

# CITY COUNCIL AGENDA

Mayor  
Ken Miyagishima

Mayor Pro Tem  
Kasandra Gandara

Councilors  
Tessa Abeyta  
Becki Graham  
Johana Bencomo  
Becky Corran  
Yvonne Flores

**Monday, April 17, 2023 at 1:00 PM**

**Council Chambers**



**City of Las Cruces®**

**CITY HALL  
P.O. BOX 20000  
LAS CRUCES, NM 88004**

**700 N. Main St.  
PHONE (575) 541-2067**

If you need an accommodation for a disability to enable you to fully participate in this event please contact us 72 hours before this event at [541-2115/V](tel:541-2115).

## CONSENT AGENDA

Minutes and Items on the Consent Agenda Are Considered Routine Items and Will Be Voted on with One Motion Unless a Councilor Requests That a Specific Item Be Removed. There Will Be No Discussion.

Page

### 1. OPENING CEREMONIES

- 1.1. Pledge of Allegiance - Councilor Bencomo.
- 1.2. Pets of the Week.
- 1.3. Jobs of the Week.
- 1.4. Presentation of Certificates of Appreciation/Proclamations - Councilor Bencomo.

### 2. CONFLICT OF INTEREST INQUIRY BY MAYOR AS REQUIRED BY LCMC SECTION 2-27 (E)(2)

### 3. PUBLIC PARTICIPATION

### 4. ACCEPTANCE OF AGENDA

### 5. CITY COUNCIL MINUTES

- 5.1. Regular City Council Meeting of March 20, 2023. 3 - 30  
[City Council - Mar 20 2023 - Minutes - Pdf](#)

### 6. RESOLUTION(S) AND/OR ORDINANCE(S) FOR CONSENT AGENDA

### 7. RESOLUTION(S) AND/OR ORDINANCE(S) FOR DISCUSSION

- 7.1. RESOLUTION NO. 23-114: A RESOLUTION AUTHORIZING AN AMENDMENT TO THE FY2023 BUDGET FOR THE STATE-SHARED GROSS RECEIPTS TAX IMPROVEMENT REVENUE BONDS, SERIES 2023 (SSGRT BONDS, SERIES 2023). 31 - 36

[Resolution No. 23-114 - Pdf](#)

- 7.2. RESOLUTION NO. 23-115: A RESOLUTION AUTHORIZING THE CITY OF LAS CRUCES (CITY) TO ACCEPT THIRD-QUARTER BUDGET ADJUSTMENTS FOR VARIOUS CITY DEPARTMENTS THROUGH AN AMENDMENT TO THE CITY'S ADOPTED FY2022-23 BUDGET, THE FY2023 CAPITAL IMPROVEMENT PLAN (CIP), AND THE FY2023 VEHICLE ACQUISITION FUND (VAF) REPLACEMENT LIST. 37 - 77

[Resolution No. 23-115 - Pdf](#)

8. **BOARD APPOINTMENTS**

9. **NOTICE OF PROPOSED ORDINANCE(S)**

- 1) There will be no public discussion.  
2) A Councilor may ask staff for clarification on the proposed ordinance(s).

- 9.1. COUNCIL BILL NO. 23-024; ORDINANCE NO. 3030: AN ORDINANCE APPROVING A ZONE CHANGE FROM A-2 (RURAL AGRICULTURAL DISTRICT) TO C-3C (COMMERCIAL HIGH INTENSITY-CONDITIONAL) FOR PROPERTY LOCATED AT 4003 TELLBROOK ROAD. SUBMITTED BY RAYLYN AND LEZLIE WILCOX, PROPERTY OWNERS. 78 - 169

[Ordinance No. 3030 - Pdf](#)

10. **CITY COUNCIL MEMBER BOARD REPORTS AND COMMENT**

11. **CITY MANAGER REPORT**

12. **ADJOURNMENT**



# MINUTES

## City Council Meeting

1:00 PM - Monday, March 20, 2023

City Council Chambers, City Hall

---

The City Council of the City of Las Cruces was called to order on Monday, March 20, 2023, at 1:00 PM, in the City Council Chambers, City Hall, with the following members present:

**PRESENT:** Mayor Ken Miyagishima, Councilor Kasandra Gandara, Councilor Tessa Abeyta, Councilor Becki Graham, Councilor Johana Bencomo, and Councilor Becky Corran

**EXCUSED:** Councilor Yvonne Flores

### 1. OPENING CEREMONIES

#### 1.1 PLEDGE OF ALLEGIANCE - COUNCILOR ABEYTA.

#### 1.2 PETS OF THE WEEK.

Amy Defelix, Animal Services of the Mesilla Valley presented Pets of the Week.

#### 1.3 JOBS OF THE WEEK.

Irene Parra, Economic Development presented Jobs of the Week.

#### 1.4 PRESENTATION OF CERTIFICATES OF APPRECIATION/PROCLAMATIONS - COUNCILOR ABEYTA.

Councilor Abeyta presented a proclamation to Virginia Beck and David Acosta for National Surveyor's Week.

Presentation by the Optimist Club honoring the School Resource Officers with the Optimist International Law Enforcement Award.

### 2. CONFLICT OF INTEREST INQUIRY BY MAYOR AS REQUIRED BY LCMC SECTION 2-27 (E)(2)

#### 2.1

None.

### 3. PUBLIC PARTICIPATION

#### 3.1

Dr. Earl Nissen, Member of the Public said the first thing is I want to mention is that the Mayor has notified the Oversight Committee that there won't be a Work Session because as he says, I am sorry but there is not enough support, referring to the City Council to hold a Work Session on this issue. If we had, I would have brought up the first handout which is Police Oversight in the United States. This just quickly introduces you to the National Association for Civilian Oversight of Law Enforcement

## Agenda Item #5.1.

that is like a gold standard for police oversight committees and review boards across the country. If you look through some of these, you will they have been in existence for a long time. The statement that they don't work can't be given because of all of these are very active boards. There is a third one called claims paid by the Dona Ana County and City of Las Cruces for police misconduct. I did an inspection of public records and I came up with this, that the Dona Ana County Sheriff's Department which has approximately 160 officers in four years there were nine claims for a total of \$10,710. For the City of Las Cruces there is approximately 170 officers, there were 48 claims filed against officers resulting in over the four years claims paid out over \$17,421,000. In the four years that I looked at Dona Ana Sheriff's Department did not have a single police shooting resulting in death. The largest amount that was paid out was to the Valenzuela Family for \$8 million.

Mayor Miyagishima said one thing I would like the public to understand is the City of Las Cruces is self-insured. So, when we pay a claim, everything is registered. Dona Ana County Sheriff's Department although a very professional police organization is actually insured by Multiline Insurance Authority. Therefore, when they have a claim it is actually paid by a third party and that is how those are paid. You are not going to find through an information act because it is paid by a third party. So, what little bit that you are showing here are probably small incidentals that they would rather not even file with their insurance company and that is why there is such a huge disparity.

Diana Salgado Dow, Member of the Public said I am a professional licensed counselor here in the city. I would like to speak to you about the topic of domestic violence. Through my work and living in Las Cruces I have seen that the victims of domestic violence get ignored when calls for help are made but not in the way you might think so. We have a responsive and professional police force and programs which can help so let me explain. Most DV calls are not one-time occurrences. The officers see the same people over and over not noticing or understanding the trauma that goes on before the officer knocks on the door or they arrive on the scene. The officers follow protocol of de-escalation and make arrests if there is evidence of bodily harm. Otherwise, they fill out a report and nothing is done because they can't do anything about two adults choosing to fight. The cycle of violence goes on. Children and families have told me of their hiding in the bedroom. Police are called by neighbors, children are warned not say anything in fear of being taken away and parents don't tell on each other for same reason. In another DV case we found out the gentleman was raised in foster homes, group homes, hospitals after being taken from his parents as a child. The traumatized by removal from the home and later systems of restraints and punishment. He did the same to his partner. He lacked healing and emotional regulation skills. Two consenting adults labeled as domestic violence with over fifty documented calls for help had no prosecutions. No treatment for the individuals. I pray that they get help and change the ending if their story before it is too late. I have also seen the positive effects of mandated interventions of DWIs, therapy for parents, children of child abuse. We have good programs. We want to keep families together. I also pose a question to you for your consideration. How can we connect the services we offer in this community with the need for intervention? Allowing the fighting to go on and not have consequences of treatment is just not right. The city's individuals that have been involved with are in the database. Let's just connect the dots of all these people and all these events that is multiplying to get

## Agenda Item #5.1.

them help and take down the barriers of those who are involved in domestic violence and labeled as such.

Mayor Miyagishima said you will be happy to hear that the District Attorney Gerald Byers and the City of Las Cruces are working together to see how they can assist and maybe even adding some staff here in the city to assist with the DA regarding domestic violence.

Antonio Lujan, Member of the Public said I am here in the capacity representing Las Esperanzas, a grassroots organization that has been in existence for 25 years. Our proposal is to conduct the study to reduce Lohman and Amador by one lane. A half a lane on each side, therefore making room for pedestrian traffic, bicycles and also shade. There are some businesses circulating petitions as well as some people in the neighborhood that support this effort. I would just ask that the city give ample consideration to this proposal, and you certainly have the support of Las Esperanzas. I believe we are in talks with AARP as well. They will be able to assist us. In the short period of time that we had we were able to come up with a short sketch of what we kind of envision. I really do ask for your consideration in this issue it is very important to the quality of life of those of us who are on the middle of those two streets, especially in the evening and the drag racing that goes on.

Mayor Miyagishima asked did I hear you say half a lane on each side or a lane on each side? This shows two lanes.

Antonio Lujan said what we did was we measured was one lane, the size of that and taking into account ADA sidewalk requirements and then we tried to get more or less an approximation of what it would look like. So, it would be two lanes and the rest would be reserved for pedestrians and the rest would be in accordance with the ordinance that the city has adopted on complete streets.

Mayor Miyagishima said I thought I heard you say earlier half a lane on each side. It is four lanes right now.

Antonio Lujan said I believe it is three lanes.

Mayor Miyagishima said Lohman and Amador are four lanes right now. Let me look at this and I think you said you were looking at Main to Solano, knowing that from Solano up until Telshor leave it the way it is. You are just talking to Main Street. That is an interesting concept.

Antonio Lujan said just to note that after Solano the street narrows there. We are the ones who really get the bulk of the traffic.

Dolores Archuleta, Member of the Public said I am member of Las Esperanzas and have been one for a long time. Whatever you can do for them it would be appreciated it. I bring with me this book that was written by the late Patrick Beckett that he wrote and published in 2003 and the whole book is about 1881 and that is when the railroad came to Las Cruces. I was on the City Council at that time. It says, to Dolores, the

## Agenda Item #5.1.

Mesquite District today looks much the same as it did in 1881. If he thought that was a compliment to us, he was wrong. It took a long time to get the things that we wanted done. For example we have the Klein Park. That land was donated to us. I grew up and was raised there in the Mesquite Historic District. Of interest to the Police Department because they have been in the news recently, they were also created in 1881 and that was because the railroad brought a lot of problems to the city. There was no money to pay for the Police Department. What they did was ask people to donate money every two months and they could pay the salary of the two police officers that they wanted. There is no mention of training or uniform. I think they just put a badge on and a gun. So, the Police Department has come a long way.

Juan Garcia, Member of the Public said today I would like to talk about political hypocrisy and arrogance from one of our councilors at the 6th March Council Session, "we are coming for you next Pistol Pete, whether people like it or not". The councilor is going to impose her progressive socialist views on the citizens of Las Cruces, whether they like it or not. Progressive or aggressive ideology reinvigorates racial divisiveness and victimhood, key elements for social justice. What is she coming after next? The three crosses? Another councilor, "how dare we go to a bunch of non-indigenous people to see if the word squaw was offensive". So, my question is, how dare we ask residents, homeowners, taxpayers who have purchased land from you, the city government to weigh in if their street should be renamed because our council is on a history cleansing crusade? The death of indigenous women or any innocent person whether they are attributed to words such as squaw or under the cover of terms like reproductive health is horrible. Where is the call for social justice to stop the mutilation and barbaric deaths occurring here in Las Cruces in abortion clinics? That won't happen because termination of innocent babies is a fight for the greater progressive cause. There is already three abortion clinics here in Las Cruces so the Governor is giving us one more to keep the industry of death alive and well. Another councilor was focused on removing the bias that could arise when attempting to erase or rewrite history. Across the nation progressives now use the Alinsky's Tactics on history. The target or the formula was, pick a target, freeze it, personalize it, and finally polarize it. It is no longer reserved for living people. Historical figures and even episodes in Las Cruces receive this same treatment. History and progress are linked. History tells us of the story of progress and progress is possible by studying history and in some cases learning from past mistakes not by erasing. Progressives are determined to destroy not just statues but historical memories because they know American history is incompatible with their goals.

Michael Potts, Member of the Public said I have just returned from a month long family emergency in Virginia and I come around and abouts and find that this council has made the most gregarious grab for power that I have seen in a long time. You have tried at times to school us council on how the government works and I would just like to expound on that. Since what you have been faced with is the deaf ears and they haven't listened to you at all as to how to properly govern Las Cruces. During that time period when I was gone, I seemed to have missed a meeting where the City of Las Cruces gave this council the ability to be the moral voice of Las Cruces. I seemed to have missed the meeting that Las Cruces gave this council to be the censorship committee of Las Cruces. You know we have faced this before and I just want to say to this council that this is the United States of America, and we are a

## Agenda Item #5.1.

Constitutional Republic with representative type of government and if you have had the opportunity to read the preamble to our constitution you will know it starts with “we the people”. We have the power to appoint or elect you and do what we want you to do. You are not around at vast there to make your own personal agenda and decide what you want to do. You are supposed to listen to us, we the people. We are your boss. Last year we talked about Squaw Mountain Drive and that decision was already made and now it has come up again. I want to remind this council that these are the things that you have caused the people on that street to have to do. The driver’s license and other DMV registrations have to be changed, social security documents have to be changed, bank accounts have to be changed, relatives have to be notified of the street change, electric company has to be notified, loan holders including mortgage companies need to be notified, professional alumni organizations have to be notified. These are the things that you are putting on the people that you represent through. As far as I am concerned you should be ashamed at the way you are treating your constituents.

Sarah Smith, Member of the Public said one of the agenda items today designates areas around El Paseo, Solano and West Picacho as Metropolitan Redevelopment Areas because of the fact that these areas are blighted with problems related to “infrastructure condition, public services, crime, housing conditions, etcetera”. By designating these areas as Metropolitan Redevelopment Areas the city would be able to facilitate improvements to these areas, but I am concerned that these improvements will only be superficial and not change the overall trends. If the current property crime, vandalism, drug usage and homeless situation are not improved these areas are likely to just decay all over again. Downtown Main Street was given as an example of where the city has successfully redeveloped an area and I agree that Main Street does look better now. However, numerous business owners from that area have come to this council to report that they are suffering frequent broken windows, robberies, public urination, and other issues. You may recall the owner of the yoga studio who was here a couple of months ago and told you that one of her teachers had been attacked with rocks thrown at her car and threatened, “I am going to rape and kill you”. As you know El Paseo, Solano and Picacho are areas that are undesirable for businesses and homeowners not just because they look run down but also because of high criminal activity, drug usage and homelessness in those areas. When I have asked about whether the city can address substance abuse as one of the root causes of these problems I have been told that the city does not have the funding to make the strides needed in substance abuse treatment. Yet in today’s meeting you are allocating nearly a million dollars to the film industry and I have seen many millions of dollars being allocated to other projects that are not nearly as critical to the overall wellbeing of our safety of our city and substance abuse treatment. Rather than waiting for the state to fix this issue it seems that perhaps the City Council needs to consider prioritizing substance abuse treatment over other projects. Even if it means stopping the funding of other projects in order to save up the money needed for substance abuse treatment. Perhaps some of the Covid Relief funds could be directed towards this since a case could be made that substance abuse increased during the pandemic. It seems like the city needs to take a hard look at other projects to see where funding can be redirected. Las Cruces could pave the way in this by making a commitment to stop or reduce funding to some other areas until substance abuse is adequately handled. This would be responsible stewardship of the money

## Agenda Item #5.1.

that the City Council has been entrusted with for the good of this community. Las Cruces' children, families and businesses are counting on you to make our community a safe place to live and work and I urge you to prioritize substance abuse treatment.

Martha Beerman, Member of the Public said I live on the one block street called Squaw Mountain Drive. This statement is about race-baiting and race-mongering. As a woman of 100% Mexican heritage, I am absurdly branded by race-baiters and race-mongers as a woman of color. Even though you can see that I am white I am genetically 32% Native American. I have lived on Squaw Mountain Drive for 16 years and like my neighbors who include others of Mexican heritage and are Cherokee Indian I do not want my street name changed. Most of the residents told you that last year. The Cambridge Dictionary describes race-baiting as the act of intentionally encouraging racism or anger about issues related to race often to get a political advantage. The example in the dictionary the sentence calls him a race-baiting demigod who tried to fan racial hatred. Wiki Dictionary defines race-monger as the one who causes or fuels racial or ethnic tensions or one who often uses racial arguments or references in context where there are perceived to be less or not relevant. Race-baiters and race-mongers in the Las Cruces community especially the City Council should know that we are on to you and you are going to be widely exposed for what you are now and at election time.

Richard Reynaud, Member of the Public said I am following the same thinking as what they have been bringing up about changing history. July 15, 2019 Las Cruces City Council meeting really changed my life, I wasn't here I saw it on video. It was so insulting to history, I talked to people who were on the committee. Renaming Motel Boulevard, to Pat Garrett Boulevard. It didn't pass. Pat Garrett's wife, Apolinaria Garrett, their daughter Elizabeth Garrett who wrote the state song but now it's like the city council decided they are not important. They are associated with the big bad white guy with a gun. We see it at the school board. Renaming Onate High School, just ignorance and in the end they named it Organ Mountain High School. Onate's expedition named the Organs, Los Organos. So, you are back to where you started.

Randy McMillian, Member of the Public said I couldn't help but notice the condescension and the arrogance that I saw in many of our council people as people that you disagree with spoke. It was disgusting. We are people too okay. We have feelings and the way you sit up there in arrogance, I am going to complement you Mayor you didn't, you listened and Becky you didn't either. I appreciate that. I am here to talk about another issue. Issue of homelessness in our community. I am a commercial real estate broker here in Las Cruces and this is an email I got from a client this past week. Just so you know and see what is going on we now have incidents at two locations in Las Cruces. I tried to talk to the owner of your company about what is going on the property we were hoping to buy there in Las Cruces and he is so fed up with this mess that he won't even consider it and he said I don't know why we own anything in New Mexico. You all asked for a job. You all asked to be elected. You said you had smarts. You said you had ideas. You said you had leadership abilities to fix our problems. You have completely failed on this issue. We have large investors telling us today they are not going to come to our market. I sent this email to the Mayor and the City Manager, and I am not sure which one of you did something but one of you did and I want to thank you for that. They sent me another

## Agenda Item #5.1.

email and it said Randy they did address the problem but we are still not willing to come to Las Cruces at this time. I have been accused of complaining and not having any ideas. My time is up but I would like 45 seconds to read eight ideas about the homelessness. 1. Provide housing for those who are physically and mentally unable to work. Our current housing program which are costing us between \$200,000-\$300,000 per unit is not the answer to this problem. It is making a lot of nonprofit people rich, but it is not creating the homes that we need. 2. Require people to work and provide jobs to those people. Doing work for the city that the city needs, and I know some of that is being but we need more of that to be done. 3. Pay people a living wage and take half of that money.

George Pearson, Member of the Public said I came for an agenda item but the presentation from Las Esperanzas, I want to speak to that. That idea goes directly to the things that we have been talking about, pedestrian traffic safety. The Lohman-Amador Corridor was way over built especially between Solano and Main Street so looking at that as a project would be a great thing to do. You had Chuck Marohn here two years ago and one of his thoughts, the Strong Towns idea is listen to the community for what they want. Then go and figure out what you can do. The smallest incremental thing you can do then go do it and then repeat the process. Addressing this issue is a good idea and needs to be included in the projects we are working towards.

Jennifer Garcia-Kozlowski, Executive Director for Downtown Las Cruces Partnership said first I want to say thank you for what you guys do. I know it is not easy especially hearing us on a regular basis when we get up to complain. However, I am here on a good note. I just want to be able to say that Downtown Las Cruces Partnership and our Las Cruces Art and Cultural District is very supportive of the presentation that Mr. Lujan brought to you to see. We do see that something helping with the slowdown of traffic on Lohman and Amador would be advantageous to our downtown district as well as to the Mesquite Historic District to which you know the Arts and Culture District overlay so we think that is a very important thing.

## **4. READ CLOSED MEETING STATEMENT**

### **4.1 READ MARCH 13, 2023, CLOSED MEETING STATEMENT INTO THE RECORD.**

The Las Cruces City Council met in Closed Session and only discussed those limited items as stated in the posted notice. The purpose of the closed meeting is:

1. To discuss pending litigation related to Francisco Estrada v. City of Las Cruces, et al.,

D-307-CV-2021-01309, which is closed pursuant to NMSA 1978, Section 10-15-1H(7).

2. To discuss pending litigation related to NMPRC Case Nos. 19-00099-UT & 19-00348-UT, 21-00064-UT, and 23-00046-UT and potential New Mexico Supreme Court litigation regarding those NMPRC Cases, which is closed pursuant to NMSA 1978, Section 10-15-1H(7).

- 3. To discuss pending litigation related to Robert Ramzy Jr. v. City of Las Cruces, D-307-CV-2022-00406, which is closed pursuant to NMSA 1978, Section 10-15-1H(7).
- 4. To discuss pending litigation related to Philip San Filippo v. City of Las Cruces, et al., D-307-CV-2021-02305, which is closed pursuant to NMSA 1978, Section 10-15-1H(7).
- 5. To discuss pending litigation related to Cornelio Diaz v. City of Las Cruces, D-307-CV-2021-02157, which is closed pursuant to NMSA 1978, Section 10-15-1H(7).

5. ACCEPTANCE OF AGENDA

Councilor Becki Graham moved, seconded by Councilor Tessa Abeyta, to accept the agenda as presented with removal of item 7.3 for discussion.

|           |                                                                                                                                                         |
|-----------|---------------------------------------------------------------------------------------------------------------------------------------------------------|
| RESULT:   | Carried                                                                                                                                                 |
| MOVER:    | Councilor Becki Graham                                                                                                                                  |
| SECONDER: | Councilor Tessa Abeyta                                                                                                                                  |
| AYES:     | Mayor Ken Miyagishima, Councilor Kasandra Gandara, Councilor Tessa Abeyta, Councilor Becki Graham, Councilor Johana Bencomo, and Councilor Becky Corran |
| ABSENT:   | Councilor Yvonne Flores                                                                                                                                 |

6. CITY COUNCIL MINUTES

- 6.1 WORK SESSION OF FEBRUARY 13, 2023.
- 6.2 REGULAR CITY COUNCIL MEETING OF FEBRUARY 21, 2023.
- 6.3 SPECIAL WORK SESSION (BUDGET RETREAT) OF FEBRUARY 22, 2023.
- 6.4 SPECIAL WORK SESSION (BUDGET RETREAT) OF FEBRUARY 23, 2023.

7. RESOLUTION(S) AND/OR ORDINANCE(S) FOR CONSENT AGENDA

- 7.1 RESOLUTION NO. 23-105: A RESOLUTION APPROVING A CONTRACT FOR LEGAL SERVICES RELATED TO EL PASO ELECTRIC COMPANY AND ALTERNATIVE ENERGY SOURCES BEFORE THE NEW MEXICO PUBLIC REGULATION COMMISSION AND THE NEW MEXICO SUPREME COURT WITH ANASTASIA S. STEVENS DBA STEVENS LAW, LLC OF SANTA FE, NEW MEXICO IN AN AMOUNT NOT TO EXCEED \$400,000.00 ANNUALLY, PLUS APPLICABLE TAXES FOR A TERM OF ONE (1) YEAR WITH THE OPTION TO EXTEND FOR TWO (2) ADDITIONAL ONE-YEAR TERMS, SUBJECT TO ANNUAL RENEWALS AND BUDGET APPROPRIATIONS (PROCUREMENT NUMBER 22-23-047).
- 7.2 RESOLUTION NO. 23-106: A RESOLUTION TO APPROVE AN AMENDMENT TO THE FY22 CONTRACT WITH ANASTASIA S. STEVENS DBA STEVENS LAW, LLC OF SANTA FE, NEW MEXICO FOR LEGAL SERVICES IN MATTERS BEFORE THE NEW MEXICO PUBLIC REGULATION COMMISSION AND THE NEW MEXICO SUPREME COURT, INCREASING THE CONTRACT TO AN AMOUNT NOT TO EXCEED

**\$500,000.00 ANNUALLY, PLUS APPLICABLE TAXES AND CLARIFYING THE SCOPE OF SERVICES WITHIN THE AGREEMENT.**

**7.3 RESOLUTION NO. 23-107: A RESOLUTION APPROVING THE UPDATED ROADRUNNER TRANSIT PUBLIC TRANSPORTATION AGENCY SAFETY PLAN (PTASP).**

Richard Hanway, Transit Manager gave the overhead presentation.

Councilor Graham asked it looked like it said that there was performance observation requirement, can you just tell me a little bit, if there is annual testing, what does that entail?

Richard Hanway said first we have a training coordinator that is on staff full time. She does a lot of ride alongs. We also have annual training with the city with defensive driving. We also do internal training. We look at video to see if there is anything that can be corrected or if there have been reports, things like that where we can improve. That is an ongoing thing, and it is documented in our safety plan and internally.

Councilor Graham asked FTA is that also an agency that sanctions training? I am going to look to you, Chief Smith. NFPA has some standards that we follow for fire apparatus drivers can you speak to that a little bit please?

Jason Smith, Fire Chief said as we follow guidance National Fire Protection Agency, 10-02, on Professional Qualifications for Driver Operator. We also have our internal requirements for being certified to operate an engine or a truck or even a squad. That requires just to get into the program ten hours of drive time, five hours of actually operating the pump, followed by an eighty hour course, four hours of certified emergency vehicle operator training to become certified. Every year you have to do the Emergency Vehicle Operator Course as well as an over the road and an obstacle course and you have to have passing scores on those or you enter into remedial training and then once you have your certification to be promoted to driver/operator, it is a similar test to pumping, evaluations and obstacle course as well as a clean driving record.

Councilor Graham said I reached out as well to Utilities Director Widmer and well you know solid waste collection trucks also came into mind when I was thinking about large city vehicles that spend a lot of time on the road and she graciously shared with me some of the annual training requirements. Would you say it is pretty comparable? It is amazing how many miles are put on the road by our buses and Dial-A-Ride.

Richard Hanway said I would say that every place is a little bit different. Fire of course has a lot of regulations. We deal with a lot of people. We have wheelchair training, sensitivity training, we do American with Disabilities training. There is a lot of more people focus that we do, and we deal with customer service. Those things are first and foremost. Not all drivers have a CDL. The Dial-A-Ride drivers are not required to have that but the large buses are CDL holders so yes they have to follow the DOT rules. FTA for us is the Federal Transit Administration, which is part of the DOT which is where we get our federal funding from. They do have a lot of regulations as you can

## Agenda Item #5.1.

see with the safety transit plan that they require us to do reporting on to make sure that we are not only staying in compliance and that we are also reporting to what is called the National Transit Database. They collect all of this information from all agencies all over the United States so that they can use that information to gear policy and actually help with funding if there is certain things. There is a lot of things coming up on driver assaults and they weren't really categorizing them before but it has become a national issue now. Also they are having us do more in depth reporting on assaults and things like that and how to mitigate that risk.

Councilor Gandara said I am thinking about our Peak performance is connected to this. The plan is electronic inversion and where you are updating it electronically when people are making complaints about safety are those done in writing? Where is it followed electronically so you're keeping track? There was some language in there and I called Ikani earlier and said I am a little concerned about the language. What to report and what not report? How to report?

Richard Hanway said yes, we do have it documented. We have a SharePoint site that we share internally with Risk Management who is part of our safety plan as well and internal staff. We do invite front line staff drivers particular to sit in with these meetings so they can give feedback to us. We document all of them. We rate them on the severity of the incident. We don't just look at accidents, we look at them as incidents or an occurrence. It might not be a problem today but it could be in the future. So, we have to do risk mitigation and try to measure these things if it is going to happen again how can we deter that from happening, is it something we can live with? It is documented and as far as the reporting I don't have the plan in front of me to give you of where it speaks to what not to report but I could speak about that because again this is a safety plan. It is not a plan that is driven about service. We want to focus on what that safety aspect of it is. There is nothing that can't be reported on that when it comes to safety. It could be a pothole that we might have to report to a different department if it is going to affect somebody's ability to access the bus stop. Those types of things are what we want to focus on in the safety plan. This document is not necessarily for us to change service or add service somewhere.

Councilor Gandara said I understand that it was a safety plan specifically for employees to be able to report the conditions that they may think are unsafe. Is there platform or an electronic platform that you are reporting on that someone is keeping track of those and ensuring like you said if this one thing will mitigate the issue but what if it takes a accumulation of many things to really become a hazardous situation. Who is keeping track of that and if you do have a platform of sorts what is it?

Richard Hanway said we have it on a spreadsheet that we keep as a safety group. We have safety meetings. We have one that is internal and we have one that is for all staff but we keep all the records of it. All the meetings are on record but every incident that is reported is recorded on that. We are required to update the City Manager on a quarterly basis, so he does get that and we do have the ability to get that information to you if you want it sooner.

Agenda Item #5.1.

Councilor Gandara said I am just wanting to see how that information is collected and reviewed and I am thinking Ikani and other municipalities might have some electronic sort of tracking system if you will that could be more helpful then a spreadsheet through SharePoint. I am concerned that we are doing it by Excel spreadsheet and I think there is probably a different mechanism in play that is out there. We would have to pay for it, but I think this is important to me because I think it just helps us manage more effectively. If your staff is reporting things, can they do that and remain anonymous?

Richard Hanway said absolutely. We have drop boxes that are locked that they can put stuff in if they would like. We also have a hotline setup with Risk Management that they can report as well. We do encourage them to not only participate in the meeting even with just their supervisors, again we have a really good group of folks and we like to keep that open door policy to handle things as a group because if they are bringing stuff up and they are on the road, they want help now. They don't want to deal with it next week.

Councilor Gandara asked is this just for the internal staff or how are external folks reporting? There is that 1-800 they want to make an anonymous complaint, where is that posted and how available is that for folks to know to be aware of and do that?

Richard Hanway said we have it on our website and we post it on Facebook. We also have it posted at the Intermodal Center where people go to get information. They can call it in, we also have formal ways they can report things, whether it is ADA concerns or just regular concerns by the public where they can report things. We have those forms available.

