

Capital Improvements Advisory Committee

Minutes for the Meeting on
November 19, 2020
1:30 p.m.
Utilities Center
Conference Room 218
via Zoom Video Transmission

Committee Members Present:

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

Others:

Cassie McClure, Public Outreach Consultant
Greg Shervanick, Constituent

City Staff Present:

Waleed Abu-Issa, Senior Engineer
Robert Cabello, Senior Assistant City Attorney
Yvette Cenicerros, Senior Office Assistant Temp
Carl Clark, Deputy Director Environmental/Technical Support
Sonya Delgado, Parks and Recreation Director
Cathryn Gonzales, Senior Office Assistant Temp
Catherine Mathews, Landscape Architect for Parks and Recreation
Lizeth Nanez, Senior Office Assistant
Jose Provencio, Deputy Director Business Services
Alma Ruiz, Senior Office Manager
David Sedillo, Deputy Director Public Works
Lisa Valleroy-Djang, Senior Office Assistant Temp
Delilah Walsh, Utilities Director
Adrienne Widmer, Interim Assistant Utilities Director
Liam Beasley, Accountant

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

1. Conflict of Interest:

Chair Lorenz: This Committee should produce and maintain a recording of the open session of the meeting which Alma said she just began. Next, is there any member of the committee or the City staff that a known conflict with any item on the agenda today?

O'Neill: No, for me.

Newby: No for me.

Chair Lorenz: I hear none.

Roberts: none.

There were none.

2. Acceptance of the Agenda:

Chair Lorenz: Next is, I would like to hear a motion to Accept the Agenda.

Newby: So, made.

Chair Lorenz: Hear a second.

O'Neill: I'll second it.

Chair Lorenz: Thank you. All in favor? Mr. Newby?

Newby: Aye.

Chair Lorenz: Mr. O'Neill.

O'Neill: Aye.

Chair Lorenz: Mr. Roberts.

Roberts: Aye.

Chair Lorenz: Mr. Suttmiller.

Suttmiller: Aye.

Chair Lorenz: Alright, it is excepted.

The Agenda was Accepted Unanimously 5-0.

3. Acceptance of the Minutes:

3.1. Regular Meeting on September 17, 2020.

Chair Lorenz: Now we need to approve the minutes from our September meeting. I trust you've all had a chance to read it. I appreciate the delivery of the agenda packet today.

O'Neil: Yes, Thank you.

Chair Lorenz: Do I hear a motion to accept those minute?

Newby: So, made.

Chair Lorenz: Thank you Mr. Newby. A second Mr. O'Neill.

O'Neill: Second. Mr. O'Neill.

Chair Lorenz: All in favor. Mr. Suttmiller?

Suttmiller: Aye.

Chair Lorenz: Mr. O'Neill?

O'Neill: Aye.

Chair Lorenz: Mr. Roberts

Roberts: Aye.

Chair Lorenz: Mr. Newby

Newby: Aye.

Chair Lorenz: The minutes are accepted.

The Minutes were Approved Unanimously 5-0.

4. New Business

4.1. Utilities Department Impact Fee Update

Chair Lorenz: The first item on the agenda ...

Ruiz: Chair. Sorry, this is Alma Ruiz. Can I take a few minutes? I can't raise my hand as a co-host. I just have to chime in, I apologize, Alma Ruiz, Senior Office Manager for the Utilities Department.

Chair Lorenz: Sure.

Ruiz: Okay. Thank you. I just want to kind of give some housekeeping instructions on how people participate. There is a hand icon in participant box, it's really helpful so that people are not talking over each other, and it helps with the transcription of the minutes if you please utilize that feature within the Zoom application. There's a raise your hand feature, if you see the participant icon with the two figure heads, if you click there, you will see a raise the hand and then the Chair will be able to acknowledge you, and then you can state your name and then your comments. This applies both for the panelists as well as attendees who want to participate via the public participation. That's all I have. This is Alma Ruiz, Senior Office Manager for the Utilities Department. Thank you for letting me explain that.

Chair Lorenz: Thank you Alma.

O'Neill: Thank you.

Chair Lorenz: Okay, we have as public participation is number six. I thought it was earlier so our first item is New Business, Utilities Department Impact Fee by Mr. Jose Provencio.

Provencio: Good afternoon Chairman and Committee Members. Jose Provencio, Deputy Director of Business Services. I'll present you the first quarter performance for the revenues raised by Water and Wastewater Development Impact Fees. We've got the information here for Water Development broken up by the different categories, the allocated categories, being the developer, the customer, and the rate base portion. The data there pretty much is in graphical form presents the information, wastewater data as it came in for the first quarter. Of course, this is a graphical presentation, provide the graphic representation in historical comparison since Fiscal Year 2015. Fiscal Year 2020 came in with very good connection activity. First quarter pretty much is on track with the end of the prior Fiscal Year for Water. The data pretty much is summarized and tabulated in that graph.

