

Capital Improvements Advisory Committee

Minutes for the Meeting on

June 16, 2022

1:30 p.m.

Utilities Center

Board Room 225

Committee Members Present:

Jason Lorenz, Chairman

Mark O'Neill, Committee Member

Steve Newby, Committee Member- via telephone

Committee Members Absent:

Don Curnutt, Committee Member

City Staff Present:

Denise Alejandre, Utilities Administrative Assistant

Delilah Leyva, Utilities Senior Office Assistant

Jose Provencio, Utilities Deputy Director Business Services

Christine Rivera, City Clerk, Legal

Domonique Rodriguez, Rate Economics Analysis Manager

Jacqueline Rubalcava, Accountant Senior Finance

Jason Smith, Fire Chief

Adrienne Widmer, Utilities Assistant Director

Others:

Becky Baum, RC Creations, LLC

Frank Carrill, Public Citizen

Cassie McClure, Public Outreach Consultant

Chair Lorenz called the Regular Meeting to order at approximately 1:31 p.m.

Chair Lorenz: Before beginning the Agenda, we need to take a vote to make sure that it is okay to allow Mr. Newby to participate telephonically today. All in favor.

O'Neill: I will make a motion.

Chair Lorenz: Steve, can you hear us?

Newby: Yes, I can.

Chair Lorenz: I can kind of hear him.

O'Neill: It is broken up.

Newby: Is this any better?

Chair Lorenz: That is much better.

Newby: Okay.

Chair Lorenz: Thank you Steve.

O'Neill: That is much better.

Chair Lorenz: Well, let us have that vote. All in favor of Mr. Newby attending telephonically today.

Mr. Newby was Approved to attend Telephonically Unanimously 3-0.

1. Conflict of Interest:

Chair Lorenz: Well, next is the Conflict of Interest. At the opening of each meeting, I shall ask if any member of the committee or any member of the City staff has any known Conflict of Interest with any item on the agenda today?

O'Neill: I have none.

Chair Lorenz: I hear none.

Newby: I have none.

Widmer: Mr. Chairman, Adrienne Widmer, Assistant Utilities Director. If Mr. Newby could mute his phone in between him talking then you will not be getting that feedback. Everyone including him will probably be able to actually hear better.

Chair Lorenz: Great.,

Widmer: Thank you.

Chair Lorenz: Sounds like he has already done So. Thank you Steve.

There were none.

2. Acceptance of the Agenda:

Chair Lorenz: I would like to hear a motion to Accept the Agenda today.

Newby: So, moved.

O'Neill: I will second it.

Chair Lorenz: All in favor.

The Agenda was Accepted Unanimously 3-0.

3. Acceptance of the Minutes:

A. Regular Meeting on May 16, 2022.

Chair Lorenz: Now I would like to hear a motion to Accept the Minutes from the Regular Meeting on May 16th.

Newby: So, made.

O'Neill: I will second it.

Chair Lorenz: All in favor?

The Minutes were Approved Unanimously 3-0.

4. Old Business:

A. Public Safety Impact Fee Updates by Chief Jason Smith

Chair Lorenz: Okay, down to business. Old Business is the Public Safety Impact Fee verbal update from Chief Jason Smith.

Smith: Well good afternoon, Committee Members. Fire Chief Jason Smith for the record. The update today is just to let you know where we are at with the progress. We did receive the letter of recommendation from the Capital Improvement Advisory Committee. That has been submitted as part of our packet to Council. The last regular meeting past land use assumptions.

Chair Lorenz: You have got to mute for me Steve.

O'Neill: He did not hear it. Mr. Newby.

Chair Lorenz: Please mute your phone for us. Thank you. Sorry Chief.

Smith: No problem. The resolution was passed adopting the land use assumptions that went through the committee on Tuesday, the 21st. The Public Impact Fee schedule and Capital Improvement Plan go to Council, currently it is on consent for them. If it does get pulled, we will be able to do a presentation or answer any questions for that. I just wanted to take a moment to thank the committee for their feedback and their input on developing the Impact Fee and allowing us to make a good recommendation to Council.

Chair Lorenz: Great. Thank you very much. I appreciate the update.