Councilor Gandara said again Ikani if we can do some of that research, I am imagining there is more of a different way to capture this information electronically that people leave, management that could be retiring. How are you keep track of those things even if the person leaves? I am just thinking that we need to have a different mechanism.

**Councilor Tessa Abeyta moved, seconded by Councilor Becki Graham, to Approve Resolution No. 23-107.**

|                  |                                                                                                                                                         |
|------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>RESULT:</b>   | <b>Carried</b>                                                                                                                                          |
| <b>MOVER:</b>    | Councilor Tessa Abeyta                                                                                                                                  |
| <b>SECONDER:</b> | Councilor Becki Graham                                                                                                                                  |
| <b>AYES:</b>     | Mayor Ken Miyagishima, Councilor Kasandra Gandara, Councilor Tessa Abeyta, Councilor Becki Graham, Councilor Johana Bencomo, and Councilor Becky Corran |
| <b>ABSENT:</b>   | Councilor Yvonne Flores                                                                                                                                 |

**8. RESOLUTION(S) AND/OR ORDINANCE(S) FOR DISCUSSION**

**8.1 RESOLUTION NO. 23-108: A RESOLUTION APPROVING A HOME INVESTMENTS PARTNERSHIP (HOME) AGREEMENT BETWEEN THE CITY OF LAS CRUCES AND TIERRA DEL SOL HOUSING CORPORATION FOR AFFORDABLE HOUSING DEVELOPMENT IN THE METRO VERDE PUD.**

Agenda Item #5.1.

Jan Lauterbach, Housing Development Specialist gave the overhead presentation.

Councilor Bencomo said I just want to say how proud I am of this project. Like said a couple of weeks ago I think it will help build wealth for so many folks who right now are not in a position to, I would love to hear from Rose just any additional thoughts on this project and what it could mean moving forward.

Rose Garcia, Tierra Del Sol said we have been building a lot of housing in the city and county. I thank you for considering this money to be moved into this subdivision. As you know in the last three or four years it has been very challenging for affordable housing and in your plans you have thousands of families that need homes and these are for all the working families primarily that have variety of jobs. At least half of them are single parent and it is a struggle to try and get a home at the price that they can afford. We have had three or four interest rate increases with the banks and so everyday there is a challenge to housing for home ownership. The families will be doing some of the self-help, a little bit of labor and so they will be building wealth after a 30-year mortgage. We have no defaults and for many years in building through this program. We really appreciate that the city has worked with us, your Community Development and Engineering so that we can design a house that is modest as well as being able to be affordable.

Dolores Archuleta, Member of the Public said when I was on City Council I would love to see the maps of where she would build quality products. I highly approve that.

Randy McMillan, Member of the Public said I sat on the board for Low Income Housing, NMFA for five years. I watched project after project come across our desk and I was asked by our current Governor to step down because I shown the light of day on what we were spending on those projects. One of which was Pecos Street. I don't know if you know it, but we spent a \$190,000 a unit there for a 300 square foot efficiency apartment. It was not a new build it was a rehab, a remodel. I looked at what the developer was making. I looked at what the contractor was making. I looked at what the so-called nonprofit was making. It was unbelievable. I stayed here because I want to support this project. Rose's projects were continually reasonable. She was building three bedroom homes with two car garages that people would own for less than what we spent on Pecos Street efficiency apartments. Rose does an amazing job.

**Councilor Tessa Abeyta moved, seconded by Councilor Becki Graham, to Approve Resolution No 23-108.**

|                  |                                                                                                                                                         |
|------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>RESULT:</b>   | <b>Carried</b>                                                                                                                                          |
| <b>MOVER:</b>    | Councilor Tessa Abeyta                                                                                                                                  |
| <b>SECONDER:</b> | Councilor Becki Graham                                                                                                                                  |
| <b>AYES:</b>     | Mayor Ken Miyagishima, Councilor Kasandra Gandara, Councilor Tessa Abeyta, Councilor Becki Graham, Councilor Johana Bencomo, and Councilor Becky Corran |
| <b>ABSENT:</b>   | Councilor Yvonne Flores                                                                                                                                 |

**8.2 PUBLIC HEARING REQUIRED. RESOLUTION NO. 23-109: A RESOLUTION MAKING CERTAIN FINDINGS AND DETERMINATIONS**

**PURSUANT TO THE METROPOLITAN REDEVELOPMENT CODE, AND  
DESIGNATING THE EL PASEO & SOUTH SOLANO, AND WEST PICACHO  
METROPOLITAN REDEVELOPMENT AREAS.**

Public hearing began at 2:40 p.m. There was no one for or against. Public hearing ended at 2:41 p.m.

Chris Faivre, Deputy Director of Economic Development introduced the topic.

Amy Bell, Groundwork Studio gave the overhead presentation.

Maren Neldam, Groundwork Studio continued the overhead presentation.

Councilor Abeyta said when we first made those boundaries way back almost four years ago one of the things that I know I was really pushing for to be included was the boundary to go all the way up to University, right on our side of the line. When I look at this and see the boundary for the El Paseo area and there is a bit of a gap between that and University, I am just curious to see where that is going to fit and come to play because that was also an area that needed to see that revitalization.

Maren Neldam said the proposed El Paseo and South Solano boundary was based on the existing neighborhood planning area boundary, so the southern boundary extended that just east of South Solano Drive.

Councilor Abeyta said I think this is just for us to look at and think of in the future. I just want to make sure we don't have those gaps because those neighborhoods right in between that line of University and El Paseo are still seeing those very same problems right across the street and so as we move forward that is just something I want to make sure about. I am very excited to see this area and these next steps that we work on for the redevelopment.

Mayor Pro Tem Gandara asked to be clear, is it included or not in the map and could we include it? Is that what you are proposing?

Councilor Abeyta said I would say pull it right up the edge of University like we had during our boundaries for the El Paseo Ad Hoc Committee.

Chris Faivre said there is a couple of ways you could go with this process. You could not vote for this right now and we would have to come back and do it again or through the MRA planning process if it is recommended through the public engagement to extend those boundaries you could amend those boundaries at that time.

Councilor Abeyta said I don't want to delay any sort of progress so I would rather just amend for that.

Councilor Graham said the designation report was so interesting to me because it made me drive around this area and see it through such new eyes and I think some of it felt very familiar when I was hearing it but I never thought how the size of parking

## Agenda Item #5.1.

lots affects something as fundamental as walkability. Recognizing how many gas stations use to be in this area and how important it is to commit to the environmental studies for possible Brownfield Designation. I moved here in 2000 and there were a ton of gas stations that aren't there anymore but that doesn't mean that they are erased from our environment.

Councilor Bencomo said I am looking at these pictures and these communities just need love and investment more importantly and to me, I pushed for West Picacho to be included in this so much because all of the engagement we have done already. I have built all these relationships with people who have put their blood, sweat and tears into this area and they don't want to leave. I am very excited about the engagement that we have done to get here. I did notice on the Brownfield issue that there wasn't that study for the West Picacho area and I am as the report said there are probably certain some of those areas. I am curious if that comes next? Is that a necessity that we have to do or is that something that we do once somebody is looking at a property?

Maren Neldam said the MRA designation and planning process does not require any Brownfield or environmental assessment but there are some really great tools that are available through the state, NMED that pair really nicely with the tools enabled by MRA designation.

Councilor Bencomo said I can't say enough how excited I am that we are here and what this could really mean for both of these areas. One of which, part of El Paseo/South Solano will no longer be in district four after next year but right now it is so I am excited to be leading both of these moving forward. I think it is important and relevant that either

Chris or Elizabeth speak on the MRA Legislation that was put forth this year at the State Legislature that is on the Governor's desk currently.

Elizabeth Teeters, Economic Development Director said I was fortunate enough to be the expert witness throughout the entire process of the MRA State Statute changes and as of last week it passed on the House floor and what it will do is it creates, the potential of a tax increment district for each MRA designation in the state. You will have to go through a separate process, but you will potentially both at the local and the state level so that just needs the Governor's signature.

Mayor Pro Tem Gandara said shortly after we had that first meeting, our regular council meeting I had a group of people from the Mesquite Historic District, many of who we heard from today were very concerned not involving the Mesquite Historic District as part of the MRA especially because of how difficult the maps were in terms of reading them. There is a portion, a little sliver there of South Mesquite District that is included in that and they were really happy about it but I would like to advocate and I say this publicly because I said that I would and I believe that they have been working on this kind of designation for decades and I would like to have this third in line for the MRA next is the Mesquite Historic District. At least I have it on record that I said that Chris and to the consultants. I think it just benefits that area, especially

Agenda Item #5.1.

considering they are an arts and culture district and all the wonderful things that are happening in the area.

Debbie Moore, CEO Greater Las Cruces Chamber of Commerce said it was my privilege and honor to behind our expert witness for several hearings up there. We actually made it through the House and the Senate and with just one no. I am very proud to say from a statewide look at the sponsors of the bill. They represented three communities which I had the opportunity and privilege of serving as Director and President, which would be Hobbs, Rio Rancho and most importantly Las Cruces. To say the chamber is not supporting this, we are totally behind this and another tool in our toolbox not only for Las Cruces but for our state.

**Councilor Tessa Abeyta moved, seconded by Councilor Johana Bencomo, to Approve Resolution No. 23-109.**

|                   |                                                                                                                                  |
|-------------------|----------------------------------------------------------------------------------------------------------------------------------|
| <b>RESULT:</b>    | <b>Carried</b>                                                                                                                   |
| <b>MOVER:</b>     | Councilor Tessa Abeyta                                                                                                           |
| <b>SECONDER:</b>  | Councilor Johana Bencomo                                                                                                         |
| <b>AYES:</b>      | Councilor Kasandra Gandara, Councilor Tessa Abeyta, Councilor Becki Graham, Councilor Johana Bencomo, and Councilor Becky Corran |
| <b>ABSTAINED:</b> | Mayor Ken Miyagishima                                                                                                            |
| <b>ABSENT:</b>    | Councilor Yvonne Flores                                                                                                          |

**8.3     RESOLUTION NO. 23-110: A RESOLUTION APPROVING A PRE-DEVELOPMENT AGREEMENT BETWEEN THE CITY OF LAS CRUCES AND SIERRA NORTE LAND HOLDINGS, LLC FOR THE DEVELOPMENT, DESIGN, AND PURSUIT OF FEDERAL FUNDING FOR THE MESA GRANDE DRIVE PROJECT.**

Tony Trevino, Deputy Director Public Works gave the overhead presentation.

Councilor Abeyta asked on that prioritization later on that I am assuming falls in alignment with Elevate Las Cruces and all other projects that we all kind of have on those list when we are looking at federal funding?

Tony Trevino said for these grants, these are the larger grants like the RAISE Grant and the larger federal grants that we can apply for. That is when we are trying to discuss the Triviz, Elks and North Main area. Those are the \$50-\$70 million projects that we have. In the projects that we have for that amount of funding for priorities for the next three years moving forward.

Councilor Abeyta asked how much did you think it was going to be that we would have to be seeking out later on?

Tony Trevino said based on the analysis the developer has already provided a cost benefit of analysis a traffic demand impact analysis as well as some community benefits. The overall construction forecasting out to 2025/2027 is about \$60.5 million. This is to include all of the utilities, all the major arroyo crossings, there are 3 major arroyo crossings, as well as all of the amenities, the landscaping and everything to move forward on that roadway which is 5.6-6 miles.

## Agenda Item #5.1.

Councilor Graham asked one of the responsibilities of the city was to waive construction related permit fees, are we looking at a substantial amount of money there?

Tony Trevino said no, we have done similar processes with this like the Voluntary Assessment District and the Special Assessment District where they are city driven projects. All that is going to happen is that the developer is going to pay for the consultant to design the project by our standards, our recommendations, our directions we are going to go with. This is really for CIP projects we don't have permit processes or permit payment or nothing. It is called out just for the future clarification but for CIP projects we don't have permit fees.

Councilor Graham asked this is the first time I am seeing a predevelopment agreement like this, have we done them before?

Tony Trevino said the only agreements that I have done similar to this are the Voluntary Assessment District where the funding is put up by the city and paid back by the developer or Special Assessment District. This is the first for a public/private partnership has been approached to the city by a developer with the risk waive. It is a whole process with public/private partnerships. This is my first one and that is why this agreement is limited to the award of the grant. Once that grant is awarded, we need to define those rules and responsibilities more discretely and more effectively moving forward.

Councilor Graham asked when we get to the end of the three years if we aren't stoked on what is happening can we really get out of this? I am just imagining go through this three year process and optimistically everything goes great but if it doesn't how weird would that be?

Tony Trevino said we have this clause that in three years from now we can either terminate or extend this project but when we do get into that development agreement, we are going to have similar clauses where we are going to get with legal to determine how effectively things are going. If the design is not going as we wished moving forward as long as there is no detriment to the city, we will make sure there is clauses on there to keep everybody up to their responsibilities.

Mayor Miyagishima asked is this the road where the developer comes up with 10% of the money and 90% hopefully will be grants?

Tony Trevino said the way the city was approached was the developer is going to provide all local match out that is required, whether it is 10%, there are some that are 14% and some that are 25%. They are on the hook for all local match.

Councilor Bencomo asked you brought this to PRC a while ago?

Tony Trevino said yes, the developer, we all did present to the PRC.

## Agenda Item #5.1.

Councilor Bencomo asked I'm curious if there has been or there will be need for public engagement for the folks that live in the area?

Tony Trevino said this would be as typical as any other CIP project where we have to do a public input meeting and then a public informational meeting and the public can go and provide input. For the first one and then on the second one will show what is going to be built and who it is going to be impacting. This will follow our typical CIP process for public meetings.

Councilor Bencomo asked how long are we from those meetings?

Tony Trevino said I would say not until we get grant funding established. Based off of this that is provided here we can provide some cost estimates for the benefits to the community for traffic impact. At 30% is when we go to the public to engage in their input and direct the design criteria.

Councilor Bencomo asked is that a little bit risky providing a plan, a proposal to the federal government for a grant and then going to the community and saying do you like this?

Tony Trevino said these scopes are written broadly to include just the design and construction of a multimodal roadway. We are going to have some conceptual designs, we will call them conceptual because they are not final, they are not the lay out and as long as they have the major key points that are in that scope of work for the grant agreement and we should be fine in cost and content. That is what we do for a lot of our NMDOT grants. We just apply with a broad scope and then we just modify them as needed.

Councilor Bencomo said I remember there being concerns last time about protecting the natural environment in that area. Some of the arroyos and those kinds of things. Have you given anymore thought to that concern that was raised?

Tony Trevino said yes that kind of hits two different parts. With the right-of-way the roadway we are required when we cross these arroyos to carry over 150% the amount of rainfall, the amount of runoff in case clogging occurs in these structures and so forth. We are required to a certain amount of design and over design in case any of that clogging and debris fill that. That is set in stone and driven by FEMA and city design standards of what that has to be along those special flood hazard areas. Beyond the right-of-way I know that the developer Mr. Moscato has been in communication in with leaving the buffers. I think that is a topic and the goal has been set. Based on his community benefits that he did provide to the city that is one of the items that he will be moving forward with it. It is just a buffer and the open space in that development.

Councilor Corran said I would just like to point out the connectiveness of these things that we are talking about. We are talking about infill. We are talking about a housing development which if those folks live there will be driving on this road to get to other parts of the city so just a note to lower income housing that we have identified would

## Agenda Item #5.1.

benefit from the access of this. I would just also like to point out that my district which this isn't in but many of the folks who live there would benefit from different travel dynamics especially multimodal transportation across the eastern part of the city. I do want to speak to the idea of development and growth of the city. I know you alluded to the Elevate plans. I am wondering if you can talk a little bit more about the benefits and really just elevate and how does this connect to the plans for sort of sprawl in the ways that we think of it in negatives ways but also in the ways that we think of it in potentially smart growth and opportunities for transit that is different from what it is today.

John Moscato, Sierra Norte Land Holdings said the Elevate Las Cruces Comprehensive Plan includes a variety of housing and commercial development in this what I call Mesa Grande Corridor. There is an Urban Center called for at Mesa Grande Drive and Highway 70 and as you go south from there you have different levels of neighborhood development. You have typical neighborhood development along the Mesa Grande Drive Corridor especially west of there. Then if you go east, it is more rural neighborhoods, so larger lots. We have proposed in connection with land that we have under leased with the State Land Office and proposed for affordable housing plan and commercial development plan. We are not permitted to present those to the city yet until they are approved by the Land Office but we are in that process right now. We are also in the process of discussions with the Land Office regarding some additional leased land which would be east of Mesa Grande Drive tie in development both west of Mesa Grande Drive and east Mesa Grande Drive, making sense to tie it all in together. It is a transit corridor, the roadway would include transit stops. There is also the possibility of vehicle charging stations along the corridor.

Councilor Corran said I know that the planning part has a lot of potential input to related to especially as you mentioned the environmental impacts and making sure that we are considering open space as a part of that so I look forward to that process. You alluded to the Elks/Triviz RAISE Grant which I keep pulling for and hoping for. Does approving this today effect the prioritization of those in terms of submission or is this further in the future and that one is more approximate to the next few years?

Tony Trevino said we are still having discussions with NMDOT on several projects. They actually have a project that is coming forth right now on I-25. They actually wanted to hear our plans for the Madrid crossing or the Engler on and off ramps. We are in discussion, and we are planning and having some other opportunities to team up with them to accomplish these larger projects that require more \$40 million grant and types from the federal government. Unfortunately, the Triviz and Elks that was going to require an additional on and off ramp on NMDOT property to make this whole thing work. That would have been outside our jurisdiction and onto to theirs so that had excelled in cost more than we anticipated.

Councilor Corran asked these are all things that are going to be on our CIP so how do we prioritize them in terms of effort putting into effort of putting in these grants?

## Agenda Item #5.1.

Tony Trevino said I know the Grants Department, the grants program is revamping. They have some new employees and new managers, so I know that they are working with Srijana also and how we are going to prioritize these grants in the future. Once these groups get set and associated, we will have a step to move forward and what direction we want to go. I know that has been in discussion, it hasn't started yet but that is the way we want to apply for these grants.

Councilor Gandara asked hearing Mr. Moscato say that they are in conversations with the Land Office, are you in those conversations as well? He alluded to not able to show the design but I am concerned that there isn't a city representative because it is only land that the Land Office owns if you will. I feel like someone in Santa Fe is making a decision about the city without a representation. Are you there and present? How do we get actively involved in that dialogue if we are not?

Mayor Miyagishima said the previous Land Commissioner Ray Powell, the city and I we signed an agreement that they would work with the city before they would do any types of developments that you are talking about. Commissioner Richards although we have not signed it in principle, she is supportive as that. We just have not gotten around doing any type of ceremony.

Tony Trevino said what Mr. Moscato referred was to the development site not the right-of-way. His firm holds lease outside of the city and that is privately owned. That is something the development and that is kept from us because that is their own negotiation over there. The right-of-way is already set for much of this area. There is already the utilities that have been installed. There might be a few adjustments for arroyo crossings but that is already set with the state land office and BLM.

Councilor Gandara asked if we do get this money, and this becomes ours to maintain what is the price tag on that and how quickly would we have to maintain that?

Tony Trevino said we got with Parks and Rec since we know this is going to be a fully landscaped right-of-way, the median and the sides with some trees. I am talking to Franco who is the Administrator of Operations there and it is \$44,000 a year for Parks and Rec to fully maintain a fully landscaped developed roadway, which is kind of putting forth what we are spending now on new maintenance new landscaping cost on existing roadways well exceeds that amount. In terms of the roadway, again we do our pavement maintenance which has our go back to our analogy of our vehicles, our cars, our oil changes. So, in about five years for a \$70 million project go about \$900,000 for five years for one of our treatments. At 15-18 years to do one of our mill and overlay treatment there will be about 3.6. Overall based on our practices now and what we are thinking over forty years of this roadway, which are older than a lot of the roads that are here will be about \$4.5 million the city will have to spend on the maintenance of the roadway which is a fraction of the \$70 million price tag that the grants are going to go for the full construction. That compares to less than 1% the total cost.

Councilor Gandara asked the FTE's, the final, what would that look like? Are you contracting this stuff?

Agenda Item #5.1.

Tony Trevino said Parks and Rec I think they are going to have two. They are going to need two anyways. Talking to Franco there is another landscape irrigation commercial worker and maintenance worker that will be added as well. In the engineering side, our side, engineers we don't do it in house we just hire consultants to do it and contractors.

Mayor Miyagishima said one of the other things that would be great is if you would look at the city's MPO and where they project would be another east/west road. Down the road if the city can get this through the help with this partnership, I think the MPO calls for University to eventually connect with this and Missouri and that way it provides another east/west road. That is why we were looking at Madrid.

George Pearson, Member of the Public said you just approved the MRAs, the West Picacho, El Paseo, South Solano Corridors. This was based on more than 10 years of planning and community involvement. The Mesa Grande extension has had some limited planning, it is in Elevate but please remember that Elevate is long range plan with Mesa Grande extension more appropriate for 20-30 year out time frame. Mesa Grande project if started Now would be in direct competition with the MRAs. The project is said to be "free" but would be funded by grants that needed to implement the El Paseo and West Picacho MRAs. The RAISE Grant in particular I can just imagine El Paseo being reconstructed with the RAISE Grant. At your January 20, 2021, Budget Retreat you heard from Charles Marohn, from Strong Towns, one of his points is that growth creates the illusion of wealth and gave the example of the suburban development project versus an urban development project. The urban project gives over \$2 million value over the suburban project. Please consider your priorities. Is the Mesa Grande Project needed? Yes, but not for another 20 or so years perhaps. Let's work on the MRA and come back to the Mesa Grande extension in maybe five years or so. This would still be ten years earlier than what is in the Elevate Plan.

**Councilor Tessa Abeyta moved, seconded by Councilor Becky Corran, to Approve Resolution No. 23-110.**

|                  |                                                                                                                             |
|------------------|-----------------------------------------------------------------------------------------------------------------------------|
| <b>RESULT:</b>   | Carried                                                                                                                     |
| <b>MOVER:</b>    | Councilor Tessa Abeyta                                                                                                      |
| <b>SECONDER:</b> | Councilor Becky Corran                                                                                                      |
| <b>AYES:</b>     | Mayor Ken Miyagishima, Councilor Tessa Abeyta, Councilor Becki Graham, Councilor Johana Bencomo, and Councilor Becky Corran |
| <b>NAYS:</b>     | Councilor Kasandra Gandara                                                                                                  |
| <b>ABSENT:</b>   | Councilor Yvonne Flores                                                                                                     |

**8.4 COUNCIL BILL NO. 23-022; ORDINANCE NO. 3028: AN ORDINANCE SUPPORTING INVESTMENT OF \$897,596 IN AN ECONOMIC DEVELOPMENT PROJECT IN ACCORDANCE WITH THE CITY OF LAS CRUCES LOCAL ECONOMIC DEVELOPMENT PLAN, AUTHORIZING A PROJECT PARTICIPATION AGREEMENT BETWEEN THE CITY AND 828 PRODUCTIONS, LLC., AND ENTERING INTO AN AGREEMENT TO SERVE AS FISCAL AGENT FOR THE STATE OF NEW MEXICO'S PARTICIPATION NOT TO EXCEED \$3,000,000 IN THE PROJECT.**

Elizabeth Teeters, Director of Economic Development gave the overhead presentation.

Councilor Bencomo asked none of these jobs are filled, or are they?

Robert Dean, 828 said we have already employed multiple people within these positions. As of right now we have two employees with us right now. We have got six in total at 828 Productions. As we begin to build out the infrastructure that is where the bulk of the hiring comes from.

Councilor Bencomo asked the ten versus five years, that is state statute?

Elizabeth Teeters said the state has done a few LEDAs, the Netflix facility is an example in Albuquerque and it kind of set the benchmark for ten years. Generally, film studios have such a high investment the expectation to get all the work done in five years, I don't know if it is realistic, so you give them ten years. So, it also gives more time for build out and get everything together.

Councilor Bencomo said I was just going to say a couple of things given the intersectionality of today's agenda between all of these pieces. The MRA and this being right outside of the West Picacho MRA and incredible investment we will be making in our community and in an area that very much needs it and to the detractors as Councilor Corran said. I am grateful to staff the work that they have been doing on this and for you all and this investment in our community.

Councilor Graham asked Rajeev if you could talk a little bit about how this project can help strengthen our relationship with the University community?

Rajeev Nirmalakhandan, NMSU said I am proud to call Las Cruces my home. One of the things that is missed was the opportunity for all the film students from the Creative Media Institute, Creative Media Technology Program is the opportunity to get employment upon graduation. We have seen hundreds of talented students leave when they graduate. Now because of 828 they have the opportunity to stay here in their community with their families close to home and work as part of the film industry. Not only is it going to benefit the students, but it is going to give people a transferable skill. This is going to benefit economically in many ways. It is going to give people new opportunities that never existed. When film productions come in, they are like a big circus that comes to town. So, they are going to be utilizing our businesses, service industries, restaurants, buying stuff, getting haircuts, buying clothes. This is going to have a far reaching ripple effect within our local economy. Plus tourism. When movies start getting made, people are going to see the Organ Mountains. There has been almost a billion dollars spent in this state but we haven't really hadn't had a chance to get a piece of that pie and now because of 828 we can get a piece of that pie and with the tax incentives it is going to get even higher. We are going to be able to give our local communities opportunities to work. It is going to benefit the businesses.

Councilor Graham said we had a conversation exactly about what you were talking about when film crews come they are a part of our community for several weeks and Andrew pointed out to me how many small businesses they were looking for. It is just a boom to the entire small business community.

## Agenda Item #5.1.

Rajeev Nirmalakhandan said Robert and I are from this part of the state. We have grown up here, our families are here and Todd who is our CEO loves Las Cruces and so together we are all really invested in building up Las Cruces and the local community. This is not just some in and out operation. This is a long term relationship and we are excited to build something big here.

Councilor Gandara asked can you change the slide to slide 6 and talk a little bit about the city's contribution \$897,596? Where does that come from?

Elizabeth Teeters said that comes from Capital Outlay Funds that Senator Steinborn provided seven years ago. The city has been holding on to those funds because he had a dream for this community and we are really happy that we get to use them.

Councilor Gandara asked the 100 full time employees by 2029, those employees will those be specific to Las Cruces residents? How is that being divvied up in the contract?

Elizabeth Teeters said the expectation is to be hiring local.

Councilor Gandara asked do you have that listed on a contract?

Elizabeth Teeters said yes.

Councilor Gandara asked how many are union, nonunion folks? Do you know that?

Elizabeth Teeters said there is nothing in the actual agreement itself, I don't know if you can speak to it, Robert.

Robert Dean said I think to answer that question properly is the idea of the crew base, those are our union workers and so for us to really drive production and infrastructure here it is going to be relying on us building a local crew base, a union crew base.

Councilor Gandara said I appreciate you being here and learning about 828 I was able to welcome Todd and you all when they made the announcement at the Rio Grande. To hear his vision there is a lot of passion. I want folks to understand how beautiful this city is and what council has been trying to do at least in the last eight years and trying to deter that brain drain. What has been so important at least to me I know we have changed over a couple of three times now council but it is those collaborations, the University, DACC and those folks that are building that work force that you are really wanting. I am very excited to be a part of this.

Robert Dean said I am from New Mexico and about a quarter of that I spent here in Las Cruces. I went to NMSU in the film program and then I left so that I could travel around all over the country making films. Ultimately, I came back here because I love this place. I have always believed that for long termed sustainable growth we need to plant routes here. We have got to build the industry from the inside out. We need

## Agenda Item #5.1.

people to make long term commitment to keep that economics here and not just take them back out of state. The support that you guys have given us, the community, so many people have really advocated and put their effort into bringing a studio here and so we are so grateful for that support. It is that kind of support that allows us to plant those roots here and to continue to foster and give opportunities to the next generation. That is ultimate growth. There is a pipeline to be created right there so that people don't have to leave and we can train them and work hand in hand from day one and that is what is incredible about this community is it is just not the amazing backdrops that we have but the magic is really in the people and the community that we have got here and paired with that.

Councilor Gandara asked do you expect an influx of people who have left will be coming back given that you all are here?

Robert Dean said we see a lot of people that we have worked with throughout the years who have moved off to LA, maybe even Albuquerque or Santa Fe with the idea of the mention of us bringing in this studio. A lot of their families are here still and they would love to come back here to their families. It is hard for me to put an exact number on it but when you work, and you have work flow then you have the reason to be able to stay. We are going to see a lot those people come back here and I think we are going to keep a lot of students and kids that we have here from having to leave.

Councilor Abeyta said I am really excited to hear about the work you are doing with workforce development pipelines. I think that is going to be so important. I am really excited to see how we can train and have jobs that are paying people enough to want to stay as well because it is just not about bare minimums it is about making sure they see that opportunity for advancement and when we compare that with quality of life cost here, Las Cruces looks better than LA. I'm grateful for the collaboration.

Jeff Steinborn, State Senator said it's great to be here for this moment where we help launch this Project 828 since the deal was announced has been working to get this agreement in place before the really launched in construction. Las Cruces was named one of the top destinations in America by Movie Maker Magazine to live and work as a movie maker. We are listed number 7. That is a huge accomplishment. Very prestigious list in the film industry. Another big piece of news I will drop on you guys today in case you didn't hear. For the first time we were invited to be part of the heavy hitters in the film industry in New Mexico on revising New Mexico's film incentives and I sat at the table with Netflix and the Motion Pictures Association and NBC and I said we support you guys, we support film in Las Cruces but film has to work for the whole state. I advocated that we increase the role of film incentive, which gives productions an extra 5% and if they film 60 miles outside of Bernalillo/Santa Fe County. I can tell you that we were successful in doubling that to 10%. This will be a major tool. That will mean productions can get up to a 40% rebate for filming in Las Cruces and Dona Ana County and actually all of the emerging film communities around the state. The great thing about this project today council and Mayor it is all outside money. It's a million dollars of State Capital Outlay money and by the way that was about a dozen Legislators over two sessions. Thanks to our film community here going up there and working the halls contributed towards this stream. The \$3 million in

Agenda Item #5.1.

state LEDA money, that was the whole strategy all along Mayor was to get some money and then leverage and attract other funds and of course the biggest investor now is 828 bringing in their funding, leveraging what we took to the table. Film Las Cruces, we work with the Las Cruces Public Schools. We have a board member from Las Cruces Public Schools on our board.