The wastewater data, that in itself presents the same information on a historical perspective, for Wastewater Development Impact Fee revenue generation. The actual tabular data for Water and Wastewater for the first quarter of Fiscal Year 2021. We've also provided the additional allocation at the very bottom in red font, kind of provide everybody a frame of references as to the current allocation for Development Impact Fees. This provides a tabular data for Fiscal Year 2020 as a frame of reference. This provides the budget data or the budget summary for the first quarter. Pretty much information for comparing as we go through the new Fiscal Year. It would be the same information for Wastewater Development. That will conclude the summary presentation for first quarter for Water and Wastewater Development Impact Fees. I will stand by for any questions you may have.

Chair Lorenz: Any questions? Mr. Suttmiller?

Suttmiller: No.

Chair Lorenz: Mr. O'Neill?

O'Neill: Why the big difference in 2020 to 2021? That just money that hasn't been spent or hasn't been received?

Provencio: Chairman, Committee Members. The 2021 we just started the Fiscal Year, so we're looking at the first quarter performance compared to the historic concluded Fiscal Year 2020.

O'Neill: I thought you were projecting.

Provencio: No. These are actuals sir. These are actuals.

O'Neill: Thank you. That's all I have.

Chair Lorenz: Mr. Roberts.

Roberts: No, I don't have any questions.

Chair Lorenz: Mr. Newby.

Newby: I'm good.

Chair Lorenz: Mr. Provencio. Thank you for the presentation. I have one question. Last we met you mentioned that the City Council would be hearing some discussion about changing of the allocation between builder, customer, and rates. Did that happen? And if so, what happened?

Provencio: Chairman and Committee Members. We had that work session. This would have been a month or so ago, I can't remember the exact work session date. Council took up and asked a lot of questions with respect to the current allocation. The history of its development that really was established almost that it at its inception. They did conclude and advised us that they would be gathering and having more meetings on discussing the allocation. There's couple of proposals that would probably be considered in terms of how do we split it between customer and the developer? The question currently now is about the rate-based portion. What can be said with certainty is that there'll be forthcoming meetings with Council to further flesh out what any development or decisions they would be considering.

If I may add, last week the meeting on November 12th, the Board meeting this month, the Board approved the update of Development Impact Fees using the current allocation scheme. Those tariffs will be posted when they become effective December 1st of this year. Just wanted to give you a heads up on that, that until we hear or are provided further direction from Council, we're still basing it on the existing allocation. Those new rates for development of Water and Wastewater Development Impact Fees will be going into effect and posted on our website for reference and for information.

Chair Lorenz: Thank you very much Mr. Provencio. Next item is the Seven Year ...

Walsh: Mr. Chairman.

Chair Lorenz: Yes.

Walsh: I'm sorry. This is Delilah Walsh, Utilities Director. I just wanted to expand on Joe's comment, if I may.

Chair Lorenz: Yes, please.

Walsh: Joe and I are preparing a PowerPoint, recorded presentation that will explain the allocation changes that will be proposed and presented to Council. That will go on through our Public Information Office and our Outreach Office for the City in order to share that information and disseminate it throughout the community and solicit public input. Once we're complete with that presentation, we'll solicit public input, and then we'll make the allocation presentations to Council. I'm behind in that task, I'll admit that. Right now I'm about a month behind of where I need to be, but we plan to have that launched very, very soon, in order to start the public outreach process.

Chair Lorenz: To make sure I understand what you mean, so that the public outreach is going to be to determine what the proposal will be?

Walsh: It's going to be to gather input on the allocation proposals and direction we were given by Council. Those options were to keep the allocation as it is today, where a portion goes to the right base, and then a portion is allocated between the developer and the end user, which is typically the homeowner. Or if we will take away the rate base and only allocate between the homeowner and the developer. My direction from Council was that we not increase the allocation to the developer. That we if we do remove the rate base from that distribution but put that back on the end user. That's just direction and those are the proposals we'll present. Based on public input we'll go back to a work session, give the input to Council and then take direction on how they want us to move forward before a decision is made.

Chair Lorenz: Okay. thank you. Any questions for Delilah from the Committee?

O'Neill: I have questions. Mark O'Neill.

Chair Lorenz: Go ahead Mark.

O'Neill: Two questions. The current allocation is still \$2,525.50, is that what it is? I thought the Board should be aware of what it is currently.