O'Neill: Thank you. There is no exact date when they are going to take that in the City Council meeting.

Smith: June 21st.

O'Neill: Oh, I did not, okay. I am sorry. I did not hear that.

Smith: This coming Tuesday.

- O'Neill: Great.
- Chair Lorenz: You anticipate it will probably remain on the Consent Agenda. Tough to say.
- Smith: We have not received a lot of different direction than what we received from this committee or changes to the Impact Fee schedule, so I believe that it is in line to pass.
- Chair Lorenz: Okay. Thank you very much.

B. Discuss Work Session Date by Chair Lorenz

- Chair Lorenz: Next is to discuss the Work Session date, by Chair Lorenz. I wish Mr. Curnutt could be here. We have a meeting on probably July 28th that Mr. O'Neill may or may not miss. I would like to do it probably the two weeks after that between the meetings, which would put us on August 11th. We will have to check with Alma's calendar when she is available, but that is the date I would suggest, to put it halfway between the two meetings from July and August. Any other opinions or comments from the committee?
- Newby: I am good.
- Chair Lorenz: Go ahead Steve.
- O'Neill: That looks fine.
- Chair Lorenz: Okay.
- Newby: I am sorry. I said I am good on that date.
- Chair Lorenz: Okay, great. Then we will go ahead and propose that.
- O'Neill: Adrienne.
- Chair Lorenz: Yes, ma'am.
- Widmer: Mr. Chairman. Adrienne Widmer, Assistant Utility Director. August 11th is what would normally be the Las Cruces Utilities Board meeting in the afternoon. If you did a work session earlier in the day that would probably work.
- Chair Lorenz: Great.
- Widmer: Depending on how long you need it to be?
- Chair Lorenz: Great. I think first off, it is going to be more about information gathering. Having a representative from Utilities will be very important. I think we do need to work around you.

- Widmer: Thank you sir.
- Chair Lorenz: Is there a time of day that works better or worse for you?
- O'Neill: What time is their meeting start?
- Widmer: Mr. Chairman, Vice-Chair. That usually starts at 3:00 p.m. If you would like I will make notes and that way Alma can get with you all to find out what is the most appropriate timeframe for you all.
- O'Neill: That is fine.
- Chair Lorenz: That would be great. I propose ...
- O'Neill: I can leave it open.
- Chair Lorenz: 9:00 a.m.
- O'Neill: 10, 11, whatever.
- Chair Lorenz: Nine. I think nine works well to give us plenty of time. That sound okay for you, Steve.
- Newby: Yes, that is fine.
- Chair Lorenz: We will propose that. If at the end of the August, I am sorry the July CIAC meeting that we see we will not need to necessarily hold the August CIAC meeting, we could possibly move it to that same time and just do a work session instead of a regular meeting. I hope that is what happens. I know we are getting started on the new Park Fee, but I do not think a whole lot is going to happen at the beginning, so hopefully that will work out that we can do that.

C. Review Proposed New Meeting Dates by Denise Alejandre

- Chair Lorenz: Next is the Review Proposed New Meeting Dates by Denise Alejandre. We got a whole presentation.
- Alejandre: Good afternoon CIAC Chairman and Committee Members Denise Alejandre, Utilities Administrative Assistant for the record. First, I want to express, Alma Ruiz, Utility Senior Office Manager's apologies for missing today's meeting. She is currently in Albuquerque participating in a graduation ceremony for the New Mexico EDGE, which is an umbrella organization operated through NMSU's Cooperative Extension Service. Alma has completed the Certified Public Official earning her certification in that program.
- O'Neill: Great. Good for her.

Alejandro: Alma asked that I present the following information. Please keep in mind that the Committee will vote on this during the Action agenda item later in the meeting. This slide list the current CIAC meeting dates approved during the December 16, 2021, Meeting. Currently the CIAC meeting are held every third Thursday of the month. You will notice the approved dates included January 2022 through January 2023. Correction January 2021, not 22. The reason for the addition is in case that the December meeting is cancelled then the January 19, 2023, date will be covered.