**Councilor Tessa Abeyta moved, seconded by Councilor Becki Graham, to Approve Ordinance No. 3028.**

|                  |                                                                                                                                                         |
|------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>RESULT:</b>   | <b>Carried</b>                                                                                                                                          |
| <b>MOVER:</b>    | Councilor Tessa Abeyta                                                                                                                                  |
| <b>SECONDER:</b> | Councilor Becki Graham                                                                                                                                  |
| <b>AYES:</b>     | Mayor Ken Miyagishima, Councilor Kasandra Gandara, Councilor Tessa Abeyta, Councilor Becki Graham, Councilor Johana Bencomo, and Councilor Becky Corran |
| <b>ABSENT:</b>   | Councilor Yvonne Flores                                                                                                                                 |

**9. BOARD APPOINTMENTS**

**9.1 MELANIE BROWN**

**Councilor Becky Corran moved, seconded by Councilor Becki Graham, to Reappoint Melanie Brown to the City Art Board.**

|                  |                                                                                                                                                         |
|------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>RESULT:</b>   | <b>Carried</b>                                                                                                                                          |
| <b>MOVER:</b>    | Councilor Becky Corran                                                                                                                                  |
| <b>SECONDER:</b> | Councilor Becki Graham                                                                                                                                  |
| <b>AYES:</b>     | Mayor Ken Miyagishima, Councilor Kasandra Gandara, Councilor Tessa Abeyta, Councilor Becki Graham, Councilor Johana Bencomo, and Councilor Becky Corran |
| <b>ABSENT:</b>   | Councilor Yvonne Flores                                                                                                                                 |

**10. NOTICE OF PROPOSED ORDINANCE(S)**

- 1) There will be no public discussion.
- 2) A Councilor may ask staff for clarification on the proposed ordinance(s).

**10.1 COUNCIL BILL NO. 23-023; ORDINANCE NO. 3029: AN ORDINANCE AMENDING THE LAS CRUCES MUNICIPAL CODE 1997, AS AMENDED (LCMC), SECTIONS 2-496 THROUGH 2-499 TO REVISE THE AFFORDABLE HOUSING LAND BANK AND TRUST FUND ADVISORY COMMITTEE, RESPECTIVELY, WITHIN CHAPTER 2, ARTICLE IV, DIVISION 3, NONSTANDARD BOARDS DIVISION OF THE LCMC.**

Council agreed to bring it forward.

**11. CITY COUNCIL MEMBER BOARD REPORTS AND COMMENT**

**11.1 MAYOR MIYAGISHIMA**

I had to change the date of my State of the City Address. I have changed it to March 28th, Tuesday 1:30 p.m. here.

**11.2 COUNCILOR GANDARA**

## Agenda Item #5.1.

I wanted to talk about the possibility, strong recommendation to reinstate the NAT Program. Many years ago we started that neighborhood action team and this was to identify those unoccupied residential and commercial buildings keeping lists, having direct contact with the property owners and such to maintain the safety and wellbeing of the area. The reason I bring it up is the last few weeks I have received numerous complaints about unoccupied dwellings that are posing a hazard to the neighborhood. One in particular on McClure Road, that is on my side of the district. When you have 3, 4, or 5 in the same area it poses such a risk to the community and I sent an email Ikani last week to Community Development and Codes, Lieutenant Wiitala specifically about the issues. When you hear those things and hear the neighbors frustrated and concerned about what has happened in the area it just makes for a really bad situation which leads me now to asking when our Uniform Housing Code that we worked on and the Housing PRC when that is going to come forward. Trying to figure out where it is at, if it is in legal or with Natalie's group and Neighborhood Services. One of the things that would be helpful is including a yearly fee that is substantial for unoccupied dwellings that I think would be necessary to get people deciding is this something I need to do something about, like sell it or whatnot. For instance, in the Lift Up area when we sent a couple of times now correspondence hundreds of letters are coming back that say unoccupied with very little oversight by anybody if you will. Again, I just think it lends to blight and the issues that Mayor and I had call, a zoom meeting last week with Border Patrol around stash houses and hearing from them the number unoccupied minors in this home that were being picked up illegally before they could do the necessary paperwork to come over to the states as migrants. I just feel that codes and others need to work together to address those issues.

The lady that spoke around domestic violence we had sat down. She called a meeting with me and spoke to me very concerned about the rise in domestic violence d I have mentioned that in our Public Safety Select Committee and we are working towards again on lifting the moratorium to address domestic violence cases in the city in Municipal Court. From having the interview with the individual and the possibility having another individual become a judge, he gave me a lot of insight on what is happening with these cases where there mental illness or duel diagnose folks that also have issues possibly with domestic violence and deemed incompetent. They have to seek an assessment and evaluation and when you do that those cases are being dismissed completely. I am not sure if there is something that we need to do in reexamining the law, working with our Legislators to change that law but to assess folks and deem them incompetent to stand trial and then just put them out in community without resources or services in place for these folks just seems to be asking for trouble and a disservice to the community. I think we should work on providing services of some sort and to Ms. Smith's point about MRAs and kudos to this council for the number of resolutions that we passed today that is really going to help people. Not only for workforce pipeline, affordable housing. These are all things that we have been working on for several years now that are going to help folks that find themselves in dire straights and frankly the eight points that Mr. McMillan brought to my attention or to all of council are really unviable. It is just not something that I am going to support. I have tried to have conversations with him and his partners about what they are seeing in the business community, and I am still available to have these communications but asking people to actually drug test everyone in public housing

## Agenda Item #5.1.

and homeless camps after the second time be kicked out of the system. What do you think is exasperating the homeless situation?

Special thanks to Chief Smith and Councilor Corran for putting together what we hope is a resolution to come to council about our philosophy in how we deal specifically with Fentanyl and addiction and that is through our MAT Programming. Mayor, we hope that you will support bringing that resolution. When we provide funding to say for example the Detention Center, LCPD, Fire and addressing these issues it is important that our officers and safety personnel are carrying Narcan. That when folks come into Detention Center that they are being addressed in the most trauma informed way that we can and that is with providing the MAT services. I am looking forward to whatever is next as it relates to the opioid settlement. I know we talked about having Work Sessions about how we are going to utilize this funding and I think it is an opportunity for this council to really get to the root causes of some of these issues with some of this programming.

Lastly, I am having a District Meeting Thursday the 30th, Council Chambers. I am inviting District 1 folks to come and hear about economic prosperity and all the various programming the city is doing in relation to that.

### **11.3 COUNCILOR CORRAN**

I do want to say how lucky we are to serve and make decisions that move our city forward and I am really proud that we keep doing that and I look forward to doing that with you all into the future.

Next week I will be missing as well as Councilor Abeyta will be in DC for the National League of Cities Conference. I am looking forward to hearing from a lot of other cities and looking forward to meeting with our Federal Congressional Delegation to talk about our funding priorities and hopes for the next year.

### **11.4 COUNCILOR BENCOMO**

I did want to shout out Chief Smith because he sent me this really great piece of information regarding the connection between poverty and fires. It is really good, and I just want to read what he said to me. In short, poverty leads more fires, more injuries and more negative outcomes from home fires. Efforts to combat poverty is a fire prevention strategy. I just think it is an important aspect to include in our MRA conversation.

I am also hosting a District 4 community meeting on Thursday, April 6th at 6 p.m. at MacArthur Elementary. We will be discussing issues around public safety, the MRA, GO Bonds and other exciting things happening in the city.

I did want to note that certainly I want to apologize to my colleagues if I ever don't have a poker face which is often. The reality is that people come here often, almost every other Monday to disagree with something that I am doing or that we are doing. That composure remains, we cannot engage during Public Comment. That is the public's time not our time. This is our time. What happen today was not disagreement. People did not come here to disagree with us. People came specifically to demean us, not our work. Our character. If you are going to come here and mischaracterize

## Agenda Item #5.1.

our words, if you are going to come here and defend a word that is so clearly disgusting and awful you are telling on yourself. If you are going to come here and do that and expect me not to have a face, I don't know what to tell you. People disagree with me all the time but that is not what happened here today.

### **11.5 COUNCILOR GRAHAM**

No announcements or updates just a comment, it takes forever to get good work done. The MRA, despite some of the vibes in chambers I am just absolutely glowing about the MRA and I wanted to take an opportunity to shoutout Congressman Gabe Vasquez, who also put in so much of the leg work on this. I am the one who got to pick up that narrative and got to do the final vote but so many people put in so much work before we got to be the yes or no votes on that and I just think that is really important to acknowledge and I just want to thank everyone here and everyone before who has done that vital work to make our community better.

### **11.6 COUNCILOR ABEYTA**

I am going to have a District Meeting on April 4th on Tuesday. Thank you to constituent services, it is going to be from 6-7:30 p.m. at the Papen Center. We will be talking about public works, public safety and hopefully give a few little updates about what is happening in the district and the Legislative Session. Thank you again to Elizabeth for all your advocacy, being an expert witness and helping get that across the threshold. People fail to realize that we have over 1,000 staff members and so we are going to be working on more than one thing at a time. So while we might have one or two topics that get noticed by a media outlet or feel that are directly connected to one individual we are working on multiple items all at the same time and that is when it all comes together and what we saw today between the MRA, between looking at economic development opportunities, that creates a better city moving forward and we have to do all those things together. There is a lot that has been done and it is because of the hard work of staff and my councilors with imagination as well and work. We all have our places and our pieces. Those do that do have concerns I think we have all been really mindful and I know I try to be about listening because I change my opinion based on information. If you bring me information that is legitimate, that can be backed by statistics or science or even lived experiences then I can proceed forward and make a reasonable decision. What we got here today was not for us because the very first line of it says, below are my ideas that I have shared with you and our politicians and with you. This wasn't for us to begin with. This was a narrative used for other purposes and that is really unfortunate for our community that gets to hear that, and it doesn't have legitimate solutions but I think we are all here at a table wanting solutions and wanting to help in different ways and we have staff that are very smart and are looking for different solutions too because they want to see our community move forward. I am going to make sure that I continue to educate myself everyday about these items so that we can come up with new solutions and help the city.

Councilor Gandara said we had the Economic Development PRC and it was a really important one. We had discussion about the Industrial Revenue Bond with our council. This was on the hills of the IRB speculative development, which is probably going to come in the next month or two. Just another tool in our toolbox to help the West Mesa development. There is a lot of work happening there and I just want to

Agenda Item #5.1.

bring that up as a point and just to let people know that we are working really hard. Then we had Julia Brown do a presentation. She is the new New Mexico Economic Development Department Regional Representative. I really appreciated her coming out and taking the time and speaking specifically to LEDA.

12. CITY MANAGER REPORT

12.1 IKANI TAUMOEPEAU, ASSISTANT CITY MANAGER

We have Public Works doing a great job, about \$3.5 million worth of pavement replacement projects that are happening right now. Behind all these streets are awesome staff making it happen. We appreciate Public Works and their staff.

Quality of Life had a superb and fantastic and amazing event on Saturday, March 11th. The museum sponsored a very successful Chalk the Walk for the first time with a total of 2,036 people passing through the courtyard between Branigan Cultural Center and the Museum of Art to check out the work of local chalk artist.

Barbara DeLeon, Chief Administrative Officer gave an overhead presentation.

13. ADJOURNMENT

13.1

Councilor Tessa Abeyta moved, seconded by Councilor Johana Bencomo, to Adjourn at 4:39 p.m.

|           |                                                                                                                                                         |
|-----------|---------------------------------------------------------------------------------------------------------------------------------------------------------|
| RESULT:   | Carried                                                                                                                                                 |
| MOVER:    | Councilor Tessa Abeyta                                                                                                                                  |
| SECONDER: | Councilor Johana Bencomo                                                                                                                                |
| AYES:     | Mayor Ken Miyagishima, Councilor Kasandra Gandara, Councilor Tessa Abeyta, Councilor Becki Graham, Councilor Johana Bencomo, and Councilor Becky Corran |
| ABSENT:   | Councilor Yvonne Flores                                                                                                                                 |

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
City Clerk



City of Las Cruces

# City Council Action and Executive Summary

23-114

Type of Action:  
☒ Resolution  
☐ Ordinance  
☐ TIDD Resolution

|              |                                                                                                                                                                                                           |                   |                    |
|--------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------|--------------------|
| District:    | <input type="checkbox"/> 1 <input type="checkbox"/> 2 <input type="checkbox"/> 3 <input type="checkbox"/> 4 <input type="checkbox"/> 5 <input type="checkbox"/> 6 <input checked="" type="checkbox"/> N/A | Adopted:          | April 17, 2023     |
| 1st Reading: |                                                                                                                                                                                                           | Department:       | Financial Services |
| Drafter:     | Jacqueline Rubalcava                                                                                                                                                                                      | Line of Business: | Fiscal Management  |
| Program:     | Budget                                                                                                                                                                                                    |                   |                    |
| Title:       | A RESOLUTION AUTHORIZING AN AMENDMENT TO THE FY2023 BUDGET FOR THE STATE-SHARED GROSS RECEIPTS TAX IMPROVEMENT REVENUE BONDS, SERIES 2023 (SSGRT BONDS, SERIES 2023).                                     |                   |                    |

TYPE OF ACTION: ☒ Administrative ☐ Legislative ☐ Quasi-Judicial

**PURPOSE(S) OF ACTION:**

Amend the FY2023 Budget.

**BACKGROUND / KEY ISSUES / CONTRIBUTING FACTORS:**

On February 21, 2023, City Council approved Ordinance 3024 which authorized City staff to issue and sell State Shared Gross Receipts Tax Improvement Revenue Bonds, Series 2023 (SSGRT Bonds, Series 2023) in the principal amount not to exceed \$12,150,000. These bonds will be payable from one and two hundred twenty-five one-thousandths percent (1.225%) of distribution from the state-shared gross receipts tax.

The budget adjustment is to issue a budget for bond proceeds, debt issuance costs, and expenditures related to the construction, purchase, acquisition, and improvement of roadways and public facilities projects. Issuing the bonds allows the City to maintain the current bond cycling schedule, which is designed to provide infrastructure financing with a stable and predictable debt service level. City Council approval of this Resolution will authorize the adjustment to the FY2023 Budget to allow expenditures of the SSGRT Bonds, Series 2023 proceeds.

**SUPPORT INFORMATION:**

[Exhibit "A" - Fund Summary](#)

**PLAN(S):**

None

**COMMITTEE/BOARD REVIEW:**

None

**DOES THIS AMEND THE BUDGET?:**

☒ Yes  
☐ No

**BUDGET / FISCAL IMPACT:**

Agenda Item #7.1.

**BUDGETED AMOUNT:** Various

**AVAILABLE AMOUNT:** \$0

**EXPENDITURE AMOUNT:**  
Various

**Funding Source(s):**

See Attached Exhibit "A"

**Overall Budget Impact:**

Increase the budget for the SSGRT Bonds, Series 2023.

**Does this action amend the Capital Improvement Plan (CIP)?**

☒ Yes

☐ No

**Does this action align with Elevate Las Cruces?**

☒ Yes

☐ No

**OPTIONS / ALTERNATIVES:**

1. Vote "Yes"; this will authorize a budget adjustment for proceeds and expenses associated with the SSGRT Bonds, Series 2023.
2. Vote "No"; this will not authorize a budget adjustment for proceeds and expenses associated with the SSGRT Bonds, Series 2023.
3. Vote to "Amend"; this could delay the expenditures from the SSGRT Bonds, Series 2023 funding source.
4. Vote to "Table"; this could delay the expenditures from the SSGRT Bonds, Series 2023 funding source.

**REFERENCE INFORMATION:**

Ordinance 3024

**RESOLUTION 23-114**

**A RESOLUTION AUTHORIZING AN AMENDMENT TO THE FY2023 BUDGET FOR THE STATE-SHARED GROSS RECEIPTS TAX IMPROVEMENT REVENUE BONDS, SERIES 2023 (SSGRT BONDS, SERIES 2023).**

The City Council is informed that:

**WHEREAS**, on February 21, 2023, City Council adopted Ordinance 3024 for the issuance and sale of State Shared Gross Receipts Tax Improvement Revenue Bonds, Series 2023; (SSGRT Bonds, Series 2023); and

**WHEREAS**, the FY2023 Budget will be amended to allow expenditure of the SSGRT Bonds, Series 2023 proceeds.

**NOW, THEREFORE**, Be it Resolved by the Governing Body of the City of Las Cruces:

**(I)**

**THAT** the FY2023 Budget is hereby amended as shown in Exhibit "A", attached hereto, and made a part of this Resolution.

**(II)**

**THAT** City staff is hereby authorized to do all deeds as necessary in the accomplishment of the herein above.

**DONE AND APPROVED this** day of

APPROVED

\_\_\_\_\_  
Mayor

ATTEST:

\_\_\_\_\_  
City Clerk

**Moved by:**

**Seconded by:**

**AYES**

**NAYS**

**CITY OF LAS CRUCES**  
**BUDGET ADJUSTMENT REQUEST**  
**BUDGET FISCAL YEAR 2022-23**

Exhibit "A"

|                                         | 4028<br>2023 SSGRT<br>2022-23 |                |                   |                   |
|-----------------------------------------|-------------------------------|----------------|-------------------|-------------------|
|                                         | Original Budget               | Amended Budget | Req. Adjustment   | Adjusted Budget   |
|                                         |                               |                |                   |                   |
| <b>RESOURCES</b>                        |                               |                |                   |                   |
| Beginning Balance                       | \$ 0                          | 0              | 0                 | 0                 |
| <b>Revenues</b>                         |                               |                |                   |                   |
| Municipal Gross Receipts Tax            | 0                             | 0              | 0                 | 0                 |
| Public Safety Gross Receipts Tax        | 0                             | 0              | 0                 | 0                 |
| Hold Harmless Replacement GRT           | 0                             | 0              | 0                 | 0                 |
| State-Shared Gross Receipts Tax         | 0                             | 0              | 0                 | 0                 |
| Environmental Gross Receipts Tax        | 0                             | 0              | 0                 | 0                 |
| County Environmental Gross Receipts Tax | 0                             | 0              | 0                 | 0                 |
| Internet Sales Gross Receipts Tax       | 0                             | 0              | 0                 | 0                 |
| Gasoline Tax                            | 0                             | 0              | 0                 | 0                 |
| Cannabis Excise Tax                     | 0                             | 0              | 0                 | 0                 |
| Lodgers Tax                             | 0                             | 0              | 0                 | 0                 |
| Property Taxes                          | 0                             | 0              | 0                 | 0                 |
| Payment In Lieu of Property Tax         | 0                             | 0              | 0                 | 0                 |
| Franchise Fees                          | 0                             | 0              | 0                 | 0                 |
| Payment In Lieu of Franchise Fees       | 0                             | 0              | 0                 | 0                 |
| Licenses, Fees & Permits                | 0                             | 0              | 0                 | 0                 |
| Convention Center Fee                   | 0                             | 0              | 0                 | 0                 |
| Auto License - State Shared             | 0                             | 0              | 0                 | 0                 |
| Fines & Forfeitures                     | 0                             | 0              | 0                 | 0                 |
| Charges For Services                    | 0                             | 0              | 0                 | 0                 |
| Natural Gas Sales - Commodity           | 0                             | 0              | 0                 | 0                 |
| Motor Pool Maintenances Charges         | 0                             | 0              | 0                 | 0                 |
| Fuel Charges                            | 0                             | 0              | 0                 | 0                 |
| Intergovernmental                       | 0                             | 0              | 0                 | 0                 |
| Investment Income                       | 0                             | 0              | 0                 | 0                 |
| Miscellaneous Revenues                  | 0                             | 0              | 0                 | 0                 |
| Federal Grants                          | 0                             | 0              | 0                 | 0                 |
| State Grants                            | 0                             | 0              | 0                 | 0                 |
| Local Grants                            | 0                             | 0              | 0                 | 0                 |
| Debt Service                            | 0                             | 0              | 12,916,777        | 12,916,777        |
| <b>Total Revenues</b>                   | <b>0</b>                      | <b>0</b>       | <b>12,916,777</b> | <b>12,916,777</b> |
| <b>TOTAL RESOURCES</b>                  | <b>\$ 0</b>                   | <b>0</b>       | <b>12,916,777</b> | <b>12,916,777</b> |
| <b>Expenditures</b>                     |                               |                |                   |                   |
| General Government                      | 0                             | 0              | 0                 | 0                 |
| Legislative                             | 0                             | 0              | 0                 | 0                 |
| Municipal Court                         | 0                             | 0              | 0                 | 0                 |
| Chief Administrative Officer            | 0                             | 0              | 0                 | 0                 |
| City Manager                            | 0                             | 0              | 0                 | 0                 |
| Legal                                   | 0                             | 0              | 0                 | 0                 |
| Las Cruces Police Department            | 0                             | 0              | 0                 | 0                 |
| Las Cruces Fire Department              | 0                             | 0              | 0                 | 0                 |
| Utilities                               | 0                             | 0              | 0                 | 0                 |
| Economic Development                    | 0                             | 0              | 0                 | 0                 |
| Internal Audit                          | 0                             | 0              | 0                 | 0                 |
| Assistant City Manager-400              | 0                             | 0              | 0                 | 0                 |
| Human Resources                         | 0                             | 0              | 0                 | 0                 |
| Financial Services                      | 0                             | 0              | 0                 | 0                 |
| Information Technology                  | 0                             | 0              | 0                 | 0                 |
| Fleet                                   | 0                             | 0              | 0                 | 0                 |
| Assistant City Manger-500               | 0                             | 0              | 0                 | 0                 |
| Parks & Recreation                      | 0                             | 0              | 0                 | 0                 |
| Community Development                   | 0                             | 0              | 0                 | 0                 |
| Quality of Life                         | 0                             | 0              | 0                 | 0                 |
| Public Works                            | 0                             | 0              | 12,916,777        | 12,916,777        |
| Legislative Reserve                     | 0                             | 0              | 0                 | 0                 |
| <b>Total Expenditures</b>               | <b>\$ 0</b>                   | <b>0</b>       | <b>12,916,777</b> | <b>12,916,777</b> |
| <b>Other Resources</b>                  |                               |                |                   |                   |
| Operating Transfers In                  | 0                             | 0              | 0                 | 0                 |
| Operating Transfers Out                 | 0                             | 0              | 0                 | 0                 |
| <b>Total Other Resources</b>            | <b>\$ 0</b>                   | <b>0</b>       | <b>0</b>          | <b>0</b>          |
| Accrual Adjustments                     | 0                             | 0              | 0                 | 0                 |
| <b>ENDING BALANCE</b>                   | <b>\$ 0</b>                   | <b>0</b>       | <b>0</b>          | <b>0</b>          |

**CITY OF LAS CRUCES**  
**BUDGET ADJUSTMENT REQUEST**  
**BUDGET FISCAL YEAR 2022-23**

Exhibit "A"

|                                         | 3028<br>2023 SSGRT-DEBT SERVICE FUND |                |                 |                 |
|-----------------------------------------|--------------------------------------|----------------|-----------------|-----------------|
|                                         | 2022-23                              |                |                 |                 |
|                                         | Original Budget                      | Amended Budget | Req. Adjustment | Adjusted Budget |
| <b>RESOURCES</b>                        |                                      |                |                 |                 |
| Beginning Balance                       | \$ 0                                 | 0              | 0               | 0               |
| <b>Revenues</b>                         |                                      |                |                 |                 |
| Municipal Gross Receipts Tax            | 0                                    | 0              | 0               | 0               |
| Public Safety Gross Receipts Tax        | 0                                    | 0              | 0               | 0               |
| Hold Harmless Replacement GRT           | 0                                    | 0              | 0               | 0               |
| State-Shared Gross Receipts Tax         | 0                                    | 0              | 0               | 0               |
| Environmental Gross Receipts Tax        | 0                                    | 0              | 0               | 0               |
| County Environmental Gross Receipts Tax | 0                                    | 0              | 0               | 0               |
| Internet Sales Gross Receipts Tax       | 0                                    | 0              | 0               | 0               |
| Gasoline Tax                            | 0                                    | 0              | 0               | 0               |
| Cannabis Excise Tax                     | 0                                    | 0              | 0               | 0               |
| Lodgers Tax                             | 0                                    | 0              | 0               | 0               |
| Property Taxes                          | 0                                    | 0              | 0               | 0               |
| Payment In Lieu of Property Tax         | 0                                    | 0              | 0               | 0               |
| Franchise Fees                          | 0                                    | 0              | 0               | 0               |
| Payment In Lieu of Franchise Fees       | 0                                    | 0              | 0               | 0               |
| Licenses, Fees & Permits                | 0                                    | 0              | 0               | 0               |
| Convention Center Fee                   | 0                                    | 0              | 0               | 0               |
| Auto License - State Shared             | 0                                    | 0              | 0               | 0               |
| Fines & Forfeitures                     | 0                                    | 0              | 0               | 0               |
| Charges For Services                    | 0                                    | 0              | 0               | 0               |
| Natural Gas Sales - Commodity           | 0                                    | 0              | 0               | 0               |
| Motor Pool Maintenances Charges         | 0                                    | 0              | 0               | 0               |
| Fuel Charges                            | 0                                    | 0              | 0               | 0               |
| Intergovernmental                       | 0                                    | 0              | 0               | 0               |
| Investment Income                       | 0                                    | 0              | 0               | 0               |
| Miscellaneous Revenues                  | 0                                    | 0              | 0               | 0               |
| Federal Grants                          | 0                                    | 0              | 0               | 0               |
| State Grants                            | 0                                    | 0              | 0               | 0               |
| Local Grants                            | 0                                    | 0              | 0               | 0               |
| Debt Service                            | 0                                    | 0              | 2,705           | 2,705           |
| <b>Total Revenues</b>                   | <b>0</b>                             | <b>0</b>       | <b>2,705</b>    | <b>2,705</b>    |
| <b>TOTAL RESOURCES</b>                  | <b>\$ 0</b>                          | <b>0</b>       | <b>2,705</b>    | <b>2,705</b>    |
| <b>Expenditures</b>                     |                                      |                |                 |                 |
| General Government                      | 0                                    | 0              | 0               | 0               |
| Legislative                             | 0                                    | 0              | 0               | 0               |
| Municipal Court                         | 0                                    | 0              | 0               | 0               |
| Chief Administrative Officer            | 0                                    | 0              | 0               | 0               |
| City Manager                            | 0                                    | 0              | 0               | 0               |
| Legal                                   | 0                                    | 0              | 0               | 0               |
| Las Cruces Police Department            | 0                                    | 0              | 0               | 0               |
| Las Cruces Fire Department              | 0                                    | 0              | 0               | 0               |
| Utilities                               | 0                                    | 0              | 0               | 0               |
| Economic Development                    | 0                                    | 0              | 0               | 0               |
| Internal Audit                          | 0                                    | 0              | 0               | 0               |
| Assistant City Manager-400              | 0                                    | 0              | 0               | 0               |
| Human Resources                         | 0                                    | 0              | 0               | 0               |
| Financial Services                      | 0                                    | 0              | 0               | 0               |
| Information Technology                  | 0                                    | 0              | 0               | 0               |
| Fleet                                   | 0                                    | 0              | 0               | 0               |
| Assistant City Manger-500               | 0                                    | 0              | 0               | 0               |
| Parks & Recreation                      | 0                                    | 0              | 0               | 0               |
| Community Development                   | 0                                    | 0              | 0               | 0               |
| Quality of Life                         | 0                                    | 0              | 0               | 0               |
| Public Works                            | 0                                    | 0              | 0               | 0               |
| Legislative Reserve                     | 0                                    | 0              | 0               | 0               |
| <b>Total Expenditures</b>               | <b>\$ 0</b>                          | <b>0</b>       | <b>0</b>        | <b>0</b>        |
| <b>Other Resources</b>                  |                                      |                |                 |                 |
| Operating Transfers In                  | 0                                    | 0              | 0               | 0               |
| Operating Transfers Out                 | 0                                    | 0              | 0               | 0               |
| <b>Total Other Resources</b>            | <b>\$ 0</b>                          | <b>0</b>       | <b>0</b>        | <b>0</b>        |
| Accrual Adjustments                     | 0                                    | 0              | 0               | 0               |
| <b>ENDING BALANCE</b>                   | <b>\$ 0</b>                          | <b>0</b>       | <b>2,705</b>    | <b>2,705</b>    |



**City of Las Cruces**

## City Council Action and Executive Summary

**23-115**

Type of Action:

☒ Resolution

☐ Ordinance

☐ TIDD Resolution

**District:** ☒ 1 ☒ 2 ☒ 3 ☒ 4 ☒ 5 ☒ 6 ☐ N/A

**1st Reading:** **Adopted:** April 17, 2023

**Drafter:** Leeann DeMouche **Department:** Financial Services

**Program:** Budget **Line of Business:** Fiscal Management

**Title:** A RESOLUTION AUTHORIZING THE CITY OF LAS CRUCES (CITY) TO ACCEPT THIRD-QUARTER BUDGET ADJUSTMENTS FOR VARIOUS CITY DEPARTMENTS THROUGH AN AMENDMENT TO THE CITY'S ADOPTED FY2022-23 BUDGET, THE FY2023 CAPITAL IMPROVEMENT PLAN (CIP), AND THE FY2023 VEHICLE ACQUISITION FUND (VAF) REPLACEMENT LIST.

**TYPE OF ACTION:** ☒ Administrative ☐ Legislative ☐ Quasi-Judicial

### PURPOSE(S) OF ACTION:

To request various budget adjustments for compliance and operational needs of the City.

### BACKGROUND / KEY ISSUES / CONTRIBUTING FACTORS:

City staff has prepared the third quarter budget adjustments for the fiscal year starting July 1, 2022, through June 30, 2023. Adjustments include funding for supplies, services, equipment, and projects to meet the demands of a growing community and to align budgets for effective and efficient City of Las Cruces operations.

The third quarter budget adjustment proposed within this Resolution will not impact the City's 2/12ths reserve requirement for the General Fund.

### SUPPORT INFORMATION:

[Exhibit "A" - All Fund Summary](#)

[Exhibit "B" - CIP](#)

[Exhibit "C" - VAF](#)

[Attachment "A" Budget Adjustment Summary](#)

### PLAN(S):

Elevate Las Cruces

### COMMITTEE/BOARD REVIEW:

None

### DOES THIS AMEND THE BUDGET?:

☒ Yes

☐ No

**BUDGET / FISCAL IMPACT:**

**BUDGETED AMOUNT:** Various

**AVAILABLE AMOUNT:** Various

**EXPENDITURE AMOUNT:**  
Various

**Funding Source(s):**

Various

**Overall Budget Impact:**

Please refer to Exhibit "A" All Fund Summary.