Provencio: This is Jose Provencio, Deputy Director of Business Services. We provide that information in the packet as well as in the slide presentation, it would probably be on slide number six and seven for Water and Wastewater, respectively. Those are the current allocations as they stand right now. We are, seven summarizes it all on one page.

O'Neill: I see. Okay. There's a difference between the Water and Wastewater.

Provencio: Yes, it is.

O'Neill: Okay. One more question Mr. Chairman. Can I ask one more question?

Chair Lorenz: Please go ahead.

O'Neill: Okay, will our Board be offering any input on this?

Provencio: I'm sorry, I didn't get the question.

Chair Lorenz: Crazy echo Mark. What I think you're asking is if our committee is going to have any opinion on this?

O'Neill: If the CIAC would have any input on this.

Provencio: I would defer to the Director, Delilah on the input and the process in terms of that input. I am unsure.

Walsh: Mr. Chairman, Mr. O'Neill. Absolutely in the sense that when that public comment period starts, I will notify CIAC members and you will have public input obviously. If it's something the Chair would like to have added to the agenda that's completely up to you.

Ruiz: This is Alma Ruiz; we're getting a lot of feedback. If you are not speaking, please mute your microphones. Then when you raise your hand the Chair will acknowledge you and then you can unmute. Thank you all.

O'Neill: Thank you.

Chair Lorenz: That's better already, oh except Mark. There we go Mark. All right. Thank you very much.

4.2. Seven Year Report for Park Impact Fees

Chair Lorenz: Okay. Next we have the Seven Year Report from Park Impact Fees by Liam Beasley.

Ruiz: This is Alma Ruiz, senior office Manager again, I apologize. Delilah, do you still have a question, or do you just need to put your hand down?

Walsh: I'll put my hand down. Sorry.

Ruiz: Thank you.

Beasley: Good afternoon Chairman and Commissioners. I'm Liam Beasley. I'm an accountant with the City of Las Cruces Finance Section. Today I'm just going to be covering how we track the Park Impact Fees that are collected to ensure that we spend them in the timeframe that's required by our Development Code. The basic Park Impact Fee requirements is that

construction needs to be completed on a project no later than seven years after the Impact Fees have been collected. This period can be extended if the City obtains a performance bond. If that's the case, and it's no longer than seven years from when the construction period has started. The interest earned on Impact Fees that are held in an interest-bearing account are subject to the same seven-year restriction as the Impact Fees themselves. These are from Section 33 of our Development Code.

This is the spreadsheet I use to track the Impact Fees that are collected to make sure we're spending them in time. Basically, Impact Fees that are collected throughout the Fiscal Year are entered into the appropriate section for the Fiscal Year. Then at the bottom I have the expenditures, the amount that we actually spend on the Impact Fees. Then the net amount is the balance we have to expend. If Impact Fees are collected but not spent in that current fiscal year, then they carry forward to the right until they are fully spent. If we look all the way at the right-hand column for Fiscal Year 2021, this is up to date as of the end of October of this year. We had \$327,000.00 collected in Fiscal Year 2017, and those have been fully spent down as of October. Then between the Impact Fees collected in Fiscal Year 2018 through 2021, we have about \$4.95 million that we have left to spend down.

The bottom table is just the most important parts of that last spreadsheet, the summary. These are the amounts that we have left to expand. From 2018 we have \$1.2 million in fees collected that we have left to spend down, we have four years left for those. In 2019, we had \$1.65 million that we have left to spend down, and we have five years left on those. From 2020, \$1.5 million, six years left on those. Then currently in 2021 \$580,000.00 total, and seven years from the date of collection until we need to have spent those. This again totals to about \$4.95 million. Currently Parks has ongoing projects that are going to be using about \$888,000.00 of these Park Impact Fees. Then they have projects in the pipelines, so called like on the books projects for about \$1.35 million. Together these total to about \$2.2 million. If we take that into consideration, then all of 2018 will have been spent and most of 2019, there will just be about \$600,000.00 left. In 2020 we'll still have the \$1.5 million and the \$580,000.00 from 2021 to spend down. It just as a rough estimate there are about \$10.6 million in potential future projects that could occur.

Here's just a few other miscellaneous financial tidbits. Currently in the current Fiscal Year the budgeted amount for the expenditures are \$2.4 million. We've spent \$389,000.00 so far through October. We have \$44,000.00 in encumbrances. This gives us a remaining budget available of \$2 million. Again, from the previous slide on the current projects and the projects that are in the pipeline, we have about \$2.2 million of expenditures.

Now I'm going to turn it over to Catherine Matthews from the Parks Department and she's going to cover some of the specific projects that will utilize these impact fees.