On this slide, based on the CIAC committee member discussion last month, the new proposed CIAC meeting dates for the remainder of calendar year 2022, and including January 2023, is for the meetings to be held every fourth Thursday of the month. This slide identifies each day of the month. I will stand for any questions you may have

Chair Lorenz: I have no questions.

O'Neill: I have none.

Chair Lorenz: Any questions Steve?

Newby: I am good.

Chair Lorenz: Thank you Denise

O'Neill: She put them all on our booklet here so.

Chair Lorenz: Fantastic. I am sure we will cancel that November meeting.

C. CIAC Vacancy Advertising Update by Delilah Leyva

D.

Chair Lorenz: Next item on the agenda is the CIAC Vacancy Advertising Update by Delilah Leyva.

Leyva: Good afternoon CIAC Chair and Committee Members. Delilah Leyva, Utilities Senior Office Assistant for the record. I too am presenting today on behalf of Alma Ruiz. Congrats to Alma on her certification. On the first slide you will see the advertisement that was run in the Las Cruces Sun News and the Bulletin with their run dates listed below. Some key points I will go over is we are looking to fill one vacancy at this time. The potential applicants cannot be a representative of the following: real estate, the development or building industries, businesses that finance, underwrite, or lend money to the aforementioned. They also cannot be an employee of the City, County, or other government entities. CIAC committee members and applicants are prohibited from simultaneously serving on another City of Las Cruces board and committee.

On this next slide there were a couple of amendments made based off the packet you were delivered to what I am presenting now, and I will review those as I go along them. To date we have received eight applications. Your agenda packets listed seven, we had received one additional application since your packets were delivered. The second amendment that was made was to the selection process. After the Utility staff spoke with Chair regarding the process, there was a change made to include all CIAC members as part of the ranking process. All applications received to date will be reviewed for qualification consideration. Application qualification review is performed by Senior Office Manager Alma Ruiz and our Legal Department. A score sheet to rank qualified applicants will be sent to all the Committee Members individually, and will be ranked from one to eight, one being your top choice and eight being your bottom choice. The Senior Office Manager will then apply a weighted measure, the top candidate will receive eight points, second top candidate will receive seven points and so on. The result will identify the top candidate. It is very important that each member only reply to the CIAC Admin Support at lascruces.org email to prevent a rolling poll. The City Clerk will be notified of the CIAC's recommendation and will forward it to the Mayor and to the Council for consideration. All applications received and not selected to fill the vacancy will remain on file with the City Clerk for future consideration. I will stand by if you have any questions.

Chair Lorenz: I have none. Steve or Mark.

O'Neill: I have a ...

Newby: Mr. Chair. I have a ...

O'Neill: Go ahead Steve.

Newby: I said I am good.

Chair Lorenz: He is good.

O'Neill: I do not remember, I have been on the board a little while not that long, where we have had this many applicants for this. Usually we have, we are pulling teeth trying to get someone to come on board. That is fantastic. More people would like to be involved in community.

Chair Lorenz: We are popular now.

O'Neill: I do not know what the reason is, but it is, eight applicants, wow.

Leyva: Well, on the 20th the article size was much larger than the regular ads because it was kind of a last-minute slip in. Maybe that had something to do with it. It was a very large article that was ran for the ad on the 20th.

O'Neill: Yes, I have seen there are articles, there are ads everywhere for this.

- Chair Lorenz: That is great. I am glad we have a good selection.
- O'Neill: That is a good thing. It is all a good thing.
- Chair Lorenz: I am glad we get to give an opportunity to everybody on the Committee to have some say in who joins us. That is fantastic.
- O'Neill: Good idea.
- Leyva: Thank you.
- Chair Lorenz: Thank you very much.
- O'Neill: How soon will we get those? They will be in the mail you said.
- Leyva: It is going to be by e-mail.
- O'Neill: E-mail.
- Leyva: She is anticipating on Tuesday when she returns.
- O'Neill: All right. Thank you.