**Does this action amend the Capital Improvement Plan (CIP)?**

☒ Yes

☐ No

**Does this action align with Elevate Las Cruces?**

☒ Yes

☐ No

**OPTIONS / ALTERNATIVES:**

1. Vote "Yes"; this will approve the Resolution and accept the third quarter budget adjustments as presented and will adjust the City's FY2022-23 budget, the FY2023 Capital Improvement Plan (CIP), and the Vehicle Acquisition Fund as applicable.
2. Vote "No"; this will not approve the Resolution nor accept the third quarter budget adjustments as presented and will not adjust the City's FY2022-23 budget, the FY2023 Capital Improvement Plan (CIP), and the Vehicle Acquisition Fund, as applicable.
3. Vote to "Amend"; this will delay the process of spending the funds within the predetermined funding schedule and require direction to staff.
4. Vote to "Table"; this will impact the City's ability to utilize funds and may impact programs and services.

**REFERENCE INFORMATION:**

The resolution(s) and/or ordinance(s) listed below are only for reference and are not included as attachments or exhibits.

**RESOLUTION 23-115**

**A RESOLUTION AUTHORIZING THE CITY OF LAS CRUCES (CITY) TO ACCEPT THIRD-QUARTER BUDGET ADJUSTMENTS FOR VARIOUS CITY DEPARTMENTS THROUGH AN AMENDMENT TO THE CITY'S ADOPTED FY2022-23 BUDGET, THE FY2023 CAPITAL IMPROVEMENT PLAN (CIP), AND THE FY2023 VEHICLE ACQUISITION FUND (VAF) REPLACEMENT LIST.**

The City Council is informed that:

**WHEREAS**, City staff members have prepared the third quarter budget adjustment for the fiscal year starting July 1, 2022 through June 30, 2023; and

**WHEREAS**, the budget adjustments include funding for supplies, services, equipment, and projects to meet the demands of a growing community and to align budgets for effective and efficient City of Las Cruces operations; and

**WHEREAS**, this third quarter adjustment will not deplete the General Fund 2/12ths reserve requirement.

**NOW, THEREFORE**, Be it Resolved by the Governing Body of the City of Las Cruces:

**(I)**

**THAT** the budget adjustments as indicated in Exhibit "A", attached hereto and made a part of this Resolution, are hereby approved.

**(II)**

**THAT** the FY2023 CIP, is hereby amended as outlined in Exhibit "B", attached hereto and made part of this Resolution, are hereby approved.

**(III)**

**THAT** the Vehicle Acquisition Fund, is hereby amended as outlined in Exhibit "C", attached hereto and made part of this Resolution, are hereby approved.

**(IV)**

**THAT** the City staff is hereby authorized to do all deeds necessary in the accomplishment of the herein above.

**DONE AND APPROVED this** day of

APPROVED

\_\_\_\_\_  
Mayor

ATTEST:

\_\_\_\_\_  
City Clerk

**Moved by:**

**Seconded by:**

**AYES**

**NAYS**

**CITY OF LAS CRUCES**  
**BUDGET ADJUSTMENT REQUEST**  
**BUDGET FISCAL YEAR 2022-23**

Exhibit "A"

|                                         | 1000<br>GENERAL FUND<br>2022-23 |                     |                    |                     |
|-----------------------------------------|---------------------------------|---------------------|--------------------|---------------------|
|                                         | Original Budget                 | Amended Budget      | Req. Adjustment    | Adjusted Budget     |
|                                         |                                 |                     |                    |                     |
| <b>RESOURCES</b>                        |                                 |                     |                    |                     |
| Beginning Balance                       | \$ 52,144,286                   | 52,144,286          | 0                  | 52,144,286          |
| <b>Revenues</b>                         |                                 |                     |                    |                     |
| Municipal Gross Receipts Tax            | 47,475,528                      | 54,635,374          | 0                  | 54,635,374          |
| Public Safety Gross Receipts Tax        | 4,263,256                       | 5,056,978           | 0                  | 5,056,978           |
| Hold Harmless Replacement GRT           | 0                               | 0                   | 0                  | 0                   |
| State-Shared Gross Receipts Tax         | 42,196,909                      | 49,557,012          | 0                  | 49,557,012          |
| Environmental Gross Receipts Tax        | 2,131,627                       | 2,131,627           | 0                  | 2,131,627           |
| County Environmental Gross Receipts Tax | 0                               | 0                   | 0                  | 0                   |
| Internet Sales Gross Receipts Tax       | 0                               | 0                   | 0                  | 0                   |
| Gasoline Tax                            | 0                               | 0                   | 0                  | 0                   |
| Cannabis Excise Tax                     | 500,000                         | 500,000             | 0                  | 500,000             |
| Lodgers Tax                             | 0                               | 0                   | 0                  | 0                   |
| Property Taxes                          | 12,648,613                      | 12,648,613          | 0                  | 12,648,613          |
| Payment In Lieu of Property Tax         | 842,304                         | 842,304             | 0                  | 842,304             |
| Franchise Fees                          | 2,771,546                       | 2,771,546           | 0                  | 2,771,546           |
| Payment In Lieu of Franchise Fees       | 1,200,000                       | 1,200,000           | 0                  | 1,200,000           |
| Licenses, Fees & Permits                | 3,089,711                       | 3,089,711           | 0                  | 3,089,711           |
| Convention Center Fee                   | 0                               | 0                   | 0                  | 0                   |
| Auto License - State Shared             | 0                               | 0                   | 0                  | 0                   |
| Fines & Forfeitures                     | 321,800                         | 321,800             | 0                  | 321,800             |
| Charges For Services                    | 2,622,941                       | 2,622,941           | 0                  | 2,622,941           |
| Natural Gas Sales - Commodity           | 0                               | 0                   | 0                  | 0                   |
| Motor Pool Maintenances Charges         | 0                               | 0                   | 0                  | 0                   |
| Fuel Charges                            | 0                               | 0                   | 0                  | 0                   |
| Intergovernmental                       | 2,681,000                       | 2,531,000           | 0                  | 2,531,000           |
| Investment Income                       | 100,000                         | 100,000             | 0                  | 100,000             |
| Miscellaneous Revenues                  | 90,060                          | 90,060              | 54,552             | 144,612             |
| Federal Grants                          | 0                               | 0                   | 0                  | 0                   |
| State Grants                            | 0                               | 0                   | 0                  | 0                   |
| Local Grants                            | 0                               | 0                   | 0                  | 0                   |
| Debt Service                            | 0                               | 0                   | 0                  | 0                   |
| <b>Total Revenues</b>                   | <b>122,935,295</b>              | <b>138,098,966</b>  | <b>54,552</b>      | <b>138,153,518</b>  |
| <b>TOTAL RESOURCES</b>                  | <b>\$ 175,079,581</b>           | <b>190,243,252</b>  | <b>54,552</b>      | <b>190,297,804</b>  |
| <b>Expenditures</b>                     |                                 |                     |                    |                     |
| General Government                      | 5,332,858                       | 6,498,658           | 0                  | 6,498,658           |
| Legislative                             | 599,338                         | 699,338             | 0                  | 699,338             |
| Municipal Court                         | 1,643,979                       | 1,728,979           | 0                  | 1,728,979           |
| Chief Administrative Officer            | 1,763,104                       | 1,360,632           | 0                  | 1,360,632           |
| City Manager                            | 3,432,090                       | 5,169,523           | 0                  | 5,169,523           |
| Legal                                   | 3,400,663                       | 3,400,663           | 0                  | 3,400,663           |
| Las Cruces Police Department            | 27,537,727                      | 27,602,882          | 0                  | 27,602,882          |
| Las Cruces Fire Department              | 19,484,637                      | 20,288,111          | 280,000            | 20,568,111          |
| Utilities                               | 0                               | 0                   | 0                  | 0                   |
| Economic Development                    | 4,634,036                       | 4,697,886           | 0                  | 4,697,886           |
| Internal Audit                          | 0                               | 0                   | 0                  | 0                   |
| Assistant City Manager-400              | 5,719,983                       | 5,889,683           | 0                  | 5,889,683           |
| Human Resources                         | 2,255,038                       | 2,316,368           | 0                  | 2,316,368           |
| Financial Services                      | 6,099,661                       | 6,131,660           | 941,054            | 7,072,714           |
| Information Technology                  | 6,130,713                       | 6,130,713           | 0                  | 6,130,713           |
| Fleet                                   | 0                               | 0                   | 0                  | 0                   |
| Assistant City Manager-500              | 0                               | 0                   | 0                  | 0                   |
| Parks & Recreation                      | 17,674,006                      | 18,107,337          | 353,635            | 18,460,972          |
| Community Development                   | 5,781,600                       | 4,987,587           | 0                  | 4,987,587           |
| Quality of Life                         | 8,313,229                       | 8,391,243           | 54,552             | 8,445,795           |
| Public Works                            | 10,285,620                      | 10,285,620          | 0                  | 10,285,620          |
| Legislative Reserve                     | 0                               | 0                   | 0                  | 0                   |
| <b>Total Expenditures</b>               | <b>\$ 130,088,282</b>           | <b>133,686,883</b>  | <b>1,629,241</b>   | <b>135,316,124</b>  |
| <b>Other Resources</b>                  |                                 |                     |                    |                     |
| Operating Transfers In                  | 9,302,703                       | 7,085,596           | 0                  | 7,085,596           |
| Operating Transfers Out                 | (19,039,540)                    | (20,326,407)        | (2,035,133)        | (22,361,540)        |
| <b>Total Other Resources</b>            | <b>\$ (9,736,837)</b>           | <b>(13,240,811)</b> | <b>(2,035,133)</b> | <b>(15,275,944)</b> |
| Accrual Adjustments                     | 0                               | 0                   | 0                  | 0                   |
| <b>ENDING BALANCE</b>                   | <b>\$ 35,254,462</b>            | <b>43,315,558</b>   | <b>(3,609,822)</b> | <b>39,705,736</b>   |
| <b>Required Reserve:</b>                |                                 |                     |                    |                     |
| State Required 1/12th                   | 10,840,691                      | 11,140,574          | 135,771            | 11,276,345          |
| Local CLC 1/12th                        | 10,840,691                      | 11,140,574          | 135,771            | 11,276,345          |
| <b>AVAILABLE BALANCE</b>                | <b>\$ 13,573,080</b>            | <b>21,034,410</b>   | <b>(3,881,364)</b> | <b>17,153,048</b>   |

**CITY OF LAS CRUCES**  
**BUDGET ADJUSTMENT REQUEST**  
**BUDGET FISCAL YEAR 2022-23**

Exhibit "A"

|                                         | 1500<br>HHR CONTINGENCY<br>2022-23 |                    |                  |                    |
|-----------------------------------------|------------------------------------|--------------------|------------------|--------------------|
|                                         | Original Budget                    | Amended Budget     | Req. Adjustment  | Adjusted Budget    |
|                                         |                                    |                    |                  |                    |
| <b>RESOURCES</b>                        |                                    |                    |                  |                    |
| Beginning Balance                       | \$ 7,329,615                       | 7,329,615          | 0                | 7,329,615          |
| <b>Revenues</b>                         |                                    |                    |                  |                    |
| Municipal Gross Receipts Tax            | 0                                  | 0                  | 0                | 0                  |
| Public Safety Gross Receipts Tax        | 0                                  | 0                  | 0                | 0                  |
| Hold Harmless Replacement GRT           | 10,941,798                         | 10,941,798         | 0                | 10,941,798         |
| State-Shared Gross Receipts Tax         | 0                                  | 0                  | 0                | 0                  |
| Environmental Gross Receipts Tax        | 0                                  | 0                  | 0                | 0                  |
| County Environmental Gross Receipts Tax | 0                                  | 0                  | 0                | 0                  |
| Internet Sales Gross Receipts Tax       | 0                                  | 0                  | 0                | 0                  |
| Gasoline Tax                            | 0                                  | 0                  | 0                | 0                  |
| Cannabis Excise Tax                     | 0                                  | 0                  | 0                | 0                  |
| Lodgers Tax                             | 0                                  | 0                  | 0                | 0                  |
| Property Taxes                          | 0                                  | 0                  | 0                | 0                  |
| Payment In Lieu of Property Tax         | 0                                  | 0                  | 0                | 0                  |
| Franchise Fees                          | 0                                  | 0                  | 0                | 0                  |
| Payment In Lieu of Franchise Fees       | 0                                  | 0                  | 0                | 0                  |
| Licenses, Fees & Permits                | 0                                  | 0                  | 0                | 0                  |
| Convention Center Fee                   | 0                                  | 0                  | 0                | 0                  |
| Auto License - State Shared             | 0                                  | 0                  | 0                | 0                  |
| Fines & Forfeitures                     | 0                                  | 0                  | 0                | 0                  |
| Charges For Services                    | 0                                  | 0                  | 0                | 0                  |
| Natural Gas Sales - Commodity           | 0                                  | 0                  | 0                | 0                  |
| Motor Pool Maintenances Charges         | 0                                  | 0                  | 0                | 0                  |
| Fuel Charges                            | 0                                  | 0                  | 0                | 0                  |
| Intergovernmental                       | 0                                  | 0                  | 0                | 0                  |
| Investment Income                       | 0                                  | 0                  | 0                | 0                  |
| Miscellaneous Revenues                  | 0                                  | 0                  | 0                | 0                  |
| Federal Grants                          | 0                                  | 0                  | 0                | 0                  |
| State Grants                            | 0                                  | 0                  | 0                | 0                  |
| Local Grants                            | 0                                  | 0                  | 0                | 0                  |
| Debt Service                            | 0                                  | 0                  | 0                | 0                  |
| <b>Total Revenues</b>                   | <b>10,941,798</b>                  | <b>10,941,798</b>  | <b>0</b>         | <b>10,941,798</b>  |
| <b>TOTAL RESOURCES</b>                  | <b>\$ 18,271,413</b>               | <b>18,271,413</b>  | <b>0</b>         | <b>18,271,413</b>  |
| <b>Expenditures</b>                     |                                    |                    |                  |                    |
| General Government                      | 0                                  | 0                  | 0                | 0                  |
| Legislative                             | 2,887,227                          | 2,537,227          | (50,000)         | 2,487,227          |
| Municipal Court                         | 0                                  | 0                  | 0                | 0                  |
| Chief Administrative Officer            | 0                                  | 0                  | 0                | 0                  |
| City Manager                            | 0                                  | 0                  | 0                | 0                  |
| Legal                                   | 0                                  | 0                  | 0                | 0                  |
| Las Cruces Police Department            | 0                                  | 0                  | 150,000          | 150,000            |
| Las Cruces Fire Department              | 0                                  | 0                  | 0                | 0                  |
| Utilities                               | 0                                  | 0                  | 0                | 0                  |
| Economic Development                    | 0                                  | 0                  | 0                | 0                  |
| Internal Audit                          | 0                                  | 0                  | 0                | 0                  |
| Assistant City Manager-400              | 0                                  | 0                  | 0                | 0                  |
| Human Resources                         | 0                                  | 0                  | 0                | 0                  |
| Financial Services                      | 0                                  | 0                  | 0                | 0                  |
| Information Technology                  | 0                                  | 0                  | 0                | 0                  |
| Fleet                                   | 0                                  | 0                  | 0                | 0                  |
| Assistant City Manger-500               | 0                                  | 0                  | 0                | 0                  |
| Parks & Recreation                      | 0                                  | 0                  | 0                | 0                  |
| Community Development                   | 0                                  | 0                  | 0                | 0                  |
| Quality of Life                         | 0                                  | 0                  | 0                | 0                  |
| Public Works                            | 0                                  | 0                  | 0                | 0                  |
| Legislative Reserve                     | 0                                  | 0                  | 0                | 0                  |
| <b>Total Expenditures</b>               | <b>\$ 2,887,227</b>                | <b>2,537,227</b>   | <b>100,000</b>   | <b>2,637,227</b>   |
| <b>Other Resources</b>                  |                                    |                    |                  |                    |
| Operating Transfers In                  | 0                                  | 1,500,000          | 0                | 1,500,000          |
| Operating Transfers Out                 | (9,519,635)                        | (9,869,635)        | 0                | (9,869,635)        |
| <b>Total Other Resources</b>            | <b>\$ (9,519,635)</b>              | <b>(8,369,635)</b> | <b>0</b>         | <b>(8,369,635)</b> |
| Accrual Adjustments                     | 0                                  | 0                  | 0                | 0                  |
| <b>ENDING BALANCE</b>                   | <b>\$ 5,864,551</b>                | <b>7,364,551</b>   | <b>(100,000)</b> | <b>7,264,551</b>   |

**CITY OF LAS CRUCES**  
**BUDGET ADJUSTMENT REQUEST**  
**BUDGET FISCAL YEAR 2022-23**

Exhibit "A"

|                                         | 2100<br>SPECIAL REVENUE REIMB GRANTS |                   |                 |                   |
|-----------------------------------------|--------------------------------------|-------------------|-----------------|-------------------|
|                                         | 2022-23                              |                   |                 |                   |
|                                         | Original Budget                      | Amended Budget    | Req. Adjustment | Adjusted Budget   |
| <b>RESOURCES</b>                        |                                      |                   |                 |                   |
| Beginning Balance                       | \$ 24,280                            | 24,280            | 0               | 24,280            |
| <b>Revenues</b>                         |                                      |                   |                 |                   |
| Municipal Gross Receipts Tax            | 0                                    | 0                 | 0               | 0                 |
| Public Safety Gross Receipts Tax        | 0                                    | 0                 | 0               | 0                 |
| Hold Harmless Replacement GRT           | 0                                    | 0                 | 0               | 0                 |
| State-Shared Gross Receipts Tax         | 0                                    | 0                 | 0               | 0                 |
| Environmental Gross Receipts Tax        | 0                                    | 0                 | 0               | 0                 |
| County Environmental Gross Receipts Tax | 0                                    | 0                 | 0               | 0                 |
| Internet Sales Gross Receipts Tax       | 0                                    | 0                 | 0               | 0                 |
| Gasoline Tax                            | 0                                    | 0                 | 0               | 0                 |
| Cannabis Excise Tax                     | 0                                    | 0                 | 0               | 0                 |
| Lodgers Tax                             | 0                                    | 0                 | 0               | 0                 |
| Property Taxes                          | 0                                    | 0                 | 0               | 0                 |
| Payment In Lieu of Property Tax         | 0                                    | 0                 | 0               | 0                 |
| Franchise Fees                          | 0                                    | 0                 | 0               | 0                 |
| Payment In Lieu of Franchise Fees       | 0                                    | 0                 | 0               | 0                 |
| Licenses, Fees & Permits                | 0                                    | 0                 | 0               | 0                 |
| Convention Center Fee                   | 0                                    | 0                 | 0               | 0                 |
| Auto License - State Shared             | 0                                    | 0                 | 0               | 0                 |
| Fines & Forfeitures                     | 0                                    | 0                 | 0               | 0                 |
| Charges For Services                    | 0                                    | 259               | 0               | 259               |
| Natural Gas Sales - Commodity           | 0                                    | 0                 | 0               | 0                 |
| Motor Pool Maintenances Charges         | 0                                    | 0                 | 0               | 0                 |
| Fuel Charges                            | 0                                    | 0                 | 0               | 0                 |
| Intergovernmental                       | 0                                    | 0                 | 0               | 0                 |
| Investment Income                       | 0                                    | 0                 | 0               | 0                 |
| Miscellaneous Revenues                  | 182,000                              | 247,000           | 0               | 247,000           |
| Federal Grants                          | 5,358,202                            | 16,855,763        | 0               | 16,855,763        |
| State Grants                            | 1,120,000                            | 10,094,931        | 0               | 10,094,931        |
| Local Grants                            | 46,440                               | 43,825            | (1,237)         | 42,588            |
| Debt Service                            | 0                                    | 0                 | 0               | 0                 |
| <b>Total Revenues</b>                   | <b>6,706,642</b>                     | <b>27,241,778</b> | <b>(1,237)</b>  | <b>27,240,541</b> |
| <b>TOTAL RESOURCES</b>                  | <b>\$ 6,730,922</b>                  | <b>27,266,058</b> | <b>(1,237)</b>  | <b>27,264,821</b> |
| <b>Expenditures</b>                     |                                      |                   |                 |                   |
| General Government                      | 0                                    | 0                 | 0               | 0                 |
| Legislative                             | 0                                    | 0                 | 0               | 0                 |
| Municipal Court                         | 0                                    | 0                 | 0               | 0                 |
| Chief Administrative Officer            | 0                                    | 0                 | 0               | 0                 |
| City Manager                            | 0                                    | 0                 | 0               | 0                 |
| Legal                                   | 0                                    | 0                 | 0               | 0                 |
| Las Cruces Police Department            | 629,443                              | 6,060,879         | (11,855)        | 6,049,024         |
| Las Cruces Fire Department              | 85,478                               | 1,378,030         | 0               | 1,378,030         |
| Utilities                               | 0                                    | 1,300,000         | 0               | 1,300,000         |
| Economic Development                    | 2,798,662                            | 13,511,171        | (363,575)       | 13,147,596        |
| Internal Audit                          | 0                                    | 0                 | 0               | 0                 |
| Assistant City Manager-400              | 468,870                              | 1,229,603         | 0               | 1,229,603         |
| Human Resources                         | 0                                    | 0                 | 0               | 0                 |
| Financial Services                      | 0                                    | 29,643            | 375,430         | 405,073           |
| Information Technology                  | 0                                    | 0                 | 0               | 0                 |
| Fleet                                   | 0                                    | 0                 | 0               | 0                 |
| Assistant City Manger-500               | 0                                    | 0                 | 0               | 0                 |
| Parks & Recreation                      | 11,030                               | 459,980           | (1,237)         | 458,743           |
| Community Development                   | 337,980                              | 791,665           | 0               | 791,665           |
| Quality of Life                         | 2,375,179                            | 2,116,846         | 0               | 2,116,846         |
| Public Works                            | 0                                    | 365,000           | 0               | 365,000           |
| Legislative Reserve                     | 0                                    | 0                 | 0               | 0                 |
| <b>Total Expenditures</b>               | <b>\$ 6,706,642</b>                  | <b>27,242,817</b> | <b>(1,237)</b>  | <b>27,241,580</b> |
| <b>Other Resources</b>                  |                                      |                   |                 |                   |
| Operating Transfers In                  | 0                                    | 0                 | 0               | 0                 |
| Operating Transfers Out                 | 0                                    | 0                 | 0               | 0                 |
| <b>Total Other Resources</b>            | <b>\$ 0</b>                          | <b>0</b>          | <b>0</b>        | <b>0</b>          |
| Accrual Adjustments                     | 0                                    | 0                 | 0               | 0                 |
| <b>ENDING BALANCE</b>                   | <b>\$ 24,280</b>                     | <b>23,241</b>     | <b>0</b>        | <b>23,241</b>     |

**CITY OF LAS CRUCES**  
**BUDGET ADJUSTMENT REQUEST**  
**BUDGET FISCAL YEAR 2022-23**

Exhibit "A"

|                                         | 2790<br>ALARM FEES AND FINES<br>2022-23 |                |                 |                 |
|-----------------------------------------|-----------------------------------------|----------------|-----------------|-----------------|
|                                         | Original Budget                         | Amended Budget | Req. Adjustment | Adjusted Budget |
|                                         |                                         |                |                 |                 |
| <b>RESOURCES</b>                        |                                         |                |                 |                 |
| Beginning Balance                       | \$ 1,540                                | 1,540          |                 | 1,540           |
| <b>Revenues</b>                         |                                         |                |                 |                 |
| Municipal Gross Receipts Tax            | 0                                       | 0              | 0               | 0               |
| Public Safety Gross Receipts Tax        | 0                                       | 0              | 0               | 0               |
| Hold Harmless Replacement GRT           | 0                                       | 0              | 0               | 0               |
| State-Shared Gross Receipts Tax         | 0                                       | 0              | 0               | 0               |
| Environmental Gross Receipts Tax        | 0                                       | 0              | 0               | 0               |
| County Environmental Gross Receipts Tax | 0                                       | 0              | 0               | 0               |
| Internet Sales Gross Receipts Tax       | 0                                       | 0              | 0               | 0               |
| Gasoline Tax                            | 0                                       | 0              | 0               | 0               |
| Cannabis Excise Tax                     | 0                                       | 0              | 0               | 0               |
| Lodgers Tax                             | 0                                       | 0              | 0               | 0               |
| Property Taxes                          | 0                                       | 0              | 0               | 0               |
| Payment In Lieu of Property Tax         | 0                                       | 0              | 0               | 0               |
| Franchise Fees                          | 0                                       | 0              | 0               | 0               |
| Payment In Lieu of Franchise Fees       | 0                                       | 0              | 0               | 0               |
| Licenses, Fees & Permits                | 0                                       | 0              | 0               | 0               |
| Convention Center Fee                   | 0                                       | 0              | 0               | 0               |
| Auto License - State Shared             | 0                                       | 0              | 0               | 0               |
| Fines & Forfeitures                     | 0                                       | 0              | 0               | 0               |
| Charges For Services                    | 0                                       | 0              | 0               | 0               |
| Natural Gas Sales - Commodity           | 0                                       | 0              | 0               | 0               |
| Motor Pool Maintenances Charges         | 0                                       | 0              | 0               | 0               |
| Fuel Charges                            | 0                                       | 0              | 0               | 0               |
| Intergovernmental                       | 0                                       | 0              | 0               | 0               |
| Investment Income                       | 0                                       | 0              | 0               | 0               |
| Miscellaneous Revenues                  | 0                                       | 0              | 0               | 0               |
| Federal Grants                          | 0                                       | 0              | 0               | 0               |
| State Grants                            | 0                                       | 0              | 0               | 0               |
| Local Grants                            | 0                                       | 0              | 0               | 0               |
| Debt Service                            | 0                                       | 0              | 0               | 0               |
| <b>Total Revenues</b>                   | <b>0</b>                                | <b>0</b>       | <b>0</b>        | <b>0</b>        |
| <b>TOTAL RESOURCES</b>                  | <b>\$ 1,540</b>                         | <b>1,540</b>   | <b>0</b>        | <b>1,540</b>    |
| <b>Expenditures</b>                     |                                         |                |                 |                 |
| General Government                      | 0                                       | 0              | 0               | 0               |
| Legislative                             | 0                                       | 0              | 0               | 0               |
| Municipal Court                         | 0                                       | 0              | 0               | 0               |
| Chief Administrative Officer            | 0                                       | 0              | 0               | 0               |
| City Manager                            | 0                                       | 0              | 0               | 0               |
| Legal                                   | 0                                       | 0              | 0               | 0               |
| Las Cruces Police Department            | 0                                       | 0              | 0               | 0               |
| Las Cruces Fire Department              | 0                                       | 0              | 0               | 0               |
| Utilities                               | 0                                       | 0              | 0               | 0               |
| Economic Development                    | 0                                       | 0              | 0               | 0               |
| Internal Audit                          | 0                                       | 0              | 0               | 0               |
| Assistant City Manager-400              | 0                                       | 0              | 0               | 0               |
| Human Resources                         | 0                                       | 0              | 0               | 0               |
| Financial Services                      | 0                                       | 0              | 0               | 0               |
| Information Technology                  | 0                                       | 0              | 0               | 0               |
| Fleet                                   | 0                                       | 0              | 0               | 0               |
| Assistant City Manger-500               | 0                                       | 0              | 0               | 0               |
| Parks & Recreation                      | 0                                       | 0              | 0               | 0               |
| Community Development                   | 0                                       | 0              | 0               | 0               |
| Quality of Life                         | 0                                       | 0              | 0               | 0               |
| Public Works                            | 0                                       | 0              | 0               | 0               |
| Legislative Reserve                     | 0                                       | 0              | 0               | 0               |
| <b>Total Expenditures</b>               | <b>\$ 0</b>                             | <b>0</b>       | <b>0</b>        | <b>0</b>        |
| <b>Other Resources</b>                  |                                         |                |                 |                 |
| Operating Transfers In                  | 0                                       | 0              | 0               | 0               |
| Operating Transfers Out                 | 0                                       | 0              | (1,540)         | (1,540)         |
| <b>Total Other Resources</b>            | <b>\$ 0</b>                             | <b>0</b>       | <b>(1,540)</b>  | <b>(1,540)</b>  |
| Accrual Adjustments                     | 0                                       | 0              | 0               | 0               |
| <b>ENDING BALANCE</b>                   | <b>\$ 1,540</b>                         | <b>1,540</b>   | <b>(1,540)</b>  | <b>0</b>        |