Mathews:

Thank you, Liam. This is Cathy Mathews, Landscape Architect with the Parks and Recreation Department. I want to talk about a number of projects, those that are completed, those that are in the works, and those that are planned. Among the projects that are completed are a number of neighborhood parks within the Metro Verde Subdivision, including Metro Park Village Phase 3 park, a Tower Park, that is called the Tower Park, it's on Sirocco Avenue. Of course, this is in District 5. The Tower Park is so named because this is the piece of play equipment that has been installed there. This project expended Park Impact Fees to the tune of \$380,000.00

Among the other completed projects, our National Fitness Campaign Outdoor Gym 2, the second outdoor gym. This one was installed at 5589 Porter Drive at the East Mesa Recreation Center. Also, at Fire Station No. 5 in the same location. It's in Council District 6. The National Fitness Campaign Outdoor Gym 2, we expended Park Impact Fees up to the amount of about \$95,000.00.

Now to talk about projects that are in progress. Highland Park is a park that is located on Bureau of Land Management land that the City has under lease through the Recreation and Public Purposes Lease Program. It's located on Emerald Street North of Highland Elementary School. Of course, it's in District 5. We've completed design on this project, and we are preparing to go out to bid for a construction of this project. The total amount for this project from Park Impact Fees is \$873,800.00. The features that will be built include open play space turf area that is configured so that it can accommodate softball or baseball and also soccer. There will be walking trails, picnic facilities, and a small parking area to allow accessible parking for the facility.

The Pueblos at Alameda Neighborhood Park also known as Calle Abuelo Park is located on Calle Abuelo. A small one-acre park outlined in yellow on your screen sort of to the center of the right hand side, adjacent to the arroyo. This project is in District 6 as well. This project is very near completion we have a small amount of funding to still to expand and we will be spending \$15,000.00 approximately on adding play equipment to this park. It serves as a trailhead to access the adjacent BLM land, and also serves as a neighborhood park with picnic facilities and of course the play equipment.

The "On the books projects" include those that are ongoing at this point in time or about to get started. Among those are the Apodaca Park Aquatic Playground and Multi-use Path. This is located in Apodaca Park of course which is on Solano Drive, Solano and Madrid. It's one of our oldest parks and

has previously served as location for the swimming pool. It's in District 1 and the address is 801 East Madrid Avenue. The proposal for this project is to demolish the existing swimming pool and bathhouse, build a splash pad and aquatic playground and a restroom, additional picnic shelters, refurbish the existing playground, and construct a multiuse trail around the park that can connect to the adjacent neighborhoods. The City has received what's called an Outdoor Recreation Legacy Program Grant in the amount of \$750,000.00. That's through the Land and Water Conservation Fund, funneled to us through the State Parks Department. It requires a one-to-one match, and so the Park Impact Fees will be serving as the match for \$750,000.00 for that project.

Also, we are working on the planning for the East Mesa Public Safety area park located off of Sonoma Ranch Boulevard in District 6. The outline shows again a piece of Bureau of Land Management land which the City has leased through the Recreation and Public Purposes Lease Program. The East Mesa Public Safety Complex is located in the southwest corner basically of the property. The funding will be expended on these 350 acres. Okay, that's a little distorted but hopefully folks can get the picture, on the 350 acres currently under design is basically a sports facility funded through the General Obligation Bonds. What you see here is the master plan for that East Mesa Recreation Sports Complex. That project also includes a 10 acre, "Traditional park" which will include play equipment, picnic facilities, and trails. Also, in addition to the sports facilities will be parking and a road, and access pickleball courts and a restroom as well. The proposal at this point in time for the \$100,000.00 from Park Impact Fees is to provide a trail head either in conjunction with this Sports Facility or adjacent to one of the neighborhoods that will allow folks to more easily access the existing trails throughout their 350 acres.

Currently, we have designated on the CIP for PIFF expenditure \$500,000.00 for land acquisition, planning and design for Parks in District 5. We have spent quite a bit of time trying to work with a property owner on who owns this property on Central Road, and the intention was to use this funding to purchase a piece of property, approximately two acres within this subdivision that the owner was planning and then use whatever remaining funding was available or additional Park Impact Fees to design and construct that project. At this time negotiations with that property developer have fallen through. We were unable to come to agreement on a price for that land that met the City's requirements and also met the developer's requirements. We still have that \$500,000.00 designated and we continue to search for property that will be suitable.