5. New Business:

A. Discuss Parks and Recreation Impact Fee Verbal Update by Sonya Delgado

- Chair Lorenz: New Business. Discuss Parks and Rec Impact Fee Verbal Update by Sonya, but I do not see Sonya. This should be a quick meeting.
- O'Neill: Is someone here for Sonya? No.
- Chair Lorenz: What the other girl's name that comes sometimes?
- O'Neill: Maybe she had a situation.
- Chair Lorenz: Mathews.
- O'Neill: Cathy is not here.
- Chair Lorenz: Catherine. No. All right.

7. Public Participation:

- Chair Lorenz: Public Participation. Yes, sir. Please approach the microphone and please state your name.
- Carril: I only have one copy, but it is good enough.

O'Neill: That is fine.

Carril: First I would like to apologize. I have my hat on, but I am having a bad hair day as an old person. My name is Frank Carril, C-A-R-R-I-L. I live in District 4. Formerly served on the Parks and Recs board four years. Vietnam Vet and working to get ADA access in certain areas now.

I am here today to present a problem that has been happening, it is very apparent right now where we need a capital improvement. It was not as apparent before, but it is very apparent now. Why would it be apparent now and not apparent before? Well, the area we are talking about is Las Cruces Apodaca Park. Las Cruces Apodaca Park has a swimming pool that has a derelict swimming pool there for over 30 years. I have attached photographs at the end of my documentation I have given to the board to show what it looks like. The reason it is more of a problem now, first it should be solved a long time ago, but it has not. There is nothing like the present to solve problems. We have completed a sports park reconfiguration right next to that facility now that is heavily used. That has created a problem with this derelict swimming pool, not only unsightly, but unsafe, and last year there was a murder with a beheading there. I am sure you read about in Las Cruces paper. We still have a homeless problem in that area. Now that we have the park in heavy use and the sports complex, many persons, including myself who use it, are confronted by some homeless people asking frivolous questions. It is very, very disturbing.

What my main proposal is today is that we put this project, this 30-year-old derelict swimming pool ugliness, in a capital Improvement project to not only eliminate it, but also we can do it with capital funds because I am aware of the legal process. We can also solve a safety problem. We got an issue there were in which on 31 May of this year, we had the Governor's Board of Disabilities come down and wrote a scathing report about the area, one of them was restroom, no restroom facilities. Well, this derelict swimming pool has the total plumbing for us to put in a restroom, has all the plumbing underground. When we improve capital improvement and destroy that building and put in a restroom facility which would be a capital improvement, we will now have ADA access for a bathroom and over 200 participants that use that sports complex every day. It is very important. We have on file as of 31 May 2022 the Governor's Report on Disability for backup. We will have Parks and Rec also as an advocate. We will also have the Police Department as an advocate to eliminate that eyesore, as well as a very big safety issue. So that is the crust of my presentation today, asking the Board to push this along and to discuss it and take whatever it takes to get your public means to get it approved and let us get on to this. Because if we have another murder there, this very hearing that I am speaking of today is speaking of that. We have people being approached by people that are nonmentally stable, and it is very dangerous. The lighting is very poor. Things are not good, besides the unsightliness when

we bring a new person to our town, and we have to take them to that facility and then they ask us what is that terrible thing there.

We need this very desperately. I have laid it out in paragraphs in my presentation about the structure, the safety issue, the portion of that can be, the justification under capital improvements, how it can be handled. I hope this has a high priority. Because if we have an issue coming up in the following months, we are going to go back to this hearing and say, hey you know we do not have to have a second crime to do something. That is usually the case in America, we have a second, we have an intersection where people are killed, and then we put up safety lights. Well, we have already had that felony committed, we do not want a second one. I hope the Committee takes this very seriously. Everyone can go out and see a 30-year-old derelict swimming pool, which I show in my picture's presentation at the end to the Board of the current conditions. These are current pictures, and you can see how terrible it not only looks but is, and how the homeless use it in a very illegal way. That is my presentation for today. I put my name and phone number and communications. I hope it gets some communication back from the Board, how it is going to be moved along and prioritized. So, thank you very much for your attention today.

O'Neill: Thank you Frank.

Chair Lorenz: Sir, may I ask you a question?

Carril: Yes sir.

Chair Lorenz: I appreciate you bringing this to our attention. I could not agree more with the need.