**CITY OF LAS CRUCES**  
**BUDGET ADJUSTMENT REQUEST**  
**BUDGET FISCAL YEAR 2022-23**

Exhibit "A"

|                                         | 3616<br>2007 NMFA FIRE EQPT DS<br>2022-23 |                |                 |                 |
|-----------------------------------------|-------------------------------------------|----------------|-----------------|-----------------|
|                                         | Original Budget                           | Amended Budget | Req. Adjustment | Adjusted Budget |
| <b>RESOURCES</b>                        |                                           |                |                 |                 |
| Beginning Balance                       | \$ 0                                      | 0              | 0               | 0               |
| <b>Revenues</b>                         |                                           |                |                 |                 |
| Municipal Gross Receipts Tax            | 0                                         | 0              | 0               | 0               |
| Public Safety Gross Receipts Tax        | 0                                         | 0              | 0               | 0               |
| Hold Harmless Replacement GRT           | 0                                         | 0              | 0               | 0               |
| State-Shared Gross Receipts Tax         | 0                                         | 0              | 0               | 0               |
| Environmental Gross Receipts Tax        | 0                                         | 0              | 0               | 0               |
| County Environmental Gross Receipts Tax | 0                                         | 0              | 0               | 0               |
| Internet Sales Gross Receipts Tax       | 0                                         | 0              | 0               | 0               |
| Gasoline Tax                            | 0                                         | 0              | 0               | 0               |
| Cannabis Excise Tax                     | 0                                         | 0              | 0               | 0               |
| Lodgers Tax                             | 0                                         | 0              | 0               | 0               |
| Property Taxes                          | 0                                         | 0              | 0               | 0               |
| Payment In Lieu of Property Tax         | 0                                         | 0              | 0               | 0               |
| Franchise Fees                          | 0                                         | 0              | 0               | 0               |
| Payment In Lieu of Franchise Fees       | 0                                         | 0              | 0               | 0               |
| Licenses, Fees & Permits                | 0                                         | 0              | 0               | 0               |
| Convention Center Fee                   | 0                                         | 0              | 0               | 0               |
| Auto License - State Shared             | 0                                         | 0              | 0               | 0               |
| Fines & Forfeitures                     | 0                                         | 0              | 0               | 0               |
| Charges For Services                    | 0                                         | 0              | 0               | 0               |
| Natural Gas Sales - Commodity           | 0                                         | 0              | 0               | 0               |
| Motor Pool Maintenances Charges         | 0                                         | 0              | 0               | 0               |
| Fuel Charges                            | 0                                         | 0              | 0               | 0               |
| Intergovernmental                       | 0                                         | 0              | 0               | 0               |
| Investment Income                       | 0                                         | 0              | 0               | 0               |
| Miscellaneous Revenues                  | 0                                         | 0              | 0               | 0               |
| Federal Grants                          | 0                                         | 0              | 0               | 0               |
| State Grants                            | 0                                         | 0              | 0               | 0               |
| Local Grants                            | 0                                         | 0              | 0               | 0               |
| Debt Service                            | 0                                         | 0              | 0               | 0               |
| <b>Total Revenues</b>                   | <b>0</b>                                  | <b>0</b>       | <b>0</b>        | <b>0</b>        |
| <b>TOTAL RESOURCES</b>                  | <b>\$ 0</b>                               | <b>0</b>       | <b>0</b>        | <b>0</b>        |
| <b>Expenditures</b>                     |                                           |                |                 |                 |
| General Government                      | 0                                         | 0              | 0               | 0               |
| Legislative                             | 0                                         | 0              | 0               | 0               |
| Municipal Court                         | 0                                         | 0              | 0               | 0               |
| Chief Administrative Officer            | 0                                         | 0              | 0               | 0               |
| City Manager                            | 0                                         | 0              | 0               | 0               |
| Legal                                   | 0                                         | 0              | 0               | 0               |
| Las Cruces Police Department            | 0                                         | 0              | 0               | 0               |
| Las Cruces Fire Department              | 0                                         | 361,878        | 2,067           | 363,945         |
| Utilities                               | 0                                         | 0              | 0               | 0               |
| Economic Development                    | 0                                         | 0              | 0               | 0               |
| Internal Audit                          | 0                                         | 0              | 0               | 0               |
| Assistant City Manager-400              | 0                                         | 0              | 0               | 0               |
| Human Resources                         | 0                                         | 0              | 0               | 0               |
| Financial Services                      | 0                                         | 0              | 0               | 0               |
| Information Technology                  | 0                                         | 0              | 0               | 0               |
| Fleet                                   | 0                                         | 0              | 0               | 0               |
| Assistant City Manger-500               | 0                                         | 0              | 0               | 0               |
| Parks & Recreation                      | 0                                         | 0              | 0               | 0               |
| Community Development                   | 0                                         | 0              | 0               | 0               |
| Quality of Life                         | 0                                         | 0              | 0               | 0               |
| Public Works                            | 0                                         | 0              | 0               | 0               |
| Legislative Reserve                     | 0                                         | 0              | 0               | 0               |
| <b>Total Expenditures</b>               | <b>\$ 0</b>                               | <b>361,878</b> | <b>2,067</b>    | <b>363,945</b>  |
| <b>Other Resources</b>                  |                                           |                |                 |                 |
| Operating Transfers In                  | 0                                         | 405,964        | 2,317           | 408,281         |
| Operating Transfers Out                 | 0                                         | 0              | 0               | 0               |
| <b>Total Other Resources</b>            | <b>\$ 0</b>                               | <b>405,964</b> | <b>2,317</b>    | <b>408,281</b>  |
| Accrual Adjustments                     | 0                                         | 0              | 0               | 0               |
| <b>ENDING BALANCE</b>                   | <b>\$ 0</b>                               | <b>44,086</b>  | <b>250</b>      | <b>44,336</b>   |

**CITY OF LAS CRUCES**  
**BUDGET ADJUSTMENT REQUEST**  
**BUDGET FISCAL YEAR 2022-23**

Exhibit "A"

|                                         | 4100<br>CAPITAL PROJECTS REIMB GRANTS<br>2022-23 |                   |                 |                   |
|-----------------------------------------|--------------------------------------------------|-------------------|-----------------|-------------------|
|                                         | Original Budget                                  | Amended Budget    | Req. Adjustment | Adjusted Budget   |
|                                         |                                                  |                   |                 |                   |
| <b>RESOURCES</b>                        |                                                  |                   |                 |                   |
| Beginning Balance                       | \$ (0)                                           | (0)               | 0               | (0)               |
| <b>Revenues</b>                         |                                                  |                   |                 |                   |
| Municipal Gross Receipts Tax            | 0                                                | 0                 | 0               | 0                 |
| Public Safety Gross Receipts Tax        | 0                                                | 0                 | 0               | 0                 |
| Hold Harmless Replacement GRT           | 0                                                | 0                 | 0               | 0                 |
| State-Shared Gross Receipts Tax         | 0                                                | 0                 | 0               | 0                 |
| Environmental Gross Receipts Tax        | 0                                                | 0                 | 0               | 0                 |
| County Environmental Gross Receipts Tax | 0                                                | 0                 | 0               | 0                 |
| Internet Sales Gross Receipts Tax       | 0                                                | 0                 | 0               | 0                 |
| Gasoline Tax                            | 0                                                | 0                 | 0               | 0                 |
| Cannabis Excise Tax                     | 0                                                | 0                 | 0               | 0                 |
| Lodgers Tax                             | 0                                                | 0                 | 0               | 0                 |
| Property Taxes                          | 0                                                | 0                 | 0               | 0                 |
| Payment In Lieu of Property Tax         | 0                                                | 0                 | 0               | 0                 |
| Franchise Fees                          | 0                                                | 0                 | 0               | 0                 |
| Payment In Lieu of Franchise Fees       | 0                                                | 0                 | 0               | 0                 |
| Licenses, Fees & Permits                | 0                                                | 0                 | 0               | 0                 |
| Convention Center Fee                   | 0                                                | 0                 | 0               | 0                 |
| Auto License - State Shared             | 0                                                | 0                 | 0               | 0                 |
| Fines & Forfeitures                     | 0                                                | 0                 | 0               | 0                 |
| Charges For Services                    | 0                                                | 0                 | 0               | 0                 |
| Natural Gas Sales - Commodity           | 0                                                | 0                 | 0               | 0                 |
| Motor Pool Maintenances Charges         | 0                                                | 0                 | 0               | 0                 |
| Fuel Charges                            | 0                                                | 0                 | 0               | 0                 |
| Intergovernmental                       | 0                                                | 0                 | 0               | 0                 |
| Investment Income                       | 0                                                | 0                 | 0               | 0                 |
| Miscellaneous Revenues                  | 0                                                | 0                 | 0               | 0                 |
| Federal Grants                          | 5,508,937                                        | 7,877,371         | (4,825)         | 7,872,546         |
| State Grants                            | 16,541,864                                       | 18,450,623        | 0               | 18,450,623        |
| Local Grants                            | 350,000                                          | 861,264           | 0               | 861,264           |
| Debt Service                            | 0                                                | 0                 | 0               | 0                 |
| <b>Total Revenues</b>                   | <b>22,400,801</b>                                | <b>27,189,258</b> | <b>(4,825)</b>  | <b>27,184,433</b> |
| <b>TOTAL RESOURCES</b>                  | <b>\$ 22,400,801</b>                             | <b>27,189,258</b> | <b>(4,825)</b>  | <b>27,184,433</b> |
| <b>Expenditures</b>                     |                                                  |                   |                 |                   |
| General Government                      | 0                                                | 0                 | 0               | 0                 |
| Legislative                             | 0                                                | 0                 | 0               | 0                 |
| Municipal Court                         | 0                                                | 0                 | 0               | 0                 |
| Chief Administrative Officer            | 0                                                | 0                 | 0               | 0                 |
| City Manager                            | 0                                                | 0                 | 0               | 0                 |
| Legal                                   | 0                                                | 0                 | 0               | 0                 |
| Las Cruces Police Department            | 47,000                                           | 160,000           | 0               | 160,000           |
| Las Cruces Fire Department              | 74,798                                           | 332,731           | 0               | 332,731           |
| Utilities                               | 0                                                | 0                 | 0               | 0                 |
| Economic Development                    | 2,631,838                                        | 1,734,242         | 0               | 1,734,242         |
| Internal Audit                          | 0                                                | 0                 | 0               | 0                 |
| Assistant City Manager-400              | 0                                                | 0                 | 0               | 0                 |
| Human Resources                         | 0                                                | 0                 | 0               | 0                 |
| Financial Services                      | 0                                                | 0                 | 0               | 0                 |
| Information Technology                  | 370,000                                          | 370,000           | 0               | 370,000           |
| Fleet                                   | 0                                                | 0                 | 0               | 0                 |
| Assistant City Manger-500               | 0                                                | 0                 | 0               | 0                 |
| Parks & Recreation                      | 3,816,025                                        | 4,654,367         | 0               | 4,654,367         |
| Community Development                   | 0                                                | 0                 | 0               | 0                 |
| Quality of Life                         | 742,500                                          | 742,500           | 0               | 742,500           |
| Public Works                            | 14,718,640                                       | 19,190,593        | 0               | 19,190,593        |
| Legislative Reserve                     | 0                                                | 0                 | 0               | 0                 |
| <b>Total Expenditures</b>               | <b>\$ 22,400,801</b>                             | <b>27,184,433</b> | <b>0</b>        | <b>27,184,433</b> |
| <b>Other Resources</b>                  |                                                  |                   |                 |                   |
| Operating Transfers In                  | 0                                                | 0                 | 0               | 0                 |
| Operating Transfers Out                 | 0                                                | 0                 | 0               | 0                 |
| <b>Total Other Resources</b>            | <b>\$ 0</b>                                      | <b>0</b>          | <b>0</b>        | <b>0</b>          |
| Accrual Adjustments                     | 0                                                | 0                 | 0               | 0                 |
| <b>ENDING BALANCE</b>                   | <b>\$ (0)</b>                                    | <b>4,825</b>      | <b>(4,825)</b>  | <b>(0)</b>        |

**CITY OF LAS CRUCES**  
**BUDGET ADJUSTMENT REQUEST**  
**BUDGET FISCAL YEAR 2022-23**

Exhibit "A"

|                                         | 4106<br>PUBLIC PARK DEVELOPMENT<br>2022-23 |                  |                  |                  |
|-----------------------------------------|--------------------------------------------|------------------|------------------|------------------|
|                                         | Original Budget                            | Amended Budget   | Req. Adjustment  | Adjusted Budget  |
|                                         |                                            |                  |                  |                  |
| <b>RESOURCES</b>                        |                                            |                  |                  |                  |
| Beginning Balance                       | \$ 6,030,853                               | 6,030,853        | 0                | 6,030,853        |
| <b>Revenues</b>                         |                                            |                  |                  |                  |
| Municipal Gross Receipts Tax            | 0                                          | 0                | 0                | 0                |
| Public Safety Gross Receipts Tax        | 0                                          | 0                | 0                | 0                |
| Hold Harmless Replacement GRT           | 0                                          | 0                | 0                | 0                |
| State-Shared Gross Receipts Tax         | 0                                          | 0                | 0                | 0                |
| Environmental Gross Receipts Tax        | 0                                          | 0                | 0                | 0                |
| County Environmental Gross Receipts Tax | 0                                          | 0                | 0                | 0                |
| Internet Sales Gross Receipts Tax       | 0                                          | 0                | 0                | 0                |
| Gasoline Tax                            | 0                                          | 0                | 0                | 0                |
| Cannabis Excise Tax                     | 0                                          | 0                | 0                | 0                |
| Lodgers Tax                             | 0                                          | 0                | 0                | 0                |
| Property Taxes                          | 0                                          | 0                | 0                | 0                |
| Payment In Lieu of Property Tax         | 0                                          | 0                | 0                | 0                |
| Franchise Fees                          | 0                                          | 0                | 0                | 0                |
| Payment In Lieu of Franchise Fees       | 0                                          | 0                | 0                | 0                |
| Licenses, Fees & Permits                | 1,500,000                                  | 1,500,000        | 0                | 1,500,000        |
| Convention Center Fee                   | 0                                          | 0                | 0                | 0                |
| Auto License - State Shared             | 0                                          | 0                | 0                | 0                |
| Fines & Forfeitures                     | 0                                          | 0                | 0                | 0                |
| Charges For Services                    | 0                                          | 0                | 0                | 0                |
| Natural Gas Sales - Commodity           | 0                                          | 0                | 0                | 0                |
| Motor Pool Maintenances Charges         | 0                                          | 0                | 0                | 0                |
| Fuel Charges                            | 0                                          | 0                | 0                | 0                |
| Intergovernmental                       | 0                                          | 0                | 0                | 0                |
| Investment Income                       | 0                                          | 0                | 0                | 0                |
| Miscellaneous Revenues                  | 0                                          | 0                | 0                | 0                |
| Federal Grants                          | 0                                          | 0                | 0                | 0                |
| State Grants                            | 0                                          | 0                | 0                | 0                |
| Local Grants                            | 0                                          | 0                | 0                | 0                |
| Debt Service                            | 0                                          | 0                | 0                | 0                |
| <b>Total Revenues</b>                   | <b>1,500,000</b>                           | <b>1,500,000</b> | <b>0</b>         | <b>1,500,000</b> |
| <b>TOTAL RESOURCES</b>                  | <b>\$ 7,530,853</b>                        | <b>7,530,853</b> | <b>0</b>         | <b>7,530,853</b> |
| <b>Expenditures</b>                     |                                            |                  |                  |                  |
| General Government                      | 0                                          | 0                | 0                | 0                |
| Legislative                             | 0                                          | 0                | 0                | 0                |
| Municipal Court                         | 0                                          | 0                | 0                | 0                |
| Chief Administrative Officer            | 0                                          | 0                | 0                | 0                |
| City Manager                            | 0                                          | 0                | 0                | 0                |
| Legal                                   | 0                                          | 0                | 0                | 0                |
| Las Cruces Police Department            | 0                                          | 0                | 0                | 0                |
| Las Cruces Fire Department              | 0                                          | 0                | 0                | 0                |
| Utilities                               | 0                                          | 0                | 0                | 0                |
| Economic Development                    | 0                                          | 0                | 0                | 0                |
| Internal Audit                          | 0                                          | 0                | 0                | 0                |
| Assistant City Manager-400              | 0                                          | 0                | 0                | 0                |
| Human Resources                         | 0                                          | 0                | 0                | 0                |
| Financial Services                      | 0                                          | 0                | 0                | 0                |
| Information Technology                  | 0                                          | 0                | 0                | 0                |
| Fleet                                   | 0                                          | 0                | 0                | 0                |
| Assistant City Manger-500               | 0                                          | 0                | 0                | 0                |
| Parks & Recreation                      | 3,812,303                                  | 3,447,167        | 419,645          | 3,866,812        |
| Community Development                   | 0                                          | 0                | 0                | 0                |
| Quality of Life                         | 0                                          | 0                | 0                | 0                |
| Public Works                            | 0                                          | 0                | 0                | 0                |
| Legislative Reserve                     | 0                                          | 0                | 0                | 0                |
| <b>Total Expenditures</b>               | <b>\$ 3,812,303</b>                        | <b>3,447,167</b> | <b>419,645</b>   | <b>3,866,812</b> |
| <b>Other Resources</b>                  |                                            |                  |                  |                  |
| Operating Transfers In                  | 0                                          | 0                | 0                | 0                |
| Operating Transfers Out                 | 0                                          | 0                | 0                | 0                |
| <b>Total Other Resources</b>            | <b>\$ 0</b>                                | <b>0</b>         | <b>0</b>         | <b>0</b>         |
| Accrual Adjustments                     | 0                                          | 0                | 0                | 0                |
| <b>ENDING BALANCE</b>                   | <b>\$ 3,718,550</b>                        | <b>4,083,686</b> | <b>(419,645)</b> | <b>3,664,041</b> |

**CITY OF LAS CRUCES**  
**BUDGET ADJUSTMENT REQUEST**  
**BUDGET FISCAL YEAR 2022-23**

Exhibit "A"

|                                         | 5010<br>AIRPORT<br>2022-23 |                  |                 |                  |
|-----------------------------------------|----------------------------|------------------|-----------------|------------------|
|                                         | Original Budget            | Amended Budget   | Req. Adjustment | Adjusted Budget  |
|                                         |                            |                  |                 |                  |
| <b>RESOURCES</b>                        |                            |                  |                 |                  |
| Beginning Balance                       | \$ 874,168                 | 874,168          | 0               | 874,168          |
| <b>Revenues</b>                         |                            |                  |                 |                  |
| Municipal Gross Receipts Tax            | 0                          | 0                | 0               | 0                |
| Public Safety Gross Receipts Tax        | 0                          | 0                | 0               | 0                |
| Hold Harmless Replacement GRT           | 0                          | 0                | 0               | 0                |
| State-Shared Gross Receipts Tax         | 0                          | 0                | 0               | 0                |
| Environmental Gross Receipts Tax        | 0                          | 0                | 0               | 0                |
| County Environmental Gross Receipts Tax | 0                          | 0                | 0               | 0                |
| Internet Sales Gross Receipts Tax       | 0                          | 0                | 0               | 0                |
| Gasoline Tax                            | 0                          | 0                | 0               | 0                |
| Cannabis Excise Tax                     | 0                          | 0                | 0               | 0                |
| Lodgers Tax                             | 0                          | 0                | 0               | 0                |
| Property Taxes                          | 0                          | 0                | 0               | 0                |
| Payment In Lieu of Property Tax         | 0                          | 0                | 0               | 0                |
| Franchise Fees                          | 0                          | 0                | 0               | 0                |
| Payment In Lieu of Franchise Fees       | 0                          | 0                | 0               | 0                |
| Licenses, Fees & Permits                | 0                          | 0                | 0               | 0                |
| Convention Center Fee                   | 0                          | 0                | 0               | 0                |
| Auto License - State Shared             | 0                          | 0                | 0               | 0                |
| Fines & Forfeitures                     | 0                          | 0                | 0               | 0                |
| Charges For Services                    | 25,000                     | 25,000           | 0               | 25,000           |
| Natural Gas Sales - Commodity           | 0                          | 0                | 0               | 0                |
| Motor Pool Maintenances Charges         | 0                          | 0                | 0               | 0                |
| Fuel Charges                            | 0                          | 0                | 0               | 0                |
| Intergovernmental                       | 0                          | 0                | 0               | 0                |
| Investment Income                       | 0                          | 0                | 0               | 0                |
| Miscellaneous Revenues                  | 190,000                    | 190,000          | 0               | 190,000          |
| Federal Grants                          | 59,000                     | (17,505)         | 31,336          | 13,831           |
| State Grants                            | 1,967,032                  | 5,958,971        | 0               | 5,958,971        |
| Local Grants                            | 0                          | 0                | 0               | 0                |
| Debt Service                            | 0                          | 0                | 0               | 0                |
| <b>Total Revenues</b>                   | <b>2,241,032</b>           | <b>6,156,466</b> | <b>31,336</b>   | <b>6,187,802</b> |
| <b>TOTAL RESOURCES</b>                  | <b>\$ 3,115,200</b>        | <b>7,030,634</b> | <b>31,336</b>   | <b>7,061,970</b> |
| <b>Expenditures</b>                     |                            |                  |                 |                  |
| General Government                      | 0                          | 0                | 0               | 0                |
| Legislative                             | 0                          | 0                | 0               | 0                |
| Municipal Court                         | 0                          | 0                | 0               | 0                |
| Chief Administrative Officer            | 0                          | 0                | 0               | 0                |
| City Manager                            | 0                          | 0                | 0               | 0                |
| Legal                                   | 0                          | 0                | 0               | 0                |
| Las Cruces Police Department            | 0                          | 0                | 0               | 0                |
| Las Cruces Fire Department              | 0                          | 0                | 0               | 0                |
| Utilities                               | 0                          | 0                | 0               | 0                |
| Economic Development                    | 0                          | 0                | 0               | 0                |
| Internal Audit                          | 0                          | 0                | 0               | 0                |
| Assistant City Manager-400              | 3,462,338                  | 7,926,589        | 9,364           | 7,935,953        |
| Human Resources                         | 0                          | 0                | 0               | 0                |
| Financial Services                      | 0                          | 0                | 0               | 0                |
| Information Technology                  | 0                          | 0                | 0               | 0                |
| Fleet                                   | 0                          | 0                | 0               | 0                |
| Assistant City Manger-500               | 0                          | 0                | 0               | 0                |
| Parks & Recreation                      | 0                          | 0                | 0               | 0                |
| Community Development                   | 0                          | 0                | 0               | 0                |
| Quality of Life                         | 0                          | 0                | 0               | 0                |
| Public Works                            | 0                          | 0                | 0               | 0                |
| Legislative Reserve                     | 0                          | 0                | 0               | 0                |
| <b>Total Expenditures</b>               | <b>\$ 3,462,338</b>        | <b>7,926,589</b> | <b>9,364</b>    | <b>7,935,953</b> |
| <b>Other Resources</b>                  |                            |                  |                 |                  |
| Operating Transfers In                  | 773,000                    | 1,123,000        | 0               | 1,123,000        |
| Operating Transfers Out                 | 0                          | 0                | 0               | 0                |
| <b>Total Other Resources</b>            | <b>\$ 773,000</b>          | <b>1,123,000</b> | <b>0</b>        | <b>1,123,000</b> |
| Accrual Adjustments                     | 0                          | 0                | 0               | 0                |
| <b>ENDING BALANCE</b>                   | <b>\$ 425,862</b>          | <b>227,045</b>   | <b>21,972</b>   | <b>249,017</b>   |

**CITY OF LAS CRUCES**  
**BUDGET ADJUSTMENT REQUEST**  
**BUDGET FISCAL YEAR 2022-23**

Exhibit "A"

|                                         | 6150<br>FLEET SERVICES<br>2022-23 |                   |                    |                   |
|-----------------------------------------|-----------------------------------|-------------------|--------------------|-------------------|
|                                         | Original Budget                   | Amended Budget    | Req. Adjustment    | Adjusted Budget   |
| <b>RESOURCES</b>                        |                                   |                   |                    |                   |
| Beginning Balance                       | \$ 1,945,224                      | 1,945,224         | 0                  | 1,945,224         |
| <b>Revenues</b>                         |                                   |                   |                    |                   |
| Municipal Gross Receipts Tax            | 0                                 | 0                 | 0                  | 0                 |
| Public Safety Gross Receipts Tax        | 0                                 | 0                 | 0                  | 0                 |
| Hold Harmless Replacement GRT           | 0                                 | 0                 | 0                  | 0                 |
| State-Shared Gross Receipts Tax         | 0                                 | 0                 | 0                  | 0                 |
| Environmental Gross Receipts Tax        | 0                                 | 0                 | 0                  | 0                 |
| County Environmental Gross Receipts Tax | 0                                 | 0                 | 0                  | 0                 |
| Internet Sales Gross Receipts Tax       | 0                                 | 0                 | 0                  | 0                 |
| Gasoline Tax                            | 0                                 | 0                 | 0                  | 0                 |
| Cannabis Excise Tax                     | 0                                 | 0                 | 0                  | 0                 |
| Lodgers Tax                             | 0                                 | 0                 | 0                  | 0                 |
| Property Taxes                          | 0                                 | 0                 | 0                  | 0                 |
| Payment In Lieu of Property Tax         | 0                                 | 0                 | 0                  | 0                 |
| Franchise Fees                          | 0                                 | 0                 | 0                  | 0                 |
| Payment In Lieu of Franchise Fees       | 0                                 | 0                 | 0                  | 0                 |
| Licenses, Fees & Permits                | 0                                 | 0                 | 0                  | 0                 |
| Convention Center Fee                   | 0                                 | 0                 | 0                  | 0                 |
| Auto License - State Shared             | 0                                 | 0                 | 0                  | 0                 |
| Fines & Forfeitures                     | 0                                 | 0                 | 0                  | 0                 |
| Charges For Services                    | 9,755,000                         | 9,755,000         | (775,000)          | 8,980,000         |
| Natural Gas Sales - Commodity           | 0                                 | 0                 | 0                  | 0                 |
| Motor Pool Maintenances Charges         | 0                                 | 0                 | 0                  | 0                 |
| Fuel Charges                            | 0                                 | 0                 | 0                  | 0                 |
| Intergovernmental                       | 0                                 | 0                 | 0                  | 0                 |
| Investment Income                       | 0                                 | 0                 | 0                  | 0                 |
| Miscellaneous Revenues                  | 40,000                            | 40,000            | 0                  | 40,000            |
| Federal Grants                          | 0                                 | 0                 | 0                  | 0                 |
| State Grants                            | 0                                 | 0                 | 0                  | 0                 |
| Local Grants                            | 0                                 | 0                 | 0                  | 0                 |
| Debt Service                            | 0                                 | 0                 | 0                  | 0                 |
| <b>Total Revenues</b>                   | <b>9,795,000</b>                  | <b>9,795,000</b>  | <b>(775,000)</b>   | <b>9,020,000</b>  |
| <b>TOTAL RESOURCES</b>                  | <b>\$ 11,740,224</b>              | <b>11,740,224</b> | <b>(775,000)</b>   | <b>10,965,224</b> |
| <b>Expenditures</b>                     |                                   |                   |                    |                   |
| General Government                      | 0                                 | 0                 | 0                  | 0                 |
| Legislative                             | 0                                 | 0                 | 0                  | 0                 |
| Municipal Court                         | 0                                 | 0                 | 0                  | 0                 |
| Chief Administrative Officer            | 0                                 | 0                 | 0                  | 0                 |
| City Manager                            | 0                                 | 0                 | 0                  | 0                 |
| Legal                                   | 0                                 | 0                 | 0                  | 0                 |
| Las Cruces Police Department            | 0                                 | 0                 | 0                  | 0                 |
| Las Cruces Fire Department              | 0                                 | 0                 | 0                  | 0                 |
| Utilities                               | 0                                 | 0                 | 0                  | 0                 |
| Economic Development                    | 0                                 | 0                 | 0                  | 0                 |
| Internal Audit                          | 0                                 | 0                 | 0                  | 0                 |
| Assistant City Manager-400              | 9,314,190                         | 9,314,190         | (1,283,835)        | 8,030,355         |
| Human Resources                         | 0                                 | 0                 | 0                  | 0                 |
| Financial Services                      | 0                                 | 0                 | 0                  | 0                 |
| Information Technology                  | 0                                 | 0                 | 0                  | 0                 |
| Fleet                                   | 0                                 | 0                 | 0                  | 0                 |
| Assistant City Manger-500               | 0                                 | 0                 | 0                  | 0                 |
| Parks & Recreation                      | 0                                 | 0                 | 0                  | 0                 |
| Community Development                   | 0                                 | 0                 | 0                  | 0                 |
| Quality of Life                         | 0                                 | 0                 | 0                  | 0                 |
| Public Works                            | 0                                 | 0                 | 0                  | 0                 |
| Legislative Reserve                     | 0                                 | 0                 | 0                  | 0                 |
| <b>Total Expenditures</b>               | <b>\$ 9,314,190</b>               | <b>9,314,190</b>  | <b>(1,283,835)</b> | <b>8,030,355</b>  |
| <b>Other Resources</b>                  |                                   |                   |                    |                   |
| Operating Transfers In                  | 0                                 | 0                 | 0                  | 0                 |
| Operating Transfers Out                 | 0                                 | 0                 | 0                  | 0                 |
| <b>Total Other Resources</b>            | <b>\$ 0</b>                       | <b>0</b>          | <b>0</b>           | <b>0</b>          |
| Accrual Adjustments                     | 0                                 | 0                 | 0                  | 0                 |
| <b>ENDING BALANCE</b>                   | <b>\$ 2,426,034</b>               | <b>2,426,034</b>  | <b>508,835</b>     | <b>2,934,869</b>  |

**CITY OF LAS CRUCES**  
**BUDGET ADJUSTMENT REQUEST**  
**BUDGET FISCAL YEAR 2022-23**

Exhibit "A"

|                                         | 6330<br>WORKERS COMPENSATION<br>2022-23 |                  |                 |                  |
|-----------------------------------------|-----------------------------------------|------------------|-----------------|------------------|
|                                         | Original Budget                         | Amended Budget   | Req. Adjustment | Adjusted Budget  |
|                                         |                                         |                  |                 |                  |
| <b>RESOURCES</b>                        |                                         |                  |                 |                  |
| Beginning Balance                       | \$ 2,555,856                            | 2,555,856        | 0               | 2,555,856        |
| <b>Revenues</b>                         |                                         |                  |                 |                  |
| Municipal Gross Receipts Tax            | 0                                       | 0                | 0               | 0                |
| Public Safety Gross Receipts Tax        | 0                                       | 0                | 0               | 0                |
| Hold Harmless Replacement GRT           | 0                                       | 0                | 0               | 0                |
| State-Shared Gross Receipts Tax         | 0                                       | 0                | 0               | 0                |
| Environmental Gross Receipts Tax        | 0                                       | 0                | 0               | 0                |
| County Environmental Gross Receipts Tax | 0                                       | 0                | 0               | 0                |
| Internet Sales Gross Receipts Tax       | 0                                       | 0                | 0               | 0                |
| Gasoline Tax                            | 0                                       | 0                | 0               | 0                |
| Cannabis Excise Tax                     | 0                                       | 0                | 0               | 0                |
| Lodgers Tax                             | 0                                       | 0                | 0               | 0                |
| Property Taxes                          | 0                                       | 0                | 0               | 0                |
| Payment In Lieu of Property Tax         | 0                                       | 0                | 0               | 0                |
| Franchise Fees                          | 0                                       | 0                | 0               | 0                |
| Payment In Lieu of Franchise Fees       | 0                                       | 0                | 0               | 0                |
| Licenses, Fees & Permits                | 0                                       | 0                | 0               | 0                |
| Convention Center Fee                   | 0                                       | 0                | 0               | 0                |
| Auto License - State Shared             | 0                                       | 0                | 0               | 0                |
| Fines & Forfeitures                     | 0                                       | 0                | 0               | 0                |
| Charges For Services                    | 0                                       | 0                | 0               | 0                |
| Natural Gas Sales - Commodity           | 0                                       | 0                | 0               | 0                |
| Motor Pool Maintenances Charges         | 0                                       | 0                | 0               | 0                |
| Fuel Charges                            | 0                                       | 0                | 0               | 0                |
| Intergovernmental                       | 0                                       | 0                | 0               | 0                |
| Investment Income                       | 0                                       | 0                | 0               | 0                |
| Miscellaneous Revenues                  | 0                                       | 0                | 0               | 0                |
| Federal Grants                          | 0                                       | 0                | 0               | 0                |
| State Grants                            | 0                                       | 0                | 0               | 0                |
| Local Grants                            | 0                                       | 0                | 0               | 0                |
| Debt Service                            | 0                                       | 0                | 0               | 0                |
| <b>Total Revenues</b>                   | <b>0</b>                                | <b>0</b>         | <b>0</b>        | <b>0</b>         |
| <b>TOTAL RESOURCES</b>                  | <b>\$ 2,555,856</b>                     | <b>2,555,856</b> | <b>0</b>        | <b>2,555,856</b> |
| <b>Expenditures</b>                     |                                         |                  |                 |                  |
| General Government                      | 0                                       | 0                | 0               | 0                |
| Legislative                             | 0                                       | 0                | 0               | 0                |
| Municipal Court                         | 0                                       | 0                | 0               | 0                |
| Chief Administrative Officer            | 0                                       | 0                | 0               | 0                |
| City Manager                            | 0                                       | 0                | 0               | 0                |
| Legal                                   | 1,968,853                               | 1,968,852        | 0               | 1,968,852        |
| Las Cruces Police Department            | 0                                       | 0                | 0               | 0                |
| Las Cruces Fire Department              | 0                                       | 0                | 0               | 0                |
| Utilities                               | 0                                       | 0                | 0               | 0                |
| Economic Development                    | 0                                       | 0                | 0               | 0                |
| Internal Audit                          | 0                                       | 0                | 0               | 0                |
| Assistant City Manager-400              | 0                                       | 0                | 0               | 0                |
| Human Resources                         | 0                                       | 0                | 0               | 0                |
| Financial Services                      | 0                                       | 0                | 0               | 0                |
| Information Technology                  | 0                                       | 0                | 0               | 0                |
| Fleet                                   | 0                                       | 0                | 0               | 0                |
| Assistant City Manger-500               | 0                                       | 0                | 0               | 0                |
| Parks & Recreation                      | 0                                       | 0                | 0               | 0                |
| Community Development                   | 0                                       | 0                | 0               | 0                |
| Quality of Life                         | 0                                       | 0                | 0               | 0                |
| Public Works                            | 0                                       | 0                | 0               | 0                |
| Legislative Reserve                     | 0                                       | 0                | 0               | 0                |
| <b>Total Expenditures</b>               | <b>\$ 1,968,853</b>                     | <b>1,968,852</b> | <b>0</b>        | <b>1,968,852</b> |
| <b>Other Resources</b>                  |                                         |                  |                 |                  |
| Operating Transfers In                  | 890,000                                 | 890,000          | 255,147         | 1,145,147        |
| Operating Transfers Out                 | 0                                       | 0                | 0               | 0                |
| <b>Total Other Resources</b>            | <b>\$ 890,000</b>                       | <b>890,000</b>   | <b>255,147</b>  | <b>1,145,147</b> |
| Accrual Adjustments                     | 0                                       | 0                | 0               | 0                |
| <b>ENDING BALANCE</b>                   | <b>\$ 1,477,003</b>                     | <b>1,477,004</b> | <b>255,147</b>  | <b>1,732,151</b> |