Future projects that we have on this CIP and intend to expend Park Impact Fees include, in District 1 Albert Johnson Park electrical improvements. The idea is to bring the electrical system up to speed to be able to use it to

support holiday lighting in the park, and potentially also to support demonstrations or the like that do occur in that park. It seems to have become in recent years a focal area for the public to conduct their demonstrations. Also, in District 4 we are proposing Benavidez Neighborhood Park \$500,000.00. Benavidez Neighborhood Park has got a master plan and we are working towards implementing that. We've used State Capital Outlay funds to replace the play equipment, that is brand new play equipment with shade structure there. General Obligation Bond money will be used to improve the existing basketball court in the vicinity. General Funds have been used to install new trees and new irrigation in that park. This funding would be used to provide open play turf space and a baseball practice field in that park as well. In District 5 we are working with a couple of the subdivision developers, though the developer for Rincon Hills and also of course for Metro Verde, both of those subdivisions have requirements in their master plan that necessitate the construction of neighborhood parks in those subdivisions. We propose to use Park Impact Fees to accomplish those design construction projects. Also in District 5 Chandler Tank located on Sonoma Ranch Boulevard is a stormwater management facility which also has a master plan that the neighbors have approved and are interested in seeing implemented and the \$500,000.00 will be expended on that, making that into a multiuse facility, stormwater retention, and also recreation.

The other projects include Four Field Baseball Softball Complex, that's in the future, Multiuse Recreation Center of which the City is in desperate need and is called for in our Parks and Recreation Master Plan. Additional multi-use field lighting, potentially soldados or other sports fields could benefit from a lighting so that those facilities can be used into the evenings. Waterfalls Park is again another proposed multiuse facility. It's a stormwater retention facility on the East Mesa, and the proposal is to make that into a park as well. Also, Sand Volleyball Courts, a relatively small amount of money could go a long way to helping out our volleyball community having more facilities to play. Then also Laabs Pool needs shade structures to help make that facility more comfortable and usable for folks. I don't have a final slide asking for questions, but at this point in time, I would be happy to answer any questions that you may have. Thank you very much.

Chair Lorenz: I think Mr. O'Neill has his hand up.

O'Neill: Hello, Cathy, how are you?

Mathews: I'm very well thank you very much.

O'Neill: Worked with you for eight years on Park and Rec or at least as long as you were there, we worked on a lot of these projects, especially District 5. Thank you for your detailed presentation. I like the idea that you tell us where the money comes from for all the different projects. Thank you so much for that.

I do have a couple of questions. I know going around my District, at the time was District 5 and so we worked hard on a lot of these things. I toured the District with Gill Sorg and others to present ideas to the to the Park and Rec Board. On slide 10 I know one of the things we worked hard on was that National Fitness Outdoor Gym that we put in at Apodaca Park. Now I see there's two more that have been put in. Is that correct or just one more?

Mathews: Mr. Chair, Mr. O'Neill. This is Cathy Mathews. Actually, we have only two outdoor gyms. Of course, the first outdoor gym was at Hadley Recreation Complex.

O'Neill: Exactly.

Mathews: Right. Right. Adjacent to Meerscheidt Recreation Center. This picture represents a second one that was installed at the East Mesa Recreation Center on Porter Drive. It's in District 6, but it's right on the edge with District 5.

O'Neill: Okay. Was there any, I know we thought grant money for the first one at Hadley. Was there any grant money used on this one or do we have any grant money for future outdoor gyms?

Mathews: Mr. Chair, Mr. O'Neill. This is Cathy Mathews. No, we do not have additional grant funding. The Firm National Fitness Campaign, it's actually a firm, they can offer discounts and so we could take advantage of those kinds of discounts that this firm offers should the desire arise for an additional outdoor gym.

O'Neill: I was pleased that we did get grant money from the state parks for the outdoor recreation grant. That's fantastic. Do you put in for those grants or someone else in department does that?

Mathews: Mr. Chair, Mr. O'Neil. It's a group effort. Absolutely we work very closely with the folks in our grant section who are invaluable at seeking out funding and making sure our grant applications are as strong as possible. Typically, on every single grant application many people contribute.

O'Neill: Thank you. I'm very happy that our community has so many parks and available facilities for the community. Thank you for your presentation.

Mathews: Thank you sir.

Chair Lorenz: Mr. Suttmiller. Any questions? Mr. Roberts.