Carril: I appreciate that. This is a service to all of Las Cruces. It is not some project that only serves a few. Say public safety is everyone. Also, when we bring people into town and they see this, many people have comment, we will get the proper people behind that, any support we need to have will be there. It is just a matter that has been sitting there kind of out of sight, unseen, not unseen but not being taken care of. I do not know how you can describe it, how it can sit there for 30 years, and no one ever brings it up. We have the support of the police. We have the support of the Governor's Council of Disabilities. We will have the Parks, obviously, in support. We need this very desperately for public safety. ADA disability, I take disabled veterans that cannot stand up for us, cannot stand up now who stood up for us during war times, I take them there in wheelchairs. We cannot take them there. We do not have bathroom facilities and things of that sort. We do not have shade. We do not have one bench. We do not have one shade screen. We do not have anything for them there. They have to sit out in the sun. We do the best we can. The fact that the plumbing is sitting in the ground there. Everyone knows, oh we will use that plumbing. Well, it is time to do it because we got state officials involved now and we will have more if necessary. We have these on

record, on file, which I can give you at a moment's notice. I think it is very justified. I appreciate you listening to this today. Now everyone knows about it. I hope we all support getting rid of this derelict swimming pool that has been sitting there for 30 years, and you can see the weeds and brush grown up in it. Again, I appreciate your consideration.

Chair Lorenz: Well, my question sir was, has this presentation you have given us today made it to the Parks and Rec board yet?

Carril: Yes. Ms. Delgado is aware of it in various formats. Because she was in the, she was part of the inspection when the Governor's Commission on Disabilities came down, her and Ms. Mathews was part of that inspection that walked along and took note. Then there was an official report generated by the state given to the Parks and Recs, me and others.

Chair Lorenz: My second question is, have you reviewed the Apodaca Blueprint Plan to see how that affects this or how it was addressed in that?

Carril: Yes, absolutely. In fact, one of the issues one of the points is, Ms. Delgado is very aware that the plumbing is adequate there, and there is not a plan that could ever be done that would not get rid of that eyesore. Here is the issue. The issue is we have a lot of plans, we have a lot of things going on, but we need to put dates and time for priority. This is something that should be high priority, public safety, and serving ADA like we should. Even though it is in a master plan, we have a lot of master plans in the City and I was in Parks and Recs, we had a lot of master plan, we need to put time and dates and recommendations like our capital improvement that we can solve these issues, and not wait for a master plan that includes high level businesses and all the other shopping centers they want to put in there in conjunction with the hospital and so on and so forth. Because all that is part of that Apodaca big plan. We cannot wait for all of that to address the safety and the issues that we need currently.

Chair Lorenz: Thank you very much sir.

Carril: Okay, thanks for your time. Appreciate it.

Chair Lorenz: Glad we had some public participation today. Thank you for coming.

6. Action:

A. CIAC Members Vote on New CIAC Meeting Dates

Chair Lorenz: Next is our action item, CIAC Members Vote on the New CIAC meeting dates. I would like to hear a motion for acceptance of the dates as presented.

O'Neill: I will make a motion that we accept the dates presented for the upcoming year.

Newby: I will second that motion.

Chair Lorenz: All in favor.

The motion was Unanimously Approved 3-0.

Chair Lorenz: I appreciate you all being flexible with my schedule and accommodating that.

8. Board Comments:

Chair Lorenz: Any Board Comments today?

O'Neill: I do have a couple. One, I would like to congratulate Alma on her certification. That is fantastic.

Chair Lorenz: Absolutely.

O'Neill: She never misses so I knew it had to be something important. Please pass that on to her. I would like to thank Mr. Carril for the presentation. Because even though we do have a master plan it is going to take a long time, and maybe we need to, I do not know how we, as our committee exactly becomes involved, but we can sure make recommendations to the Council and make a priority of this. This needs to, there is a plan to take that out, to get rid of that entire thing, but maybe that needs to be moved up like you said. There is a restroom there, but I guess it is not ADA compliant. Or is it?

Carril: You are talking about on at the swimming pool?

O'Neill: No, there is another restroom on ...

Carril: On the north end of the park there is a newly built restroom, but it is an eighth of a mile away from the sports complex.