**CITY OF LAS CRUCES**  
**BUDGET ADJUSTMENT REQUEST**  
**BUDGET FISCAL YEAR 2022-23**

**Exhibit "A"**

|                                         | 6340<br>LIABILITY CLAIMS<br>2022-23 |                  |                  |                  |
|-----------------------------------------|-------------------------------------|------------------|------------------|------------------|
|                                         | Original Budget                     | Amended Budget   | Req. Adjustment  | Adjusted Budget  |
|                                         |                                     |                  |                  |                  |
| <b>RESOURCES</b>                        |                                     |                  |                  |                  |
| Beginning Balance                       | \$ 3,841,537                        | 3,841,537        | 0                | 3,841,537        |
| <b>Revenues</b>                         |                                     |                  |                  |                  |
| Municipal Gross Receipts Tax            | 0                                   | 0                | 0                | 0                |
| Public Safety Gross Receipts Tax        | 0                                   | 0                | 0                | 0                |
| Hold Harmless Replacement GRT           | 0                                   | 0                | 0                | 0                |
| State-Shared Gross Receipts Tax         | 0                                   | 0                | 0                | 0                |
| Environmental Gross Receipts Tax        | 0                                   | 0                | 0                | 0                |
| County Environmental Gross Receipts Tax | 0                                   | 0                | 0                | 0                |
| Internet Sales Gross Receipts Tax       | 0                                   | 0                | 0                | 0                |
| Gasoline Tax                            | 0                                   | 0                | 0                | 0                |
| Cannabis Excise Tax                     | 0                                   | 0                | 0                | 0                |
| Lodgers Tax                             | 0                                   | 0                | 0                | 0                |
| Property Taxes                          | 0                                   | 0                | 0                | 0                |
| Payment In Lieu of Property Tax         | 0                                   | 0                | 0                | 0                |
| Franchise Fees                          | 0                                   | 0                | 0                | 0                |
| Payment In Lieu of Franchise Fees       | 0                                   | 0                | 0                | 0                |
| Licenses, Fees & Permits                | 0                                   | 0                | 0                | 0                |
| Convention Center Fee                   | 0                                   | 0                | 0                | 0                |
| Auto License - State Shared             | 0                                   | 0                | 0                | 0                |
| Fines & Forfeitures                     | 0                                   | 0                | 0                | 0                |
| Charges For Services                    | 0                                   | 0                | 0                | 0                |
| Natural Gas Sales - Commodity           | 0                                   | 0                | 0                | 0                |
| Motor Pool Maintenances Charges         | 0                                   | 0                | 0                | 0                |
| Fuel Charges                            | 0                                   | 0                | 0                | 0                |
| Intergovernmental                       | 0                                   | 0                | 0                | 0                |
| Investment Income                       | 0                                   | 0                | 0                | 0                |
| Miscellaneous Revenues                  | 0                                   | 0                | 0                | 0                |
| Federal Grants                          | 0                                   | 0                | 0                | 0                |
| State Grants                            | 0                                   | 0                | 0                | 0                |
| Local Grants                            | 0                                   | 0                | 0                | 0                |
| Debt Service                            | 0                                   | 0                | 0                | 0                |
| <b>Total Revenues</b>                   | <b>0</b>                            | <b>0</b>         | <b>0</b>         | <b>0</b>         |
| <b>TOTAL RESOURCES</b>                  | <b>\$ 3,841,537</b>                 | <b>3,841,537</b> | <b>0</b>         | <b>3,841,537</b> |
| <b>Expenditures</b>                     |                                     |                  |                  |                  |
| General Government                      | 0                                   | 0                | 0                | 0                |
| Legislative                             | 0                                   | 0                | 0                | 0                |
| Municipal Court                         | 0                                   | 0                | 0                | 0                |
| Chief Administrative Officer            | 0                                   | 0                | 0                | 0                |
| City Manager                            | 0                                   | 0                | 0                | 0                |
| Legal                                   | 7,152,369                           | 7,152,369        | 0                | 7,152,369        |
| Las Cruces Police Department            | 0                                   | 0                | 0                | 0                |
| Las Cruces Fire Department              | 0                                   | 0                | 0                | 0                |
| Utilities                               | 0                                   | 0                | 0                | 0                |
| Economic Development                    | 0                                   | 0                | 0                | 0                |
| Internal Audit                          | 0                                   | 0                | 0                | 0                |
| Assistant City Manager-400              | 0                                   | 0                | 0                | 0                |
| Human Resources                         | 0                                   | 0                | 0                | 0                |
| Financial Services                      | 0                                   | 0                | 0                | 0                |
| Information Technology                  | 0                                   | 0                | 0                | 0                |
| Fleet                                   | 0                                   | 0                | 0                | 0                |
| Assistant City Manger-500               | 0                                   | 0                | 0                | 0                |
| Parks & Recreation                      | 0                                   | 0                | 0                | 0                |
| Community Development                   | 0                                   | 0                | 0                | 0                |
| Quality of Life                         | 0                                   | 0                | 0                | 0                |
| Public Works                            | 0                                   | 0                | 0                | 0                |
| Legislative Reserve                     | 0                                   | 0                | 0                | 0                |
| <b>Total Expenditures</b>               | <b>\$ 7,152,369</b>                 | <b>7,152,369</b> | <b>0</b>         | <b>7,152,369</b> |
| <b>Other Resources</b>                  |                                     |                  |                  |                  |
| Operating Transfers In                  | 4,300,000                           | 4,300,000        | 1,777,669        | 6,077,669        |
| Operating Transfers Out                 | 0                                   | 0                | 0                | 0                |
| <b>Total Other Resources</b>            | <b>\$ 4,300,000</b>                 | <b>4,300,000</b> | <b>1,777,669</b> | <b>6,077,669</b> |
| Accrual Adjustments                     | 0                                   | 0                | 0                | 0                |
| <b>ENDING BALANCE</b>                   | <b>\$ 989,168</b>                   | <b>989,168</b>   | <b>1,777,669</b> | <b>2,766,837</b> |

**CITY OF LAS CRUCES**  
**BUDGET ADJUSTMENT REQUEST**  
**BUDGET FISCAL YEAR 2022-23**

Exhibit "A"

|                                         | 7410<br>MV REGIONAL DISPATCH AUTHORITY<br>2022-23 |                  |                 |                  |
|-----------------------------------------|---------------------------------------------------|------------------|-----------------|------------------|
|                                         | Original Budget                                   | Amended Budget   | Req. Adjustment | Adjusted Budget  |
|                                         |                                                   |                  |                 |                  |
| <b>RESOURCES</b>                        |                                                   |                  |                 |                  |
| Beginning Balance                       | \$ 2,464,181                                      | 2,464,181        | 0               | 2,464,181        |
| <b>Revenues</b>                         |                                                   |                  |                 |                  |
| Municipal Gross Receipts Tax            | 0                                                 | 0                | 0               | 0                |
| Public Safety Gross Receipts Tax        | 0                                                 | 0                | 0               | 0                |
| Hold Harmless Replacement GRT           | 0                                                 | 0                | 0               | 0                |
| State-Shared Gross Receipts Tax         | 0                                                 | 0                | 0               | 0                |
| Environmental Gross Receipts Tax        | 0                                                 | 0                | 0               | 0                |
| County Environmental Gross Receipts Tax | 0                                                 | 0                | 0               | 0                |
| Internet Sales Gross Receipts Tax       | 0                                                 | 0                | 0               | 0                |
| Gasoline Tax                            | 0                                                 | 0                | 0               | 0                |
| Cannabis Excise Tax                     | 0                                                 | 0                | 0               | 0                |
| Lodgers Tax                             | 0                                                 | 0                | 0               | 0                |
| Property Taxes                          | 0                                                 | 0                | 0               | 0                |
| Payment In Lieu of Property Tax         | 0                                                 | 0                | 0               | 0                |
| Franchise Fees                          | 0                                                 | 0                | 0               | 0                |
| Payment In Lieu of Franchise Fees       | 0                                                 | 0                | 0               | 0                |
| Licenses, Fees & Permits                | 0                                                 | 0                | 0               | 0                |
| Convention Center Fee                   | 0                                                 | 0                | 0               | 0                |
| Auto License - State Shared             | 0                                                 | 0                | 0               | 0                |
| Fines & Forfeitures                     | 0                                                 | 0                | 0               | 0                |
| Charges For Services                    | 4,875,719                                         | 4,885,560        | 0               | 4,885,560        |
| Natural Gas Sales - Commodity           | 0                                                 | 0                | 0               | 0                |
| Motor Pool Maintenances Charges         | 0                                                 | 0                | 0               | 0                |
| Fuel Charges                            | 0                                                 | 0                | 0               | 0                |
| Intergovernmental                       | 0                                                 | 0                | 0               | 0                |
| Investment Income                       | 0                                                 | 0                | 0               | 0                |
| Miscellaneous Revenues                  | 0                                                 | 0                | 0               | 0                |
| Federal Grants                          | 0                                                 | 0                | 0               | 0                |
| State Grants                            | 20,000                                            | 20,000           | 0               | 20,000           |
| Local Grants                            | 0                                                 | 0                | 0               | 0                |
| Debt Service                            | 0                                                 | 0                | 0               | 0                |
| <b>Total Revenues</b>                   | <b>4,895,719</b>                                  | <b>4,905,560</b> | <b>0</b>        | <b>4,905,560</b> |
| <b>TOTAL RESOURCES</b>                  | <b>\$ 7,359,900</b>                               | <b>7,369,741</b> | <b>0</b>        | <b>7,369,741</b> |
| <b>Expenditures</b>                     |                                                   |                  |                 |                  |
| General Government                      | 0                                                 | 0                | 0               | 0                |
| Legislative                             | 0                                                 | 0                | 0               | 0                |
| Municipal Court                         | 0                                                 | 0                | 0               | 0                |
| Chief Administrative Officer            | 0                                                 | 0                | 0               | 0                |
| City Manager                            | 0                                                 | 0                | 0               | 0                |
| Legal                                   | 0                                                 | 0                | 0               | 0                |
| Las Cruces Police Department            | 0                                                 | 0                | 0               | 0                |
| Las Cruces Fire Department              | 0                                                 | 0                | 0               | 0                |
| Utilities                               | 0                                                 | 0                | 0               | 0                |
| Economic Development                    | 0                                                 | 0                | 0               | 0                |
| Internal Audit                          | 0                                                 | 0                | 0               | 0                |
| Assistant City Manager-400              | 0                                                 | 0                | 0               | 0                |
| Human Resources                         | 0                                                 | 0                | 0               | 0                |
| Financial Services                      | 0                                                 | 0                | 0               | 0                |
| Information Technology                  | 0                                                 | 0                | 0               | 0                |
| Fleet                                   | 0                                                 | 0                | 0               | 0                |
| Assistant City Manger-500               | 0                                                 | 0                | 0               | 0                |
| Parks & Recreation                      | 0                                                 | 0                | 0               | 0                |
| Community Development                   | 0                                                 | 0                | 0               | 0                |
| Quality of Life                         | 0                                                 | 0                | 0               | 0                |
| Public Works                            | 0                                                 | 0                | 0               | 0                |
| Legislative Reserve                     | 5,821,465                                         | 6,209,874        | 0               | 6,209,874        |
| <b>Total Expenditures</b>               | <b>\$ 5,821,465</b>                               | <b>6,209,874</b> | <b>0</b>        | <b>6,209,874</b> |
| <b>Other Resources</b>                  |                                                   |                  |                 |                  |
| Operating Transfers In                  | 0                                                 | 0                | 1,540           | 1,540            |
| Operating Transfers Out                 | 0                                                 | 0                | 0               | 0                |
| <b>Total Other Resources</b>            | <b>\$ 0</b>                                       | <b>0</b>         | <b>1,540</b>    | <b>1,540</b>     |
| Accrual Adjustments                     | 0                                                 | 0                | 0               | 0                |
| <b>ENDING BALANCE</b>                   | <b>\$ 1,538,435</b>                               | <b>1,159,867</b> | <b>1,540</b>    | <b>1,161,407</b> |

**CITY OF LAS CRUCES**  
**BUDGET ADJUSTMENT REQUEST**  
**BUDGET FISCAL YEAR 2022-23**

Exhibit "A"

|                                         | 7492<br>HIDTA-CLC<br>2022-23 |                  |                 |                  |
|-----------------------------------------|------------------------------|------------------|-----------------|------------------|
|                                         | Original Budget              | Amended Budget   | Req. Adjustment | Adjusted Budget  |
| <b>RESOURCES</b>                        |                              |                  |                 |                  |
| Beginning Balance                       | \$ (5,268)                   | (5,268)          | 0               | (5,268)          |
| <b>Revenues</b>                         |                              |                  |                 |                  |
| Municipal Gross Receipts Tax            | 0                            | 0                | 0               | 0                |
| Public Safety Gross Receipts Tax        | 0                            | 0                | 0               | 0                |
| Hold Harmless Replacement GRT           | 0                            | 0                | 0               | 0                |
| State-Shared Gross Receipts Tax         | 0                            | 0                | 0               | 0                |
| Environmental Gross Receipts Tax        | 0                            | 0                | 0               | 0                |
| County Environmental Gross Receipts Tax | 0                            | 0                | 0               | 0                |
| Internet Sales Gross Receipts Tax       | 0                            | 0                | 0               | 0                |
| Gasoline Tax                            | 0                            | 0                | 0               | 0                |
| Cannabis Excise Tax                     | 0                            | 0                | 0               | 0                |
| Lodgers Tax                             | 0                            | 0                | 0               | 0                |
| Property Taxes                          | 0                            | 0                | 0               | 0                |
| Payment In Lieu of Property Tax         | 0                            | 0                | 0               | 0                |
| Franchise Fees                          | 0                            | 0                | 0               | 0                |
| Payment In Lieu of Franchise Fees       | 0                            | 0                | 0               | 0                |
| Licenses, Fees & Permits                | 0                            | 0                | 0               | 0                |
| Convention Center Fee                   | 0                            | 0                | 0               | 0                |
| Auto License - State Shared             | 0                            | 0                | 0               | 0                |
| Fines & Forfeitures                     | 0                            | 0                | 0               | 0                |
| Charges For Services                    | 0                            | 0                | 0               | 0                |
| Natural Gas Sales - Commodity           | 0                            | 0                | 0               | 0                |
| Motor Pool Maintenances Charges         | 0                            | 0                | 0               | 0                |
| Fuel Charges                            | 0                            | 0                | 0               | 0                |
| Intergovernmental                       | 0                            | 0                | 0               | 0                |
| Investment Income                       | 0                            | 0                | 0               | 0                |
| Miscellaneous Revenues                  | 0                            | 0                | 0               | 0                |
| Federal Grants                          | 687,695                      | 1,384,559        | 0               | 1,384,559        |
| State Grants                            | 0                            | 0                | 0               | 0                |
| Local Grants                            | 0                            | 0                | 0               | 0                |
| Debt Service                            | 0                            | 0                | 0               | 0                |
| <b>Total Revenues</b>                   | <b>687,695</b>               | <b>1,384,559</b> | <b>0</b>        | <b>1,384,559</b> |
| <b>TOTAL RESOURCES</b>                  | <b>\$ 682,427</b>            | <b>1,379,291</b> | <b>0</b>        | <b>1,379,291</b> |
| <b>Expenditures</b>                     |                              |                  |                 |                  |
| General Government                      | 0                            | 0                | 0               | 0                |
| Legislative                             | 0                            | 0                | 0               | 0                |
| Municipal Court                         | 0                            | 0                | 0               | 0                |
| Chief Administrative Officer            | 0                            | 0                | 0               | 0                |
| City Manager                            | 0                            | 0                | 0               | 0                |
| Legal                                   | 0                            | 0                | 0               | 0                |
| Las Cruces Police Department            | 0                            | 0                | 0               | 0                |
| Las Cruces Fire Department              | 0                            | 0                | 0               | 0                |
| Utilities                               | 0                            | 0                | 0               | 0                |
| Economic Development                    | 0                            | 0                | 0               | 0                |
| Internal Audit                          | 0                            | 0                | 0               | 0                |
| Assistant City Manager-400              | 0                            | 0                | 0               | 0                |
| Human Resources                         | 0                            | 0                | 0               | 0                |
| Financial Services                      | 0                            | 0                | 0               | 0                |
| Information Technology                  | 0                            | 0                | 0               | 0                |
| Fleet                                   | 0                            | 0                | 0               | 0                |
| Assistant City Manger-500               | 0                            | 0                | 0               | 0                |
| Parks & Recreation                      | 0                            | 0                | 0               | 0                |
| Community Development                   | 0                            | 0                | 0               | 0                |
| Quality of Life                         | 0                            | 0                | 0               | 0                |
| METRO                                   | 143,985                      | 609,179          | 0               | 609,179          |
| HIDTA                                   | 543,710                      | 775,378          | (420)           | 774,958          |
| <b>Total Expenditures</b>               | <b>\$ 687,695</b>            | <b>1,384,557</b> | <b>(420)</b>    | <b>1,384,137</b> |
| <b>Other Resources</b>                  |                              |                  |                 |                  |
| Operating Transfers In                  | 0                            | 5,268            | 0               | 5,268            |
| Operating Transfers Out                 | 0                            | 0                | 0               | 0                |
| <b>Total Other Resources</b>            | <b>\$ 0</b>                  | <b>5,268</b>     | <b>0</b>        | <b>5,268</b>     |
| Accrual Adjustments                     | 0                            | 0                | 0               | 0                |
| <b>ENDING BALANCE</b>                   | <b>\$ (5,268)</b>            | <b>2</b>         | <b>420</b>      | <b>422</b>       |

**City of Las Cruces  
Capital Improvements Program  
FY 2023-2028**

Exhibit "B"

Amended as of 04/17/2023

| Project Title                                                                                                  | Funded<br>FY2023    | Infrastructure Capital Improvement Plan (Unfunded) |                      |                      |                     |                     | Funding Source(s)    |
|----------------------------------------------------------------------------------------------------------------|---------------------|----------------------------------------------------|----------------------|----------------------|---------------------|---------------------|----------------------|
|                                                                                                                |                     | FY 2024                                            | FY 2025              | FY 2026              | FY 2027             | FY 2028             |                      |
| <b>ECONOMIC DEVELOPMENT</b>                                                                                    |                     |                                                    |                      |                      |                     |                     |                      |
| <b>Economic Development - Newly Funded Projects</b>                                                            |                     |                                                    |                      |                      |                     |                     |                      |
| Downtown Callecitas Shade Structure                                                                            | 100,000             |                                                    |                      |                      |                     |                     | TIDD                 |
| Downtown Parking Lots Renovation<br>1 - Parking Lot 9/10<br>2 - Parking Lot at Campo & Hadley                  | 500,000             | 350,000                                            | 255,000              | 255,000              | 255,000             | 255,000             | Grants, TIDD         |
| <b>Economic Development - Total Newly Funded Projects</b>                                                      | <b>\$ 600,000</b>   | <b>\$ 350,000</b>                                  | <b>\$ 255,000</b>    | <b>\$ 255,000</b>    | <b>\$ 255,000</b>   | <b>\$ 255,000</b>   |                      |
| <b>Economic Development - Carryover Projects</b>                                                               |                     |                                                    |                      |                      |                     |                     |                      |
| Cinematic Infrastructure & Soundstage                                                                          | 2,933,085           |                                                    |                      |                      |                     |                     | Bonds, Grants, Taxes |
| Downtown Plaza Shade Structures                                                                                | 160,014             |                                                    |                      |                      |                     |                     | Bonds                |
| Gateway Entry Points Signage                                                                                   | 250,000             |                                                    |                      |                      |                     |                     | Bonds                |
| Parking Lot 7 and Bathrooms                                                                                    | 417,921             |                                                    |                      |                      |                     |                     | TIDD                 |
| <b>Economic Development - Total Carryover Projects</b>                                                         | <b>\$ 3,761,020</b> | <b>\$ -</b>                                        | <b>\$ -</b>          | <b>\$ -</b>          | <b>\$ -</b>         | <b>\$ -</b>         |                      |
| <b>Economic Development - Future Projects</b>                                                                  |                     |                                                    |                      |                      |                     |                     |                      |
| LCIIP Infrastructure Improvements                                                                              |                     | 16,000,000                                         |                      |                      |                     |                     | Bonds, Grants        |
| Santa Teresa to LCIIP Bypass                                                                                   |                     | 16,000,000                                         |                      |                      |                     |                     | Bonds, Grants        |
| MV Community of Hope - Campus Extension                                                                        |                     | 5,000,000                                          |                      |                      |                     |                     | Grants               |
| MV Community of Hope - Master Plan Implementation                                                              |                     | 2,000,000                                          | 2,000,000            | 2,000,000            | 2,000,000           | 2,000,000           | Grants               |
| Paseos Verdes                                                                                                  |                     | 2,000,000                                          | 2,000,000            | 2,000,000            | 2,000,000           | 2,000,000           | Grants               |
| Transit Loop Road                                                                                              |                     | 1,661,000                                          | 7,800,000            | 7,800,000            |                     |                     | Grants, Taxes        |
| Rocket Drive Expansion                                                                                         |                     | 820,000                                            | 7,173,000            |                      |                     |                     | Grants, Taxes        |
| LCIIP Gateway Signage & Pocket Park                                                                            |                     | 480,000                                            | 25,000               | 25,000               | 25,000              | 25,000              | Grants, Taxes        |
| Downtown Video Security                                                                                        |                     | 100,000                                            |                      |                      |                     |                     | Grants, Taxes, TIDD  |
| <b>Economic Development - Total Future Projects</b>                                                            | <b>\$ -</b>         | <b>\$ 44,061,000</b>                               | <b>\$ 18,998,000</b> | <b>\$ 11,825,000</b> | <b>\$ 4,025,000</b> | <b>\$ 4,025,000</b> |                      |
| <b>Total Economic Development</b>                                                                              | <b>\$ 4,361,020</b> | <b>\$ 44,411,000</b>                               | <b>\$ 19,253,000</b> | <b>\$ 12,080,000</b> | <b>\$ 4,280,000</b> | <b>\$ 4,280,000</b> |                      |
| <b>FACILITIES MANAGEMENT</b>                                                                                   |                     |                                                    |                      |                      |                     |                     |                      |
| <b>Facilities Management - Newly Funded Projects</b>                                                           |                     |                                                    |                      |                      |                     |                     |                      |
| Facility Parking Lot Program<br>1 - Munson Center<br>2 - Henry R Benavidez Community Center<br>3 - Train Depot | 93,906              | 250,000                                            | 250,000              | 250,000              | 250,000             | 250,000             | Taxes                |
| Police Evidence Building                                                                                       | 15,000              |                                                    |                      |                      |                     |                     | Taxes                |
| <b>Facilities Management - Total Newly Funded Projects</b>                                                     | <b>\$ 93,906</b>    | <b>\$ 250,000</b>                                  | <b>\$ 250,000</b>    | <b>\$ 250,000</b>    | <b>\$ 250,000</b>   | <b>\$ 250,000</b>   |                      |
| <b>Facilities Management - Carryover Projects</b>                                                              |                     |                                                    |                      |                      |                     |                     |                      |
| Energy Efficiency Program - IGA                                                                                | 2,377,348           |                                                    |                      |                      |                     |                     | Bonds, Taxes         |
| Gateway Entry Points Signage Maintenance                                                                       | 50,000              |                                                    | 50,000               | 50,000               | 50,000              | 50,000              | Taxes                |
| <b>Facilities Management - Total Carryover Projects</b>                                                        | <b>\$ 2,427,348</b> | <b>\$ -</b>                                        | <b>\$ 50,000</b>     | <b>\$ 50,000</b>     | <b>\$ 50,000</b>    | <b>\$ 50,000</b>    |                      |

Agenda Item #7.2.

**City of Las Cruces  
Capital Improvements Program  
FY 2023-2028**

Amended as of 04/17/2023

Agenda Item #7.2.

| Project Title                                           | Funded<br>FY2023    | Infrastructure Capital Improvement Plan (Unfunded) |                      |                      |                     |                     | Funding Source(s)    |
|---------------------------------------------------------|---------------------|----------------------------------------------------|----------------------|----------------------|---------------------|---------------------|----------------------|
|                                                         |                     | FY 2024                                            | FY 2025              | FY 2026              | FY 2027             | FY 2028             |                      |
| <b>Facilities Management - Annual Projects</b>          |                     |                                                    |                      |                      |                     |                     |                      |
| <b>General Facilities Improvements</b>                  | 267,772             | 500,000                                            | 500,000              | 500,000              | 500,000             | 500,000             | Taxes                |
| 1 - La Casa Maintenance                                 |                     |                                                    |                      |                      |                     |                     |                      |
| 2 - Jardin de Espenazas                                 |                     |                                                    |                      |                      |                     |                     |                      |
| 3 - WIA Rehabilitation                                  |                     |                                                    |                      |                      |                     |                     |                      |
| 4 - Arc Flash Plan                                      |                     |                                                    |                      |                      |                     |                     |                      |
| 5 - City Hall Furnishings                               |                     |                                                    |                      |                      |                     |                     |                      |
| 6 - Surveillance Camera Upgrades                        |                     |                                                    |                      |                      |                     |                     |                      |
| 7 - Records Center Improvements                         |                     |                                                    |                      |                      |                     |                     |                      |
| 8 - Branigan Library Exterior Re-Stucco                 |                     |                                                    |                      |                      |                     |                     |                      |
| 9 - Frank O'Brien Papen Community Center                |                     |                                                    |                      |                      |                     |                     |                      |
| 10 - City Hall Building Operations Storage              |                     |                                                    |                      |                      |                     |                     |                      |
| 11 - Library Sump Pump                                  |                     |                                                    |                      |                      |                     |                     |                      |
| <b>Roof Replacement Program</b>                         | 1,220,752           | 375,000                                            | 375,000              | 375,000              | 375,000             | 375,000             | Taxes, Bonds         |
| 1 - Police Department Main Building                     |                     |                                                    |                      |                      |                     |                     |                      |
| 2 - WIA Building                                        |                     |                                                    |                      |                      |                     |                     |                      |
| 3 - Municipal Court                                     |                     |                                                    |                      |                      |                     |                     |                      |
| 4 - Railroad Museum                                     |                     |                                                    |                      |                      |                     |                     |                      |
| 5 - Meerscheidt Rec Center                              |                     |                                                    |                      |                      |                     |                     |                      |
| 6 - Police Department Academy                           |                     |                                                    |                      |                      |                     |                     |                      |
| 7 - Roof Inspections                                    |                     |                                                    |                      |                      |                     |                     |                      |
| <b>Safety, Health, Environmental &amp; Emergency</b>    | 38,212              |                                                    |                      |                      |                     |                     | Taxes                |
| 1 - City Hall Security Upgrades                         |                     |                                                    |                      |                      |                     |                     |                      |
| 2 - Parks Sidewalk Replacement                          |                     |                                                    |                      |                      |                     |                     |                      |
| 3 - Pool Hoist                                          |                     |                                                    |                      |                      |                     |                     |                      |
| 4 - Fire Alarm & Security Upgrades                      |                     |                                                    |                      |                      |                     |                     |                      |
| 5 - Pigeon Abatement                                    |                     |                                                    |                      |                      |                     |                     |                      |
| <b>Facilities Management - Total Annual Projects</b>    | <b>\$ 1,526,736</b> | <b>\$ 875,000</b>                                  | <b>\$ 875,000</b>    | <b>\$ 875,000</b>    | <b>\$ 875,000</b>   | <b>\$ 875,000</b>   |                      |
| <b>Facilities Management - Future Projects</b>          |                     |                                                    |                      |                      |                     |                     |                      |
| Generator Buffer Program                                | -                   | 50,000                                             | 50,000               | 50,000               | 50,000              | 50,000              | Taxes                |
| Fire Stations                                           |                     |                                                    |                      |                      |                     |                     |                      |
| Refuse & Recycling Buffer Program                       | -                   | 50,000                                             | 50,000               | 50,000               | 50,000              | 50,000              | Taxes                |
| Henry R Benavidez Community Center                      |                     |                                                    |                      |                      |                     |                     |                      |
| HVAC Upgrade Program                                    |                     | 200,000                                            | 200,000              | 200,000              | 200,000             | 200,000             | Taxes                |
| Generator Replacement Program                           |                     | 35,000                                             | 35,000               | 35,000               | 35,000              | 35,000              | Taxes                |
| ADA Compliance                                          |                     | 25,000                                             | 25,000               | 2,500                | 25,000              | 25,000              | Taxes                |
| <b>Facilities Management - Total Future Projects</b>    | <b>\$ -</b>         | <b>\$ 360,000</b>                                  | <b>\$ 360,000</b>    | <b>\$ 337,500</b>    | <b>\$ 360,000</b>   | <b>\$ 360,000</b>   |                      |
| <b>Total Facilities Management</b>                      | <b>\$ 4,062,990</b> | <b>\$ 1,485,000</b>                                | <b>\$ 1,535,000</b>  | <b>\$ 1,512,500</b>  | <b>\$ 1,535,000</b> | <b>\$ 1,535,000</b> |                      |
| <b>LAS CRUCES AIRPORT</b>                               |                     |                                                    |                      |                      |                     |                     |                      |
| <b>Las Cruces Airport - Newly Funded Projects</b>       |                     |                                                    |                      |                      |                     |                     |                      |
| LRU Pavement Maintenance Program                        | 120,000             | 125,000                                            | 125,000              | 125,000              | 125,000             | 125,000             | Taxes, Other         |
| <b>Las Cruces Airport - Total Newly Funded Projects</b> | <b>\$ 120,000</b>   | <b>\$ 125,000</b>                                  | <b>\$ 125,000</b>    | <b>\$ 125,000</b>    | <b>\$ 125,000</b>   | <b>\$ 125,000</b>   |                      |
| <b>Las Cruces Airport - Carryover Projects</b>          |                     |                                                    |                      |                      |                     |                     |                      |
| LRU Airport Infrastructure Improvements                 | 1,523,764           |                                                    |                      |                      |                     |                     | Grants, Taxes, Other |
| LRU Passenger Terminal                                  | 285,406             |                                                    | 12,500,000           |                      | 1,850,000           | 3,500,000           | Grants, Taxes, Other |
| LRU Runway 8/26 Extension                               | 226,617             | 4,200,000                                          | 8,400,000            |                      |                     |                     | Grants, Taxes, Other |
| 1 - Environmental Assessment                            |                     |                                                    |                      |                      |                     |                     |                      |
| 2 - Design                                              |                     |                                                    |                      |                      |                     |                     |                      |
| 3 - Construction                                        |                     |                                                    |                      |                      |                     |                     |                      |
| LRU Runway 12/30 Extension                              | 330,372             |                                                    |                      | 13,500,000           |                     |                     | Grants, Taxes, Other |
| 1 - Environmental Assessment                            |                     |                                                    |                      |                      |                     |                     |                      |
| 2 - Design                                              |                     |                                                    |                      |                      |                     |                     |                      |
| 3 - Construction                                        |                     |                                                    |                      |                      |                     |                     |                      |
| LRU Taxi Lane Improvements                              | 120,120             |                                                    |                      |                      |                     |                     | Grants, Taxes, Other |
| <b>Las Cruces Airport - Total Carryover Projects</b>    | <b>\$ 2,486,279</b> | <b>\$ 4,200,000</b>                                | <b>\$ 20,900,000</b> | <b>\$ 13,500,000</b> | <b>\$ 1,850,000</b> | <b>\$ 3,500,000</b> |                      |