- Roberts: Yes, actually, I've a couple of questions. For the projects that are already in progress, is there an estimated completion date on those? Then for the ones that are in the books what's the estimated time for construction to begin on those, if you have that information?
- Mathews: Mr. Chair, Mr. Roberts. This is Cathy Mathews. I apologize, I do not have that information right off hand, but I can compile that and get it to you as quickly as possible.
- Roberts: Okay. No rush on that. I would like to see it, but you know, no rush.
- Chair Lorenz: Mr. Newby. You had your hand up. Did you have some questions Mr. Newby? There you go.
- Newby: Yes. Thank you. I have a question for Liam on his slide number three, on the seven-year tracking if could bring that up. That'll do. Liam, thank you very much for putting these spreadsheets together. Also, thanks to you and Cathy for ... I do a lot of PowerPoint slideshows too and I know it takes extra work to make them very readable at any scale, so really appreciate that. Just one quick question on this slide, on the final line on the balance to expend, am I interpreting that correctly, that each year the balance continues to go up to the current point now, it's just about at \$5 million.
- Beasley: Mr. Newby. Yes, that's correct. In the previous meeting that was one of the concerns that spurred this whole discussion is that the fund balance for Park Impact Fees has been going up and up and we wanted to be sure that we were spending the funds in time to avoid having to issue refunds after they've been collected.
- Newby: Yes, because it'd be a shame to have refund that. Is there any plans in place, and I don't know if this is for you or Cathy, to speed up the process to make sure that won't happen?
- Mathews: Mr. Chairman, Mr. Newby. This is Cathy Mathews. Yes, we are very cognizant of the requirement to expend these funds within in a timely manner. We put forward our plans that we make our CIP or Capital Improvement Plan every year outlining the projects that we intend to move forward with. We've got currently identified as future projects; over \$11 million worth of projects identified. We have no shortage of projects on which to spend these. We do work as quickly as we can given that these projects that I've outlined here are only a portion of the projects that we actually work on that are funded from other places as well in addition to Park Impact Fees. Like I said, we're very cognizant of the deadline and the importance, the critical nature of expending these funds within the appropriate time frame and we do our very best to make that happen and have not failed yet.

Newby: To some extent it's a pleasant problem to have, to have more money to spend than seems to be possible. I voiced his concern on two previous meetings and the trend line is pretty clear that we now have \$5 million sitting unused. Then if you look at the percentage gains in each of the years, percent that it's going up, if you understand trend lines, the trend line is not good because the amount unspent continues to increase. Listen I get it, you know, this is only part of your job. You know developers and the owners have spent their money and I would just hate to see any ever go back because we can't get enough projects done.

Mathews: Yes, sir. I completely agree with you. Thank you.

Newby: That's all I have

Chair Lorenz: Thank you Mr. Newby. This is Jason the chairman. My question is also for Liam on the same spreadsheet, what are your yellow checkmarks there for?

Beasley: Those were supposed to show as the Impact Fees collected in a certain year carry forward to the right, when they're finally fully spent, is supposed to be a checkmark right next to those, but just because of the formatting, they kind of got misplaced. If you look all the way at the right that check mark should be right next to the \$327,000.00.

Chair Lorenz: Okay. I understand it does appear that let's say we went back to Fiscal Year 2013. It took us five years to spend that money and that was all gone by Fiscal Year 2017. It seems that that trend continues. We're taking about five years to spend this, our danger line is seven years, so it seems like we have a couple of years to play with. Thank you for bringing this presentation to us because this did answer my question from last meeting. I appreciate you putting together such a great presentation on all of it and bringing Cathy along to tell us about what the future holds. I know Sonya's has got her hand up there and I'm sure she's going to make sure that this money gets spent before we have to attempt to give it back. Sonya, do you have anything to add here?

Delgado: Yes, Mr. Chair, Members of the Board. Sonya Delgado, Parks and Recreation Director. Yes, we will make sure those funds get spent. We do have quite a few projects. We have a lot of developers that are working on parks right now, we've got a lot of agreements going to the queue. Those will start spinning out and we're spending about anywhere between \$400,000.00 and a little over \$500,000.00 for each one. Those are going to catch up to us here really quickly. Sometimes when they come in rather quickly, it depletes our numbers, and we don't have enough money and we have to wait a little bit to get enough money to do a project. Now that we've had a little bit more money, we're able to kind of move things around a little bit better. We do have a plan to get that spent. We're very mindful of those years. Like Cathy

said, we haven't had to pay anything back. We're not planning to do that anytime soon because we have a lot of things we need to get done and this is only one set of projects.

I'd also like to mention that we get projects sent to us very regularly. Just a couple of days ago I was in a meeting, we will be receiving another Outdoor Fitness Park from AARP, it's going to be a senior outdoor fitness park. I am charged right now to find a location and to get all that paperwork put together and have it in front of Council in the next month and a half or so. We're going to have it by May. That shoots up to the top of our list right away so that we can get that done. Then I've got a couple other individuals that are sending stuff to us to get things done as well. We try and take care of them as quickly as possible, but we are very, very mindful of that seven years. We will make sure we get that spent. Thank you.