O'Neill: Okay.

Carril: There is no solid pathway to even get there. You would have to get in your car and transport.

O'Neill: I understand.

Carril: To get people down to that so it is unusable. There was an alternative plan to use the baseball fields, but that is, there is no striping, there is a lot of work that has to be done to make the curbing correct and putting the striping and then you have to cross the road. It is another complex that is 30 years old.

O'Neill: Right.

Carril: We need something current. Also supports the playground, this new, when we put in this new bathroom facility, it was for the playground, which is also adjacent to the sports complex.

O'Neill: Thank you for bringing it up before us. I know they do plan to replace that whole area with a water feature. Maybe they need some plumbing for that, but I do not see why they could not put a restroom there as well. That was just probably raise the money would be the concern. I am sure that can be done. This is important.

Carril: It is basically about capital improvement.

O'Neill: Yes. Thank you. That is all I have.

Chair Lorenz: Any comments today, Mr. Newby?

Newby: No, sir. I am good. Thank you.

9. Next Meeting Date - July 28, 2022:

A. Old Business:

i. Parks & Recreation Impact Fee Update by Sonya Delgado

B. New Business:

i. Utilities FY22 Q3 Financial Review Update by Jose Provencio

ii. Park & Recreation FY22 Q3 Financial Review by Jacqueline Rubalcava

iii. Public Safety FY22 Q3 Financial Review by Jacqueline Rubalcava

iv. Community Development FY2021/2022 Q2 Update by Larry Nichols

v. Public Safety Project Fire Station 3 Update by Jason Smith

Chair Lorenz: Well, now that we have rescheduled to, our next meeting will be in July on the 28th.

O'Neill: Hopefully, I will be here.

Chair Lorenz: Hopefully, Sonya will be, and we can hear from her. Hopefully, Mark will be and Mr. Curnutt. I would like it if Mr. Curnutt could give us his opinions on the time of that next meeting.

O'Neill: He is due to come back right, for the next meeting.

Chair Lorenz: He is due to come back from the next meeting. Mr. Provencio.

Provencio: Good afternoon, Chairman, Commissioners. Jose Provencio, Deputy Director Business Services. Along with the next meeting in July, I do want to advise and inform the Committee that I will be retiring. The 29th will be my last day with the City. Ahead of that, I will be transferring the duties and responsibilities to the Interim Deputy Director as I step down. If I could just ask you to stand up, that would be Domonique Rodriguez. She is currently the Manager of the Rate and Economic Analysis Group in Business Services. She is extremely

capable of taking on and handling financial matters. In its fact, It is her group that I rely on in extracting and tracking all the financial data that we present to you on the Utility side for Development Impact Fees.

One more update is that in, this is just a heads up is the Utilities Department has and started the process to review the adequacy for the Utilities Development Impact Fees. We will be starting that, and Domonique will be keeping you informed of the progress. This is further down the road during the year, but I just wanted to give you a heads up on that.

Chair Lorenz: Well, congratulations sir.

Provencio: Thank you so much Chairman.

O'Neill: Congratulations to you as well.

Chair Lorenz: I cannot wait to join you.

O'Neill: Thanks for your great service. Have a great retirement. We appreciate everything you have done for us in your presentations.

Provencio: Well, thank you very much.

Chair Lorenz: Absolutely. Thank you, Mr. Provencio.

Newby: Mr. Chair.

Chair Lorenz: Yes sir.

Newby: I know this is early to tell you I am not going to be at a meeting but I most likely will not be at the September meeting as scheduled.

Chair Lorenz: Thanks for the heads up, sir.

O'Neill: Thank you. Well, we may not, that is Thanksgiving anyways,

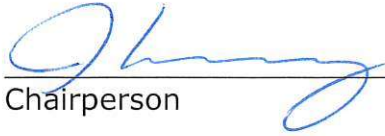
Chair Lorenz: He said September.

O'Neill: September. That is right. I thought he said November. I need my hearing checked.

Chair Lorenz: When you retire like Mr. Provencio. Well, I think that is it.

10. Adjournment:

If there is no more Board Comments I will adjourn for today. Thank you. Bye.



Chairperson