Page 55 of 69

**City of Las Cruces  
Capital Improvements Program  
FY 2023-2028**

Amended as of 04/17/2023

Agenda Item #7.2.

| Project Title                                                    | Funded<br>FY2023     | Infrastructure Capital Improvement Plan (Unfunded) |                      |                      |                      |                      | Funding Source(s)           |
|------------------------------------------------------------------|----------------------|----------------------------------------------------|----------------------|----------------------|----------------------|----------------------|-----------------------------|
|                                                                  |                      | FY 2024                                            | FY 2025              | FY 2026              | FY 2027              | FY 2028              |                             |
| <b>Las Cruces Airport - Annual Projects</b>                      |                      |                                                    |                      |                      |                      |                      |                             |
| LRU Striping and Marking Maintenance Program                     | 136,000              | 75,000                                             | 75,000               | 75,000               | 75,000               | 75,000               | Taxes, Other                |
| <b>Las Cruces Airport - Total Annual Projects</b>                | <b>\$ 136,000</b>    | <b>\$ 75,000</b>                                   | <b>\$ 75,000</b>     | <b>\$ 75,000</b>     | <b>\$ 75,000</b>     | <b>\$ 75,000</b>     |                             |
| <b>Las Cruces Airport - Future Projects</b>                      |                      |                                                    |                      |                      |                      |                      |                             |
| LRU Passenger Air Service Infrastructure Revitalization          |                      | 37,500,000                                         |                      |                      |                      |                      | Grants, Taxes, Other        |
| LRU Runway 4/22 Rehabilitation                                   |                      | 1,800,000                                          |                      |                      |                      |                      | Grants, Taxes, Other        |
| LRU Maintenance Facility Design-Construct                        |                      | 1,700,000                                          |                      |                      |                      |                      | Grants, Taxes, Other        |
| LRU ARFF Index B Equipment Upgrades                              |                      | 1,600,000                                          |                      |                      |                      |                      | Grants, Taxes, Other        |
| LRU Passenger Terminal Parking                                   |                      | 1,000,000                                          |                      |                      |                      |                      | Grants, Taxes, Other        |
| LRU Airport Maintenance Equipment                                |                      | 850,000                                            |                      |                      |                      |                      | Bonds, Grants, Taxes, Other |
| LRU Runways 8/26 and 12/30 Blast Pads                            |                      | 166,667                                            |                      |                      |                      |                      | Grants                      |
| LRU Utility Infrastructure Improvements                          |                      |                                                    | 4,500,000            |                      |                      |                      | Bonds, Grants, Taxes, Other |
| LRU Airline Ground Support Equipment Facilities                  |                      |                                                    | 750,000              |                      |                      |                      | Grants, Taxes, Other        |
| LRU Fuel Farm Relocation and Expansion                           |                      |                                                    |                      | 1,900,000            |                      |                      | Grants, Taxes, Other        |
| LRU Taxilane Extensions                                          |                      |                                                    |                      |                      | 3,400,000            |                      | Grants, Taxes, Other        |
| LRU Commercial Hangar Design and Construct                       |                      |                                                    |                      |                      | 2,800,000            |                      | Grants, Taxes, Other        |
| LRU Multi-Modal Public Passenger Transit Facility                |                      |                                                    |                      |                      | 2,500,000            |                      | Grants, Taxes, Other        |
| LRU East Perimeter Road                                          |                      |                                                    |                      |                      |                      | 11,200,000           | Grants, Taxes, Other        |
| LRU Apron West Hangar Rehabilitation                             |                      |                                                    |                      |                      |                      | 70,000               | Grants, Taxes, Other        |
| LRU Apron West Rehabilitation                                    |                      |                                                    |                      |                      |                      | 70,000               | Grants, Taxes, Other        |
| <b>Las Cruces Airport - Total Future Projects</b>                | <b>\$ -</b>          | <b>\$ 44,616,667</b>                               | <b>\$ 5,250,000</b>  | <b>\$ 1,900,000</b>  | <b>\$ 8,700,000</b>  | <b>\$ 11,340,000</b> |                             |
| <b>Total Las Cruces Airport</b>                                  | <b>\$ 2,742,279</b>  | <b>\$ 49,016,667</b>                               | <b>\$ 26,350,000</b> | <b>\$ 15,600,000</b> | <b>\$ 10,750,000</b> | <b>\$ 15,040,000</b> |                             |
| <b>NON-PROFIT ORGANIZATIONS</b>                                  |                      |                                                    |                      |                      |                      |                      |                             |
| <b>Non-Profit Organizations - Carryover Projects</b>             |                      |                                                    |                      |                      |                      |                      |                             |
| Arts and Cultural District Improvements                          | 1,734,241            |                                                    |                      |                      |                      |                      | Grants                      |
| Children's Museum Facility                                       | 742,500              | 100,000                                            | 400,000              | 5,500,000            |                      |                      | Bonds, Grants               |
| La Clinica de Familia - Behavioral Health Facility               | 922,349              |                                                    |                      |                      |                      |                      | Grants                      |
| MV Community of Hope - Casa de Peregrinos Food Rescue Warehouse  | 5,925,691            | 1,847,000                                          |                      |                      |                      |                      | Grants, Other               |
| MV Community of Hope - Flooring                                  | 10,317               |                                                    |                      |                      |                      |                      | Grants                      |
| MV Community of Hope - Health Facility Improvements              | 2,192,073            |                                                    |                      |                      |                      |                      | Grants                      |
| <b>Non-Profit Organizations - Total Carryover Projects</b>       | <b>\$ 11,527,171</b> | <b>\$ 1,947,000</b>                                | <b>\$ 400,000</b>    | <b>\$ 5,500,000</b>  | <b>\$ -</b>          | <b>\$ -</b>          |                             |
| <b>Non-Profit Organizations - Future Projects</b>                |                      |                                                    |                      |                      |                      |                      |                             |
| MV Community of Hope - Cocina de Peregrinos                      |                      | 1,500,000                                          | 7,500,000            | 2,700,000            |                      |                      | Grants                      |
| MV Community of Hope - Jardin de los Niños Re-Roof               |                      |                                                    | 250,000              |                      |                      |                      | Grants                      |
| MV Community of Hope - El Caldito Upgrade                        |                      |                                                    | 150,000              |                      |                      |                      | Grants                      |
| MV Community of Hope - Building 1, Solar Project                 |                      |                                                    |                      | 600,000              |                      |                      | Grants                      |
| MV Community of Hope - Expansion Remodel                         |                      |                                                    |                      | 250,000              |                      |                      | Grants                      |
| MV Community of Hope - Jardin de los Niños Security Improvements |                      |                                                    |                      | 200,000              |                      |                      | Grants                      |
| MV Community of Hope - Patio to Office Remodel                   |                      |                                                    |                      | 200,000              |                      |                      | Grants                      |
| <b>Non-Profit Organizations - Total Future Projects</b>          | <b>\$ -</b>          | <b>\$ 1,500,000</b>                                | <b>\$ 7,900,000</b>  | <b>\$ 3,950,000</b>  | <b>\$ -</b>          | <b>\$ -</b>          |                             |
| <b>Total Non-Profit Organizations</b>                            | <b>\$ 11,527,171</b> | <b>\$ 3,447,000</b>                                | <b>\$ 8,300,000</b>  | <b>\$ 9,450,000</b>  | <b>\$ -</b>          | <b>\$ -</b>          |                             |

**City of Las Cruces  
Capital Improvements Program  
FY 2023-2028**

Amended as of 04/17/2023

| Project Title                                                       | Funded<br>FY2023 | Infrastructure Capital Improvement Plan (Unfunded) |              |               |              |              |  | Funding Source(s)    |
|---------------------------------------------------------------------|------------------|----------------------------------------------------|--------------|---------------|--------------|--------------|--|----------------------|
|                                                                     |                  | FY 2024                                            | FY 2025      | FY 2026       | FY 2027      | FY 2028      |  |                      |
| PARKS & RECREATION                                                  |                  |                                                    |              |               |              |              |  |                      |
| Parks & Recreation - Newly Funded Projects                          |                  |                                                    |              |               |              |              |  |                      |
| East Mesa Bataan Memorial Pool - Shade Structure                    | 12,790           | 182,210                                            |              |               |              |              |  | Grants, Taxes        |
| JCP Learning Center Exterior Repairs                                | 292,800          |                                                    |              |               |              |              |  | Grants, Taxes        |
| Las Cruces Regional Aquatic Center HVAC & Dehumidifier              | 75,000           |                                                    |              |               |              |              |  | Taxes                |
| Meerscheidt Recreation Center Improvements                          | 85,000           | 110,000                                            |              |               |              |              |  | Grants, Taxes        |
| Meerscheidt Recreation Center - Remodel/Expansion                   | 2,000,000        |                                                    | -            |               |              |              |  | Grants, Taxes, Bonds |
| Various Park Restroom Replacement/Repairs & Upgrades                | 419,645          | 360,000                                            |              |               |              |              |  | Grants, Fees         |
| Parks & Recreation - Total Newly Funded Projects                    | \$ 2,885,235     | \$ 652,210                                         | \$ -         | \$ -          | \$ -         | \$ -         |  |                      |
| Parks & Recreation - Carryover Projects                             |                  |                                                    |              |               |              |              |  |                      |
| A. Fielder Memorial Safe Haven Renovations                          | 682,017          |                                                    |              |               |              |              |  | Taxes                |
| Apodaca Park Aquatic Playground and Multi-Use Path                  | 750,000          | 509,479                                            | 240,521      |               |              |              |  | PIF                  |
| Aquatic Center Solar                                                | 180,312          |                                                    |              |               |              |              |  | Grants               |
| Ballfield/Soccer Field Renovations & Upgrades                       | 856,000          | 834,600                                            | 144,000      | 3,200,000     |              |              |  | Grants               |
| Burn Lake/Esslinger Community Park Improvements                     | 228,800          |                                                    |              | 3,200,000     |              |              |  | Bonds, Grants, Taxes |
| Butterfield Shooting Range ADA Improvements                         | 78,469           |                                                    | 200,000      | 2,000,000     |              |              |  | Bonds, Grants, Taxes |
| Chandler Tank Park                                                  | 612,976          |                                                    |              |               |              |              |  | Bonds, Taxes         |
| Dona Ana Move Trail                                                 | 690,000          |                                                    |              |               |              |              |  | Grants, Taxes        |
| East Mesa Public Safety Area Park                                   | 100,000          | 100,000                                            |              | 100,000       |              | 100,000      |  | Grants, PIF          |
| Gallagher Park Improvements                                         | 150,000          |                                                    |              |               |              |              |  | Taxes                |
| Highland Park                                                       | 1,000,000        | 510,850                                            |              |               |              |              |  | Grants,PIF, Taxes    |
| Las Cruces Lateral RTP Trail                                        | 573,411          |                                                    |              |               |              |              |  | Grants, Taxes        |
| Median Landscaping                                                  | 1,343,283        | 200,000                                            | 200,000      | 200,000       | 200,000      | 200,000      |  | Grants, Loans, Taxes |
| Metro Verde Neighborhood Parks                                      | 619,814          | 500,000                                            | 500,000      | 500,000       | 500,000      | 500,000      |  | PIF                  |
| New Skate Park - Plan & Design                                      | 550,000          | 550,000                                            |              | 250,000       |              |              |  | Grants               |
| Parks Parking Lots                                                  | 2,676,773        |                                                    |              |               |              |              |  | Bonds, Grants, Taxes |
| BMX Track Parking Lot & ADA Improvements                            |                  |                                                    |              |               |              |              |  |                      |
| Paz Ball Field Parking Lot Improvements                             |                  |                                                    |              |               |              |              |  |                      |
| Tony Gomez Park Parking Lot Improvements                            |                  |                                                    |              |               |              |              |  |                      |
| Veterans' Park Parking Lot                                          |                  |                                                    |              |               |              |              |  |                      |
| Parks Security and Lighting                                         | 52,334           | 82,637                                             |              |               |              |              |  | Grants, Taxes        |
| Parks Smart Controllers & Pumps                                     | 282,520          |                                                    |              |               |              |              |  | Grants, Taxes        |
| Pioneer Women's Park Gazebo Improvements                            | 175,669          | 600,000                                            | 600,000      | 600,000       | 600,000      | 600,000      |  | Grants               |
| Regional Rec & Aquatic Cntr - Ph II - Competitive Pool Construction | 6,418,602        |                                                    |              |               |              |              |  | Bonds, PIF, Taxes    |
| Regional Rec & Aquatic Cntr - Ph II - Competitive Pool Enclosure    | 2,739,976        |                                                    |              |               |              |              |  | Bonds, Taxes         |
| Skate Park Renovation & Improvements                                | 1,095,000        |                                                    | 836,500      | 1,650,000     | 500,000      |              |  | Grants, PIF          |
| Tortugas Trail                                                      | 75,000           |                                                    |              |               |              |              |  | Grants               |
| Wayfinding Signage                                                  | 214,979          |                                                    |              |               |              |              |  | Grants, PIF          |
| Parks & Recreation - Total Carryover Projects                       | \$ 22,145,935    | \$ 3,887,566                                       | \$ 2,721,021 | \$ 11,700,000 | \$ 1,800,000 | \$ 1,400,000 |  |                      |
| Parks & Recreation - Annual Projects                                |                  |                                                    |              |               |              |              |  |                      |
| Land Acquisition, Planning, and Design for Parks                    | 100,000          | 500,000                                            | 500,000      | 500,000       | 500,000      | 500,000      |  | PIF                  |
| Neighborhood Parks                                                  | 575,801          | 600,000                                            | 500,000      | 500,000       | 500,000      | 500,000      |  | PIF, Taxes           |
| Parks Shade Structures                                              | 24,000           | 24,000                                             | 24,000       | 24,000        | 24,000       | 24,000       |  | Taxes                |
| Parks & Recreation - Total Annual Projects                          | \$ 699,801       | \$ 1,124,000                                       | \$ 1,024,000 | \$ 1,024,000  | \$ 1,024,000 | \$ 1,024,000 |  |                      |
| Parks & Recreation - Future Projects                                |                  |                                                    |              |               |              |              |  |                      |
| Parks Parking Lot Program:                                          |                  | 907,500                                            | 252,500      | 272,700       | 272,700      | 272,700      |  | Bonds, Grants        |
| Apodaca Park                                                        |                  |                                                    |              |               |              |              |  |                      |
| East Mesa Recreation Center                                         |                  |                                                    |              |               |              |              |  |                      |
| Maag Ball Park                                                      |                  |                                                    |              |               |              |              |  |                      |
| Skate Park                                                          |                  |                                                    |              |               |              |              |  |                      |

Agenda Item #7.2.

**City of Las Cruces  
Capital Improvements Program  
FY 2023-2028**

Amended as of 04/17/2023

Agenda Item #7.2.

| Project Title                                                                                                 | Funded<br>FY2023     | Infrastructure Capital Improvement Plan (Unfunded) |                     |                      |                     |                     | Funding Source(s)           |
|---------------------------------------------------------------------------------------------------------------|----------------------|----------------------------------------------------|---------------------|----------------------|---------------------|---------------------|-----------------------------|
|                                                                                                               |                      | FY 2024                                            | FY 2025             | FY 2026              | FY 2027             | FY 2028             |                             |
| Veterans' Memorial Park Enhancements                                                                          |                      | 662,500                                            | 662,500             | 662,500              | 662,500             |                     | Bonds, Grants               |
| Trail Renovations                                                                                             |                      | 580,000                                            | 500,000             | 500,000              | 500,000             | 500,000             | Bonds, Grants               |
| Indoor/Outdoor Aquatic Amenities                                                                              |                      | 195,000                                            |                     |                      |                     |                     | Grants, Taxes               |
| Klein Park Improvements                                                                                       |                      | 126,750                                            |                     |                      |                     |                     | Grants, Taxes               |
| East Mesa Bataan Memorial Pool - HVAC Replacement                                                             |                      | 100,000                                            | 700,000             |                      |                     |                     | Grants                      |
| Albert Johnson Park Electrical Improvements                                                                   |                      | 78,000                                             |                     |                      |                     |                     | Grants, Taxes               |
| Park Drinking Fountains                                                                                       |                      | 70,000                                             |                     |                      |                     |                     | Grants, PIF, Taxes          |
| Parks and Recreational Facilities Structural Renovations                                                      |                      | 55,000                                             |                     |                      |                     |                     | Grants, Taxes               |
| Benavidez Park                                                                                                |                      |                                                    | 685,000             | 125,000              |                     |                     | Grants                      |
| Veterans' Memorial Park Restroom Plumbing Repairs and Upgrades                                                |                      |                                                    | 500,000             |                      |                     |                     | Grants, PIF                 |
| Valley View Park - Heske Garden Lighting Replacement                                                          |                      |                                                    | 134,000             |                      |                     |                     | Grants, Taxes               |
| Laabs Pool - HVAC Replacement                                                                                 |                      |                                                    | 80,000              |                      |                     |                     | Grants, Taxes               |
| Hadley Complex Recreation Rehabilitation                                                                      |                      |                                                    | 78,000              |                      |                     |                     | Grants, Taxes               |
| Multi-Use Recreation Center                                                                                   |                      |                                                    | 31,500              | 318,500              |                     |                     | Bonds, Grants               |
| Four Field Baseball/Softball Complex                                                                          |                      |                                                    |                     | 10,000,000           |                     |                     | Bonds, Grants, PIF          |
| Laabs Pool - Shade Structures                                                                                 |                      |                                                    |                     | 97,500               |                     |                     | Bonds, Grants, PIF          |
| New Sand Volleyball Courts                                                                                    |                      |                                                    |                     |                      | 40,000              |                     | Grants, PIF                 |
| Waterfalls Park                                                                                               |                      |                                                    |                     |                      |                     | 1,200,000           | Grants, PIF                 |
| <b>Parks &amp; Recreation - Total Future Projects</b>                                                         | <b>\$ -</b>          | <b>\$ 2,774,750</b>                                | <b>\$ 3,623,500</b> | <b>\$ 11,976,200</b> | <b>\$ 1,475,200</b> | <b>\$ 1,972,700</b> |                             |
| <b>Total Parks &amp; Recreation</b>                                                                           | <b>\$ 25,730,971</b> | <b>\$ 8,438,526</b>                                | <b>\$ 7,368,521</b> | <b>\$ 24,700,200</b> | <b>\$ 4,299,200</b> | <b>\$ 4,396,700</b> |                             |
| <b>PUBLIC SAFETY</b>                                                                                          |                      |                                                    |                     |                      |                     |                     |                             |
| <b>Public Safety - Newly Funded Projects</b>                                                                  |                      |                                                    |                     |                      |                     |                     |                             |
| Fire Dept. Administration Building Lobby Remodel                                                              | 200,000              | 350,000                                            |                     | 193,400              |                     |                     | Grants, Other               |
| Fire Department CIT and MIH Building                                                                          | 365,000              | 3,420,315                                          |                     |                      |                     |                     | ARPA, Grants, Taxes, Other  |
| Police Department Equipment - Mobile Data Terminals                                                           | 160,000              |                                                    |                     |                      |                     |                     | Grants                      |
| <b>Public Safety - Total Newly Funded Projects</b>                                                            | <b>\$ 725,000</b>    | <b>\$ 3,770,315</b>                                | <b>\$ -</b>         | <b>\$ 193,400</b>    | <b>\$ -</b>         | <b>\$ -</b>         |                             |
| <b>Public Safety - Carryover Projects</b>                                                                     |                      |                                                    |                     |                      |                     |                     |                             |
| Fire Station 2 Replacement<br>1 - Land Acquisition<br>2 - Plan, Design, Construct, and FF&E<br>3 - Demolition | 85,000               |                                                    |                     |                      | 5,165,000           |                     | Taxes, Grants               |
| Fire Department Equipment                                                                                     | 332,731              | 720,000                                            |                     | 500,000              | 500,000             |                     | Grants                      |
| Police Department Building Renovations                                                                        | 63,696               | 150,000                                            |                     |                      |                     |                     | Grants, Taxes               |
| Police Department Evidence Building                                                                           | 66,682               |                                                    |                     |                      |                     |                     | Taxes                       |
| Public Safety Regional Radio Communication System                                                             | 468,000              |                                                    |                     |                      |                     |                     | Grants, Taxes               |
| Public Safety Smart Technology                                                                                | 200,000              |                                                    |                     |                      |                     |                     | ARPA                        |
| <b>Public Safety - Total Carryover Projects</b>                                                               | <b>\$ 1,216,109</b>  | <b>\$ 870,000</b>                                  | <b>\$ -</b>         | <b>\$ 500,000</b>    | <b>\$ 5,665,000</b> | <b>\$ -</b>         |                             |
| <b>Public Safety - Future Projects</b>                                                                        |                      |                                                    |                     |                      |                     |                     |                             |
| Downtown Public Safety Complex                                                                                |                      | 57,000,000                                         |                     |                      |                     |                     | Bonds, Grants               |
| Fire Department Station 9                                                                                     |                      | 5,165,000                                          |                     |                      |                     |                     | Bonds, Grants, Taxes, Other |
| Police Department Mobile Operations Command Vehicle                                                           |                      | 500,000                                            |                     |                      |                     |                     | Grants                      |
| Public Safety Vehicles - Bearcat                                                                              |                      | 400,000                                            |                     |                      |                     |                     | Grants                      |
| Public Safety Vehicles - Rook                                                                                 |                      | 400,000                                            |                     |                      |                     |                     | Grants                      |
| Fire Station 5 North/South Aprons and Parking Lot Replacement                                                 |                      | 314,000                                            | 230,000             |                      |                     |                     | Bonds, Grants, Taxes, Other |
| Police Parking Lot Resurfacing                                                                                |                      | 276,000                                            |                     |                      |                     |                     | Grants, Taxes               |
| Fire Department Training tower                                                                                |                      | 200,000                                            | 19,000              |                      |                     |                     | Grants, Taxes               |
| Fire Stations 4 & 5 Security Fencing and Gates                                                                |                      | 130,000                                            |                     |                      |                     |                     | Grants, Taxes               |
| Public Safety Vehicles - Critical Incident Command Vehicle                                                    |                      | 100,000                                            |                     |                      |                     |                     | Grants                      |

**City of Las Cruces  
Capital Improvements Program  
FY 2023-2028**

Amended as of 04/17/2023

Agenda Item #7.2.

| Project Title                                                                                                           | Funded<br>FY2023     | Infrastructure Capital Improvement Plan (Unfunded) |                     |                     |                     |                     | Funding Source(s)    |
|-------------------------------------------------------------------------------------------------------------------------|----------------------|----------------------------------------------------|---------------------|---------------------|---------------------|---------------------|----------------------|
|                                                                                                                         |                      | FY 2024                                            | FY 2025             | FY 2026             | FY 2027             | FY 2028             |                      |
| Fire Station 4 Restroom Remodel                                                                                         |                      | 90,000                                             |                     |                     |                     |                     | Grants, Taxes, Other |
| Fire Station 2 Bay Remodel                                                                                              |                      | 45,000                                             |                     |                     |                     |                     | Grants               |
| Police Department Equipment - Axon Body Cameras                                                                         |                      | 40,000                                             |                     |                     |                     |                     | Grants               |
| Police North Parking Lot Fencing                                                                                        |                      | 20,000                                             |                     |                     |                     |                     | Grants               |
| Fire Station 6 Repairs                                                                                                  |                      |                                                    | 70,000              |                     |                     |                     | Grants               |
| Fire-Energy Efficiency and Sustainability                                                                               |                      |                                                    |                     | 334,000             | 330,000             | 270,000             | Grants               |
| Police/Fire Training Facility - Design & Construct                                                                      |                      |                                                    |                     |                     |                     | 6,900,000           | Grants               |
| Police/Fire Training Facility - Furniture, Fixtures, & Equipment                                                        |                      |                                                    |                     |                     |                     | 2,100,000           | Grants               |
| <b>Public Safety - Total Future Projects</b>                                                                            | <b>\$ -</b>          | <b>\$ 64,680,000</b>                               | <b>\$ 319,000</b>   | <b>\$ 334,000</b>   | <b>\$ 330,000</b>   | <b>\$ 9,270,000</b> |                      |
| <b>Total Public Safety</b>                                                                                              | <b>\$ 1,941,109</b>  | <b>\$ 69,320,315</b>                               | <b>\$ 319,000</b>   | <b>\$ 1,027,400</b> | <b>\$ 5,995,000</b> | <b>\$ 9,270,000</b> |                      |
| <b>PUBLIC WORKS</b>                                                                                                     |                      |                                                    |                     |                     |                     |                     |                      |
| <b>Public Works - Newly Funded Projects</b>                                                                             |                      |                                                    |                     |                     |                     |                     |                      |
| Complete Streets<br>University Ave. Complete Street Improvements<br>Idaho Ave<br>El Paseo Rd.                           | 7,660,000            | 1,750,000                                          | 1,750,000           | 1,500,000           | 1,750,000           | 1,750,000           | Bonds                |
| Del Rey Blvd Signal Improvements                                                                                        | 200,000              |                                                    |                     |                     |                     |                     | Grants, Taxes        |
| East Mesa Recreation Complex                                                                                            | 2,000,000            |                                                    |                     |                     |                     |                     | Bonds                |
| GO Bond 2023 - New Fire Station                                                                                         | 9,800,000            |                                                    |                     |                     |                     |                     |                      |
| GO Bond 2023 - Parks Improvements                                                                                       | 1,960,000            |                                                    |                     |                     |                     |                     |                      |
| GO Bond 2023 - East Mesa Recreation Facility                                                                            | 4,900,000            |                                                    |                     |                     |                     |                     |                      |
| Telshor ADA Improvements Phase VI                                                                                       | 237,494              |                                                    |                     |                     |                     |                     | Grants, Taxes        |
| Telshor Spruce Intersection Improvements                                                                                | 650,000              | 850,000                                            |                     |                     |                     |                     | Grants               |
| <b>Public Works - Total Newly Funded Projects</b>                                                                       | <b>\$ 27,407,494</b> | <b>\$ 2,600,000</b>                                | <b>\$ 1,750,000</b> | <b>\$ 1,500,000</b> | <b>\$ 1,750,000</b> | <b>\$ 1,750,000</b> |                      |
| <b>Public Works - Carryover Projects</b>                                                                                |                      |                                                    |                     |                     |                     |                     |                      |
| Amador Hotel                                                                                                            | 2,344,425            |                                                    | 2,950,000           | 2,950,000           | 2,950,000           |                     | Grants, TIDD         |
| Casa Linda Acres Reconstruction                                                                                         | 2,650,000            |                                                    |                     | 1,000,000           |                     |                     | ARPA, Taxes          |
| Bellamah Drive - Lees Drive to Luna Street                                                                              | 1,900,000            |                                                    |                     |                     |                     |                     | Bonds, Taxes         |
| Campo Street Design and Reconstruct                                                                                     | 406,318              | 2,600,000                                          |                     |                     |                     |                     | TIDD                 |
| Drainage Infrastructure Improvements<br>EBID Drains & Laterals<br>Land Acquisition<br>Other Improvements                | 3,105,601            |                                                    |                     |                     |                     |                     | Bonds, Taxes         |
| East Mesa Recreation Complex Roads                                                                                      | 1,205,604            |                                                    |                     |                     |                     |                     | Bonds, Taxes         |
| East Mesa Roads and Drainage                                                                                            | 1,719,831            | 900,000                                            |                     |                     |                     |                     | Grants, Taxes        |
| GO Bonds - ARPA Funding                                                                                                 | 3,831,368            |                                                    |                     |                     |                     |                     | ARPA                 |
| GO Bond Q1 - Park & Sport Field Improvements & Additions                                                                | 6,114,230            |                                                    |                     |                     |                     |                     | GO Bonds, PIF        |
| GO Bond Q2 - New Animal Shelter Facility                                                                                | 2,452,897            |                                                    |                     |                     |                     |                     | GO Bonds             |
| GO Bond Q3 - New Fire Station No. 3 Building                                                                            | 119,266              |                                                    |                     |                     |                     |                     | GO Bonds             |
| GO Bond Q4 - Walking, Jogging, Biking Trails Improvements & Additions                                                   | 41,192               |                                                    |                     |                     |                     |                     | GO Bonds             |
| Madrid Ave Extension - Martha Dr to N Triviz Dr                                                                         | 1,864,997            |                                                    |                     |                     |                     |                     | Grants, Taxes        |
| Magdalena Drive Storm Repairs                                                                                           | 78,070               |                                                    |                     |                     |                     |                     | Taxes, Other         |
| McFie - Valley to First                                                                                                 | 170,445              |                                                    |                     |                     |                     |                     | Grants, Taxes        |
| Midway Ave - Gas Line Rd to Mesa Dr                                                                                     | 600,000              | 240,000                                            |                     |                     |                     |                     | Taxes, Grants        |
| North Fork Las Cruces Arroyo L.O.M.R. Drainage Study                                                                    | 3,214                | 39,833                                             |                     |                     |                     |                     | Other                |
| Picacho Ave HAWK System                                                                                                 | 240,868              |                                                    |                     |                     |                     |                     | Grants, Taxes        |
| South Main St - Avenida de Mesilla to Boutz                                                                             | 1,442,440            | 1,900,000                                          |                     |                     |                     |                     | Bonds                |
| Storm Water System Mapping                                                                                              | 100,000              |                                                    |                     |                     |                     |                     | Taxes                |
| Traffic Signals<br>Hoagland Rd & N Alameda Blvd<br>Roadrunner Parkway & Sonora Springs<br>Sonoma Ranch Blvd & Northrise | 1,017,789            |                                                    |                     |                     |                     |                     | Bonds                |