Chair Lorenz: Thank you Sonya. Thank you, Cathy, and thank you Liam. Mark, did you have more, or did you just not put your hand down yet?

O'Neill: No, I was going to ask about on page 21, about the land acquisition and the planning for those public funds impact fees of half a million. I imagine that's all in this same book. I guess we still have, we have seven years for that. I didn't know how soon we will know what we can do there. I just had a concern about those monies, but I guess as you've reported, we can always extend if we need to extend so I don't think we have a problem there. I think Cathy and Sonya answered that question. Unless you have any other comments about that, I was just concerned about that, because that seems like it might take a while.

Mathews: Mr. Chair, Mr. O'Neill. This is Cathy Mathews. The funding is designated and CIP for District 5 for expenditure on land acquisition and that's what we intend to do. I just want to note that this particular neighborhood really does need parkland, kind of desperately. It fits within our Parks and Rec Master Plan to include parks within a 10-minute walk of all residential areas. That is our absolute goal. This is an area that needs it, so we are very focused on trying to make that happen with this money.

O'Neill: Thank you so much. That's all I have.

Chair Lorenz: I'm anxious to see that Chandler Tank project happen because that thing is a tumbleweed eyesore.

5. Old Business:

Chair Lorenz: For Old Business on our agenda we have none.

6. Public Participation:

Chair Lorenz: I'm glad to report we have public participation. How do we do this on Alma?

Ruiz: Alma Ruiz, Senior Office Manager for the Utilities. I did see a hand but now it's down. Mr. Shervanick were you going to participate? If so, raise your hand please. There he is. Okay.

Chair Lorenz: There he is, Gregory Shervanick.

Shervanick Yes. Good afternoon. My name is Gregory Shervanick. That's spelled S-H-E-R-V-A-N-I-C-K. Thank you, Chairman and Committee Members for allowing me to speak to you in public participation. My comment is informational. In August 16, 2018. This is prior to your tenancy chairman. The project was delivered to this committee by Cathy Mathews, Parks and Recreations Department for the Nevada Cool Corridor. The day prior to that, August 15, 2018, the Sun News had a story concerning the same Nevada Cool Corridor, with a price tag listed at slightly over a quarter of a million dollars at \$250,000. Sometime between when Ms. Matthews brought this presentation to the committees in 2018, it was not a CIP project. Mr. O'Neill would have the most information concerning his project as he sat as the chairman of the board for Parks and Recreation Department when it was presented to them on that same evening of August 16, 2018. Sometime between 2018 and 2019 the project was still listed on the City's budget under fund number 4400 for slightly over \$400,000.00. Currently it is listed on the City's budget as a CIP. On Monday, November 16th of this year, Leeann Demouche from the budget department gave the City Council the actual cost at this time of being \$2,286,369.00. That's quite a jump for a CIP. Although I am reticent in terms of the details of this particular project and how it was brought forth by the City and then constructed, which isn't even completed yet, I would hope that this committee will look into this particular fund 4400 and ask some questions as to why the price became inflated from \$400,000.00-plus to now over \$2.2 million. I respectfully thank you very much for this time. Please be safe and wear a mask.

O'Neill: Thank you.

Chair Lorenz: Mr. Shervanick I think you have a very valid question. As a Committee who is to provide oversight on Capital Improvement Projects, I take that request seriously. Thank you very much. We will look into that. Next is Board Comments. Do we have any board?

Ruiz: Chair Lorenz. This is Alma Ruiz, Senior Office Manager for the Utilities. It looks like Mr. Shervanick still has his hand up. I just want to verify that his public comments are over. Okay, he just put his hand down. Thank you.

Chair Lorenz: I have Mr. David Sedillo with some comment.

Sedillo: Thank you Mr. Chair, Board Members. David Sedillo, Public Works Director. Hopefully, I can share some information with you regarding Mr. Shervanick's question. The price tag on the Nevada Cool Corridor is not \$2.2 million. The \$2.2 million is associated with a flood control fund that Public Works oversees. That fund distributes monies to different projects. The Nevada Cool Corridor did not jump from \$400,000.00 up to \$2.2 million. Part of the funding that went towards the project came out of that fund. Mr. Shervanick is correct. Right now, the project is in the final closeout phases. Construction is completed. We are in the closeout phases, the final inspection has been done, punch list has been issued, so that's where the project is at this time. I just wanted to clarify that the project itself did not jump up in funding that much. That's just one of the funds associated with the project.

Chair Lorenz: Mr. Sedillo would you be the right person to report back to us what the total of that project was.

