to be the next process for the Public Safety, but since you've approved a one-year extension, no sir.

O'Neill: Okay. If there is something that comes up you'll let our Chairman know.

Ruiz: That is correct.

O'Neill: Great.

Lujan: Thank you Alma.

Ruiz: Thank you.

Newby: Mr. Chairman. I would support quarterly meetings. If we wait six months we're probably going to forget everything we might've known.

Lorenz: I agree.

## **7. Public Participation:**

Lorenz: I would be surprised if there's Public Participation. I don't even think there's any public.

## **8. Board Comments:**

Lorenz: Any comments from the Board?

O'Neill: I don't have a problem with the quarterly meetings is long as I know sometimes we've had business lined up like four meetings in a row so I don't know, we might have to change that if we start that.

Lorenz: I certainly trust Alma to let us know. I don't foresee that. Maybe a Capital Improvements Plan update.

Ruiz: We also could keep the monthly meetings and just on a monthly basis send the agenda to the Chair and if there's no items he has the authority to cancel a meeting, and therefore we would issue a monthly cancellation notice due to no agenda items. That could be the easiest thing to do and keep them still on a monthly basis.

O'Neill: Just in case.

Ruiz: Then in case something does pop up we have that standing meeting.

O'Neill: We'll have like a month notice.

Ruiz: That's correct.

Lorenz: That sounds perfect.

Ruiz: Thank you.

**9. Adjournment:**

Lorenz: With that we'll adjourn. See you guys in a month.

---

Chairperson