Sedillo: At this point in time, we're still waiting on the final invoice, but I can let you know what was budgeted for the project. Let me pull it up right quick. The purchase order associated with that project is for \$562,547.29. Now please keep in mind, we added a pavement replacement to the project that was not associated with the original project. Because we were going to have the project go in, we looked at the project itself, the roadway Nevada, it did have some maintenance that was coming up, so we felt it best to include that pavement replacement project while we were already there as to not inconvenience the public a second time within a year or two. That's why the project went up in price as well too. It had nothing to do with the monies that were already set aside for the Nevada Cool Corridor. Those monies came separately.

Chair Lorenz: I can certainly understand how orders during a project can affect your total budget, so I appreciate that. When that project has completed and the final budget is turned in, the final expenditures turned in, I would appreciate some notice on that.

Sedillo: Yes Mr. Chair.

Chair Lorenz: Thank you Mr. Sedillo.

Sedillo: Thank you.

Chair Lorenz: Is that all you have for us?

Sedillo: Yes, sir.

Chair Lorenz: Mr. O'Neill. You have your hand up?

O'Neill: Yes. I remember this coming up to our Park and Rec Board and we had a full house of neighbors there. It was a robust discussion to say the least. I'm concerned about this too, but I think it's been well explained now that Mr. Sedillo and I was going to ask that to be put on the agenda, but I'm not sure, we just need an update from staff I guess on the total amount. I think that we have pretty close to that as well. I don't know if we need to take it further. Hopefully, this satisfied Mr. Shervanick. Thank you for bringing this up as I'm glad we discovered what went on and the amount of cost. That's all.

Chair Lorenz: Thank you Mr. O'Neill. If you or Mr. Sedillo are done with your comments, please put your hands down. Thank you very much.

7. Board Comments:

Chair Lorenz: Next on our agenda is Board Comments. I don't see anybody's hands up. Is there anybody that has Board Comments?

Ruiz: Chair. This is Alma Ruiz, Senior Office Manager. I missed my opportunity for public participation. Can I go back?

Chair Lorenz: Absolutely.

Ruiz: Thank you. I just wanted to give you all information that our public outreach consultant Ms. Cassie McClure will be reaching out to each of you because we would like to feature the CIAC Members in an article. We did this recently for the Las Cruces Utilities Board. Just to give the public information about who serves on this committee, what you think of our committee. If you don't mind, if you guys are amicable to being interviewed and having a headshot, I can have Cassie contact each of you accordingly.

Chair Lorenz: Fine with me.

O'Neill: Fine with me, Alma.

Ruiz: Great, thank you.

Chair Lorenz: Okay, Mr. O'Neill, you have your hand up again?

O'Neill: I didn't quite hear you, are you calling on me sir?

Chair Lorenz: Yes, sir.

O'Neill: Okay, I wasn't sure. I didn't want to talk over anyone. As Board Member comments, I did submit an item to be put on a future agenda, but it's questionable as our Chairman pointed out whether that comes under the purview of our Board here. I think it might, I'm not sure that it doesn't entirely. I'm going to try to get some more information, and maybe I can talk to the Chairman about it. If it does relate to our Board, and we can do

anything about it, and I talked about it at our last meeting under Board Comments, so maybe we can get that on the agenda. First, we'll make sure that it's appropriate. If that's okay with you, Mr. Chairman.

Chair Lorenz: I'd love to understand it a little bit better so I can help make that determination. Thank you for submitting that as a request. Yes, any information you could share, if it's pertinent, I'd love to have it on there. I think health and safety is at the front of all of our minds these days. If we can do something to make sure somebody gets in the right place to support that effort, I definitely support that. But I am pretty big about staying in our lanes and making sure that the topics we deal with are the ones we should be dealing with. Any other Board Comments?

O'Neill: Thank you.

Chair Lorenz: I hear nothing from the rest of the Board, so I will assume that will be it.

8. Next Meeting Date: December 10, 2020:

8.1. New Business:

a. Utilities Department Impact Fee Update

8.2. Old Business:

Chair Lorenz: We do have a meeting on the calendar for December 17. I am kind of leaning towards cancelling that and meeting in January. Does the rest of the Committee have any opposition to that?

O'Neill: I have none.

Chair Lorenz: I see forehead shaking. Okay. Alma if you would please get that cancellation notice. I'm not sure if we have to wait till next month to cancel it, but I don't think there's any point in meeting in December.

Ruiz: Alma Ruiz, Senior Office Manager for the Utilities Department. No, we don't have to wait until December. We can go ahead and process that. Thank you.

Chair Lorenz: Great.

9. Adjournment:

Chair Lorenz: With that we're adjourned. I will see you all after the new year. Please stay healthy.

Chairperson