**City of Las Cruces  
Capital Improvements Program  
FY 2023-2028**

Amended as of 04/17/2023

Agenda Item #7.2.

| Project Title                                                                                                                                                                                                                            | Funded<br>FY2023     | Infrastructure Capital Improvement Plan (Unfunded) |                      |                      |                      |                      | Funding Source(s) |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------|----------------------------------------------------|----------------------|----------------------|----------------------|----------------------|-------------------|
|                                                                                                                                                                                                                                          |                      | FY 2024                                            | FY 2025              | FY 2026              | FY 2027              | FY 2028              |                   |
| Voluntary Assessment District Phase I<br>Sanitary Sewer Infrastructure<br>Sonoma Ranch Blvd Mile 2: Peachtree to Arroyo<br>Red Hawk Golf Rd: N.Bound Metro Verde S.P1E to Arroyo Rd<br>Regional Drainage Phase 1                         | 94,746               |                                                    |                      |                      |                      |                      | Bonds             |
| Voluntary Assessment District Phase II<br>Peachtree Hills Rd. East & West<br>Regional Drainage<br>Sonoma Ranch Blvd to Engler, Mile 1, Mile 2, Mile 3, & Roundabout<br>Sonoma Ranch Blvd Landscaping to Engler, Mile 1, Mile 2, & Mile 3 | 7,687,585            |                                                    |                      |                      |                      |                      | Bonds             |
| Villa Mora Dam Park Study                                                                                                                                                                                                                | 373,000              |                                                    |                      |                      |                      |                      | Grants, Taxes     |
| <i>Reauthorization Legislative Appropriations</i>                                                                                                                                                                                        |                      | 250,000                                            |                      |                      |                      |                      |                   |
| Walnut-Madrid TAP Bike/Pedestrian Improvements                                                                                                                                                                                           | 1,323,617            |                                                    |                      |                      |                      |                      | Bonds, Grants     |
| <b>Public Works - Total Carryover Projects</b>                                                                                                                                                                                           | <b>\$ 40,887,503</b> | <b>\$ 5,929,833</b>                                | <b>\$ 2,950,000</b>  | <b>\$ 3,950,000</b>  | <b>\$ 2,950,000</b>  | <b>\$ -</b>          |                   |
| <b>Public Works - Annual Projects</b>                                                                                                                                                                                                    |                      |                                                    |                      |                      |                      |                      |                   |
| Active Transportation Plan - Sidewalk Gaps                                                                                                                                                                                               | 244,637              | 200,000                                            | 200,000              | 200,000              | 200,000              | 200,000              | Bonds, Taxes      |
| ADA Sidewalk Program                                                                                                                                                                                                                     | 110,000              | 150,000                                            | 150,000              | 150,000              | 150,000              | 150,000              | Taxes             |
| Chip Seal Program                                                                                                                                                                                                                        | 238,750              | 200,000                                            | 200,000              | 200,000              | 200,000              | 200,000              | Taxes             |
| CO-OP Match                                                                                                                                                                                                                              | 80,000               | 75,000                                             | 75,000               | 75,000               | 75,000               | 75,000               | Taxes             |
| Land Acquisition - Public Works<br>Flood Control<br>Rights of Way<br>East Mesa<br>Other                                                                                                                                                  | 200,000              | 250,000                                            | 250,000              | 250,000              | 250,000              | 250,000              | Taxes             |
| M.A.P. Match                                                                                                                                                                                                                             | 115,000              | 150,000                                            | 150,000              | 150,000              | 150,000              | 150,000              | Taxes             |
| Materials Testing                                                                                                                                                                                                                        | 240,000              | 250,000                                            | 250,000              | 250,000              | 250,000              | 250,000              | Taxes             |
| Neighborhood Traffic Calming Program                                                                                                                                                                                                     | 60,000               | 60,000                                             | 60,000               | 60,000               | 60,000               | 60,000               | Taxes             |
| Pavement Condition Index Improvements<br>Pavement Overlays<br>Pavement Replacement<br>Pavement Treatment                                                                                                                                 | 9,634,703            | 6,300,000                                          | 6,300,000            | 6,300,000            | 6,300,000            | 6,300,000            | Bonds, Taxes      |
| Pavement Marking Program                                                                                                                                                                                                                 | 169,000              | 500,000                                            | 250,000              | 500,000              | 250,000              | 500,000              | Taxes             |
| Roadway Maintenance Program                                                                                                                                                                                                              | 863,819              | 700,000                                            | 700,000              | 700,000              | 700,000              | 700,000              | Taxes             |
| Street Lighting & Traffic Signal Maintenance Program                                                                                                                                                                                     | 996,291              | 500,000                                            | 500,000              | 500,000              | 500,000              | 500,000              | Taxes             |
| Traffic Signal Program                                                                                                                                                                                                                   | 714,334              | 500,000                                            | 500,000              | 500,000              | 500,000              | 500,000              | Taxes             |
| Transportation System Modernization ITS                                                                                                                                                                                                  | 1,000,000            | 1,000,000                                          | 1,000,000            | 1,000,000            | 1,000,000            | 1,000,000            | Taxes             |
| Unpaved Roads                                                                                                                                                                                                                            | 250,000              | 250,000                                            | 250,000              | 250,000              | 250,000              | 250,000              | Taxes             |
| Weed Control & Maintenance Program<br>City Rights of Way<br>Las Cruces Dam<br>Ponds                                                                                                                                                      | 188,000              | 100,000                                            | 100,000              | 100,000              | 100,000              | 100,000              | Taxes             |
| <b>Public Works - Total Annual Projects</b>                                                                                                                                                                                              | <b>\$ 15,104,534</b> | <b>\$ 11,185,000</b>                               | <b>\$ 10,935,000</b> | <b>\$ 11,185,000</b> | <b>\$ 10,935,000</b> | <b>\$ 11,185,000</b> |                   |
| <b>Public Works - Future Projects</b>                                                                                                                                                                                                    |                      |                                                    |                      |                      |                      |                      |                   |
| HWY 70 and Elks/Triviz Intersection Improvements                                                                                                                                                                                         |                      | 25,000,000                                         |                      |                      |                      |                      | Grants            |
| Flood Control Infrastructure                                                                                                                                                                                                             |                      | 1,500,000                                          |                      |                      |                      |                      | Bonds             |
| Municipal Services Center                                                                                                                                                                                                                |                      | 1,400,000                                          | 7,000,000            | 7,000,000            | 11,200,000           |                      | Bonds             |
| South Main/Valley Drainage Pond                                                                                                                                                                                                          |                      | 1,000,000                                          |                      |                      |                      |                      | Bonds             |
| Municipal Court                                                                                                                                                                                                                          |                      | 700,000                                            | 6,000,000            |                      |                      |                      | Bonds             |
| Blendres Ave - Hadley to Picacho                                                                                                                                                                                                         |                      |                                                    | 750,000              |                      |                      |                      | Bonds             |
| Evelyn St - Madrid Ave to Ash Ave                                                                                                                                                                                                        |                      |                                                    | 655,000              |                      |                      |                      | Taxes             |
| Johnson St - Rouault Ave to Topley Dr                                                                                                                                                                                                    |                      |                                                    | 625,000              |                      |                      |                      | Bonds             |
| Etchel Ave - Alameda Blvd to Miranda, and Houma                                                                                                                                                                                          |                      |                                                    | 550,000              |                      |                      |                      | Taxes             |

**City of Las Cruces  
Capital Improvements Program  
FY 2023-2028**

**Amended as of 04/17/2023**

Agenda Item #7.2.

| Project Title                                                | Funded<br>FY2023     | Infrastructure Capital Improvement Plan (Unfunded) |                      |                      |                      |                      | Funding Source(s)    |
|--------------------------------------------------------------|----------------------|----------------------------------------------------|----------------------|----------------------|----------------------|----------------------|----------------------|
|                                                              |                      | FY 2024                                            | FY 2025              | FY 2026              | FY 2027              | FY 2028              |                      |
| South Valley Dr Reconstruction - Avenida de Mesilla to Boutz |                      |                                                    |                      | 2,920,000            |                      |                      | Bonds                |
| Lohman at Walnut and Walton Signal Improvements              |                      |                                                    |                      | 1,000,000            |                      |                      | Bonds, Grants        |
| Mountain Ave - Melendres St to Armijo St                     |                      |                                                    |                      | 475,000              |                      |                      | Bonds                |
| Med Park Ave - Idaho to Perkins Ave                          |                      |                                                    |                      | 390,000              |                      |                      | Bonds                |
| Armijo St - Picacho Ave to Parker Rd                         |                      |                                                    |                      | 260,000              |                      |                      | Bonds                |
| Armijo St - Organ Ave to Mountain Ave                        |                      |                                                    |                      |                      | 675,000              |                      | Bonds                |
| Kilmer St - Spruce Ave to Ash Ave                            |                      |                                                    |                      |                      | 500,000              |                      | Bonds                |
| Street Lighting Management System                            |                      |                                                    |                      |                      | 500,000              |                      | Taxes                |
| Rigsby Rd - Barker to Valley Dr                              |                      |                                                    |                      |                      | 295,000              |                      | Taxes                |
| Poplar Ave - Mesquite St to Santa Fe St                      |                      |                                                    |                      |                      | 260,000              |                      | Bonds                |
| Sammy Burke Youth Boxing Center - Rehab Design               |                      |                                                    |                      |                      | 250,000              |                      | Grants, Taxes        |
| Willow St - Palomas Ave to San Juan                          |                      |                                                    |                      |                      | 250,000              |                      | Bonds                |
| Sweet St - Hadley Ave to Hayner St                           |                      |                                                    |                      |                      | 207,000              |                      | Taxes                |
| Guthrie Place- Thomas Dr to Cul de Sac                       |                      |                                                    |                      |                      | 200,000              |                      | Bonds                |
| Pavement Management System Road Condition Survey             |                      |                                                    |                      |                      | 200,000              |                      | Taxes                |
| Pittsburg Ave - Melendres to Cul de Sac                      |                      |                                                    |                      |                      | 120,000              |                      | Bonds                |
| Sequoia Ave - Valley Dr to E.O.P.                            |                      |                                                    |                      |                      | 100,000              |                      | Bonds                |
| Spruce Road Diet - N Main to Triviz                          |                      |                                                    |                      |                      |                      | 500,000              | Bonds                |
| Miranda Ave - Picacho Ave to Court Ave                       |                      |                                                    |                      |                      |                      | 450,000              | Bonds                |
| Amis Ave - Madrid Ave to Hoagland Road                       |                      |                                                    |                      |                      |                      | 330,000              | Bonds                |
| Sacramento St - Ash Ave to Oasis Ave                         |                      |                                                    |                      |                      |                      | 315,000              | Taxes                |
| Westgate St - Amador Ave to Cul de Sac                       |                      |                                                    |                      |                      |                      | 240,000              | Bonds                |
| Amador Ave - Archuleta Road to E.O.P.                        |                      |                                                    |                      |                      |                      | 210,000              | Bonds                |
| La Fonda Dr - Idaho Ave to E.O.P.                            |                      |                                                    |                      |                      |                      | 200,000              | Bonds                |
| Oasis Ave - Mesquite St to Solano Dr                         |                      |                                                    |                      |                      |                      | 185,000              | Bonds                |
| Parkview Dr - Espina St to E.O.P.                            |                      |                                                    |                      |                      |                      | 175,000              | Bonds                |
| 6th Street - Hayner Ave to Hadley Ave                        |                      |                                                    |                      |                      |                      | 150,000              | Bonds                |
| Mountain Ave - Water St to Alameda Blvd                      |                      |                                                    |                      |                      |                      | 130,000              | Bonds                |
| Conway Road Maintenance - Design                             |                      |                                                    |                      |                      |                      | 50,000               | Bonds                |
| Engler Road - Design                                         |                      |                                                    |                      |                      |                      | 50,000               | Bonds                |
| Hacienda Acres Infrastructure Improvements - Design          |                      |                                                    |                      |                      |                      | 50,000               | Bonds                |
| Sand Hill Trail - Design                                     |                      |                                                    |                      |                      |                      | 50,000               | Taxes                |
| Targeted Road and Lighting Improvements - Design             |                      |                                                    |                      |                      |                      | 50,000               | Taxes                |
| West Mesa Fiber Optics Improvements - Design                 |                      |                                                    |                      |                      |                      | 50,000               | Taxes                |
| <b>Public Works - Total Future Projects</b>                  | <b>\$ -</b>          | <b>\$ 29,600,000</b>                               | <b>\$ 15,580,000</b> | <b>\$ 12,045,000</b> | <b>\$ 14,757,000</b> | <b>\$ 3,185,000</b>  |                      |
| <b>Total Public Works</b>                                    | <b>\$ 83,399,531</b> | <b>\$ 49,314,833</b>                               | <b>\$ 31,215,000</b> | <b>\$ 28,680,000</b> | <b>\$ 30,392,000</b> | <b>\$ 16,120,000</b> |                      |
| <b>QUALITY OF LIFE</b>                                       |                      |                                                    |                      |                      |                      |                      |                      |
| <b>Quality of Life - Newly Funded Projects</b>               |                      |                                                    |                      |                      |                      |                      |                      |
| Go Bond 2023 Public Art                                      | 340,000              |                                                    |                      |                      |                      |                      | Bonds                |
| <b>Quality of Life - Total Newly Funded Projects</b>         | <b>\$ 340,000</b>    | <b>\$ -</b>                                        | <b>\$ -</b>          | <b>\$ -</b>          | <b>\$ -</b>          | <b>\$ -</b>          |                      |
| <b>Quality of Life - Carryover Projects</b>                  |                      |                                                    |                      |                      |                      |                      |                      |
| Branigan Cultural Center Improvements                        | 148,119              |                                                    | 93,000               | 2,000,000            | 1,200,000            |                      | Grants, Taxes        |
| Branigan Library - Expansion Phase II/Branch                 | 150,000              | 2,000,000                                          | 1,500,000            |                      |                      |                      | Bonds, Grants, Other |
| Munson Center Renovations                                    | 964,260              |                                                    | 1,629,525            |                      |                      |                      | Grants               |
| Page Café Expansion                                          | 920,700              | 666,199                                            |                      |                      |                      |                      | Grants               |
| Senior Programs Kitchen Equipment                            | 122,228              | 2,145,550                                          |                      |                      |                      |                      | Taxes                |
| Eastside Senior Center                                       |                      |                                                    |                      |                      |                      |                      |                      |
| Henry R Benavidez Center                                     |                      |                                                    |                      |                      |                      |                      |                      |
| Munson Senior Center                                         |                      |                                                    |                      |                      |                      |                      |                      |
| <b>Quality of Life - Total Carryover Projects</b>            | <b>\$ 2,305,307</b>  | <b>\$ 4,811,749</b>                                | <b>\$ 3,222,525</b>  | <b>\$ 2,000,000</b>  | <b>\$ 1,200,000</b>  | <b>\$ -</b>          |                      |

Page 61 of 169

**City of Las Cruces  
Capital Improvements Program  
FY 2023-2028**

Amended as of 04/17/2023

Agenda Item #7.2.

| Project Title                                         | Funded<br>FY2023     | Infrastructure Capital Improvement Plan (Unfunded) |                     |                     |                      |                     | Funding Source(s)          |
|-------------------------------------------------------|----------------------|----------------------------------------------------|---------------------|---------------------|----------------------|---------------------|----------------------------|
|                                                       |                      | FY 2024                                            | FY 2025             | FY 2026             | FY 2027              | FY 2028             |                            |
| <b>Quality of Life - Annual Projects</b>              |                      |                                                    |                     |                     |                      |                     |                            |
| Public Art Program                                    | 108,506              | 100,000                                            | 100,000             | 100,000             | 100,000              | 100,000             | Taxes                      |
| <b>Quality of Life - Total Annual Projects</b>        | <b>\$ 108,506</b>    | <b>\$ 100,000</b>                                  | <b>\$ 100,000</b>   | <b>\$ 100,000</b>   | <b>\$ 100,000</b>    | <b>\$ 100,000</b>   |                            |
| <b>Quality of Life - Future Projects</b>              |                      |                                                    |                     |                     |                      |                     |                            |
| Sage Café Backup Generator                            |                      | 325,000                                            |                     |                     |                      |                     | Bonds, Grants, Taxes       |
| Senior Programs Existing Kitchen Expansion Assessment |                      | 200,000                                            |                     |                     |                      |                     | Taxes                      |
| Museum System On-site Server                          |                      | 115,000                                            |                     |                     |                      |                     | Bonds, Grants, Taxes       |
| Senior Programs Vehicles                              |                      |                                                    | 110,000             | 300,000             |                      |                     | Grants                     |
| <i>2022 Legislative Appropriation</i>                 |                      | <i>110,000</i>                                     |                     |                     |                      |                     |                            |
| Munson Center Bathrooms                               |                      | 106,900                                            |                     |                     |                      |                     | Bonds, Grants, Taxes       |
| Frank O'Brien Papen Center - Dining Room Floor        |                      |                                                    | 12,800              |                     |                      |                     | Grants                     |
| <i>2022 Legislative Appropriation</i>                 |                      | <i>35,000</i>                                      |                     |                     |                      |                     |                            |
| Museum of Art Improvements                            |                      | 35,000                                             | 95,000              | 200,000             | 170,000              |                     | Bonds, Grants, Taxes       |
| Museum of Art - Gallery Flooring                      |                      | 15,000                                             | 20,000              | 65,000              |                      |                     | Bonds, Grants, Taxes       |
| Railroad Museum Reinterpretation                      |                      | 15,000                                             | 60,000              | 150,000             | 75,000               |                     | Bonds, Grants, Taxes       |
| Benavidez Kitchen Expansion                           |                      |                                                    | 170,000             | 2,196,000           |                      |                     | Bonds, Grants, Taxes       |
| Munson Center Kitchen Expansion                       |                      |                                                    | 170,000             | 2,287,000           |                      |                     | Bonds, Grants, Taxes       |
| Munson Center Floor                                   |                      |                                                    | 147,150             |                     |                      |                     | Bonds, Grants, Taxes       |
| Benavidez Kitchen Floor                               |                      |                                                    | 52,400              |                     |                      |                     | Bonds, Grants, Taxes       |
| Railroad Museum - Exterior Improvements               |                      |                                                    | 35,000              | 50,000              | 15,000               |                     | Bonds, Grants, Taxes       |
| Branigan Library Renovation                           |                      |                                                    |                     | 200,000             | 3,500,000            |                     | Bonds, Grants, Taxes       |
| Branigan Library - Security System Upgrade            |                      |                                                    |                     | 135,000             | 155,000              |                     | Grants, Taxes              |
| Railroad Museum - Reroof                              |                      |                                                    |                     | 35,000              | 65,000               |                     | Grants, Taxes              |
| Museums Collection Storage Facility                   |                      |                                                    |                     |                     | 9,500,000            |                     | Grants, Taxes              |
| Museum of Nature and Science - Atrium Redesign        |                      |                                                    |                     |                     | 10,000               | 30,000              | Grants, Taxes              |
| Museum of Art Relocation/Remodel                      |                      |                                                    |                     |                     |                      | 5,000,000           | Bonds, Grants, Taxes       |
| <b>Quality of Life - Total Future Projects</b>        | <b>\$ -</b>          | <b>\$ 956,900</b>                                  | <b>\$ 872,350</b>   | <b>\$ 5,618,000</b> | <b>\$ 13,490,000</b> | <b>\$ 5,030,000</b> |                            |
| <b>Total Quality of Life</b>                          | <b>\$ 2,753,813</b>  | <b>\$ 5,868,649</b>                                | <b>\$ 4,194,875</b> | <b>\$ 7,718,000</b> | <b>\$ 14,790,000</b> | <b>\$ 5,130,000</b> |                            |
| <b>ROADRUNNER TRANSIT</b>                             |                      |                                                    |                     |                     |                      |                     |                            |
| <b>RoadRUNNER Transit - Carryover Projects</b>        |                      |                                                    |                     |                     |                      |                     |                            |
| Municipal Services Center - Transit                   | 26,933,834           | 8,383,338                                          |                     |                     |                      |                     | ARPA, Bonds, Grants, Taxes |
| <b>RoadRUNNER Transit - Total Carryover Projects</b>  | <b>\$ 26,933,834</b> | <b>\$ 8,383,338</b>                                | <b>\$ -</b>         | <b>\$ -</b>         | <b>\$ -</b>          | <b>\$ -</b>         |                            |
| <b>RoadRUNNER Transit - Annual Projects</b>           |                      |                                                    |                     |                     |                      |                     |                            |
| Transit Facilities Improvement Program                | 40,000               | 75,000                                             | 75,000              | 75,000              | 80,000               | 185,000             | Grants, Taxes              |
| <b>RoadRUNNER Transit - Total Annual Projects</b>     | <b>\$ 40,000</b>     | <b>\$ 75,000</b>                                   | <b>\$ 75,000</b>    | <b>\$ 75,000</b>    | <b>\$ 80,000</b>     | <b>\$ 185,000</b>   |                            |
| <b>Total RoadRUNNER Transit</b>                       | <b>\$ 26,973,834</b> | <b>\$ 8,458,338</b>                                | <b>\$ 75,000</b>    | <b>\$ 75,000</b>    | <b>\$ 80,000</b>     | <b>\$ 185,000</b>   |                            |
| <b>SUSTAINABILITY</b>                                 |                      |                                                    |                     |                     |                      |                     |                            |
| <b>Sustainability - Newly Funded Projects</b>         |                      |                                                    |                     |                     |                      |                     |                            |
| Fleet Electric Vehicle Chargers                       | 455,000              | 32,436                                             |                     |                     |                      |                     | Grants, Bonds, Taxes       |
| <b>Sustainability - Total Newly Funded Projects</b>   | <b>\$ 455,000</b>    | <b>\$ 32,436</b>                                   | <b>\$ -</b>         | <b>\$ -</b>         | <b>\$ -</b>          | <b>\$ -</b>         |                            |
| <b>Sustainability - Carryover Projects</b>            |                      |                                                    |                     |                     |                      |                     |                            |
| Solar Energy Photo Voltaic Projects                   | 499,796              |                                                    |                     |                     |                      |                     | Taxes                      |
| <b>Sustainability - Total Carryover Projects</b>      | <b>\$ 499,796</b>    | <b>\$ -</b>                                        | <b>\$ -</b>         | <b>\$ -</b>         | <b>\$ -</b>          | <b>\$ -</b>         |                            |
| <b>Sustainability - Future Projects</b>               |                      |                                                    |                     |                     |                      |                     |                            |
| DC Fast Chargers for Electric Vehicles                |                      | 200,000                                            | 200,000             |                     |                      |                     | Grants, Bonds, Taxes       |
| Public Electric Vehicle Chargers                      |                      | 200,000                                            | 200,000             |                     |                      |                     | Grants, Bonds, Taxes       |
| <b>Sustainability - Total Future Projects</b>         | <b>\$ -</b>          | <b>\$ 400,000</b>                                  | <b>\$ 400,000</b>   | <b>\$ -</b>         | <b>\$ -</b>          | <b>\$ -</b>         |                            |
| <b>Total Sustainability</b>                           | <b>\$ 954,796</b>    | <b>\$ 432,436</b>                                  | <b>\$ 400,000</b>   | <b>\$ -</b>         | <b>\$ -</b>          | <b>\$ -</b>         |                            |

**City of Las Cruces  
Capital Improvements Program  
FY 2023-2028**

Amended as of 04/17/2023

Agenda Item #7.2.

| Project Title                                                    | Funded<br>FY2023     | Infrastructure Capital Improvement Plan (Unfunded) |                      |                     |                     |                     | Funding Source(s) |
|------------------------------------------------------------------|----------------------|----------------------------------------------------|----------------------|---------------------|---------------------|---------------------|-------------------|
|                                                                  |                      | FY 2024                                            | FY 2025              | FY 2026             | FY 2027             | FY 2028             |                   |
| <b>UTILITIES</b>                                                 |                      |                                                    |                      |                     |                     |                     |                   |
| <b>Utilities - Carryover Projects</b>                            |                      |                                                    |                      |                     |                     |                     |                   |
| East Lohman Landfill - Waste Area 1                              | 1,000,000            |                                                    |                      |                     |                     |                     | Taxes             |
| JHWWTF East Primary Clarifier                                    | 143,274              |                                                    |                      |                     |                     |                     | Bonds             |
| Wastewater Bond Projects - 2015A Bonds                           | 45,060               |                                                    |                      |                     |                     |                     | Bonds             |
| Wastewater Development                                           | 3,023                | 100,000                                            |                      |                     |                     |                     | Other             |
| Wastewater Development New Interceptors                          | 472,619              |                                                    |                      |                     |                     |                     | WWIF              |
| Wastewater NMFA Loan                                             | 21,352               | 360,000                                            |                      |                     |                     |                     | Bonds             |
| Wastewater Septic Systems - NMED Grant                           | 1,889,047            | 1,972,100                                          | 1,619,000            |                     |                     |                     | Grants            |
| Wastewater Utilities Bond Projects 2020A                         | 1,184,495            | 375,000                                            |                      |                     |                     |                     | Bonds             |
| Water NMFA Loan                                                  | 7,034                | 100,000                                            |                      |                     |                     |                     | Bonds             |
| Water Rehabilitation - NMFA                                      | 108,614              | 1,551,091                                          |                      |                     |                     |                     | Bonds             |
| Water Street Improvement Projects - 2015 Bond                    | 18,772               |                                                    |                      |                     |                     |                     | Bonds             |
| Water Utilities Bond Projects 2020A                              | 7,689,002            | 4,939,151                                          |                      |                     |                     |                     | Bonds             |
| <b>Utilities - Total Carryover Projects</b>                      | <b>\$ 12,582,292</b> | <b>\$ 9,397,342</b>                                | <b>\$ 1,619,000</b>  | <b>\$ -</b>         | <b>\$ -</b>         | <b>\$ -</b>         |                   |
| <b>Utilities - Annual Projects</b>                               |                      |                                                    |                      |                     |                     |                     |                   |
| Gas Admin Building Improvements                                  | 421,417              | 321,667                                            | 125,000              | 125,000             | 125,000             | 125,000             | Other             |
| Fiberoptic Cable Replacement from Roundtree to JU                |                      |                                                    |                      |                     |                     |                     |                   |
| Gas Development - Low & High Pressure                            | 1,647,695            | 17,152,621                                         | 1,700,000            | 1,500,000           | 300,000             | 300,000             | Other             |
| Gas Rehabilitation - Low & High Pressure                         | 119,966              | 3,063,189                                          | 110,000              | 110,000             | 110,000             |                     | Other             |
| Gas Rehabilitation - Street Utility Rehabilitation               | 494,049              | 1,767,576                                          | 1,725,000            | 1,725,000           | 1,725,000           | 1,725,000           | Other             |
| Gas SCADA                                                        | 200,000              | 50,000                                             | 50,000               | 50,000              | 50,000              | 50,000              | Other             |
| Solid Waste Building Improvements                                | 421,417              | 321,667                                            | 125,000              | 125,000             | 125,000             | 125,000             | Other             |
| Fiberoptic Cable Replacement from Roundtree to JU                |                      |                                                    |                      |                     |                     |                     |                   |
| Wastewater Building Improvements                                 | 276,940              | 75,000                                             | 75,000               | 75,000              | 75,000              | 75,000              | Other             |
| Fiberoptic Cable Replacement from Roundtree to JU                |                      |                                                    |                      |                     |                     |                     |                   |
| Wastewater Jacob Hands Wastewater Treatment Facility             | 502,168              | 3,859,161                                          | 5,950,000            |                     |                     |                     | Other             |
| Wastewater JHWWTF                                                | 100,000              | 100,000                                            | 100,000              | 100,000             | 100,000             | 100,000             | Other             |
| Wastewater Lift Station Renovations                              | 100,000              | 50,000                                             | 100,000              | 50,000              | 100,000             | 50,000              | Other             |
| Wastewater Rehabilitation - East Mesa Water Reclamation Facility | 500,000              |                                                    | 400,000              |                     |                     |                     | Other             |
| Wastewater Street Utility Rehabilitation                         | 1,832,085            | 1,738,248                                          | 166,650              |                     |                     |                     | Other             |
| Wastewater East Mesa Water Reclamation                           | 25,000               | 25,000                                             | 25,000               | 25,000              | 25,000              | 25,000              | Other             |
| Water Building Improvements                                      | 300,838              | 321,667                                            | 125,000              | 125,000             | 125,000             | 125,000             | Other             |
| Fiberoptic Cable Replacement from Roundtree to JU                |                      |                                                    |                      |                     |                     |                     |                   |
| Water Rehabilitation - Line Extension                            | 852,350              | 1,387,542                                          |                      |                     |                     |                     | Other             |
| Water Rehabilitation - Reservoir Rehabilitation                  | 200,000              | 7,972,500                                          |                      |                     |                     |                     | Other             |
| Water Rehabilitation - Street Utility Rehabilitation             | 2,488,159            | 8,051,257                                          | 650,000              | 550,000             | 650,000             | 5,550,000           | Other             |
| Water SCADA                                                      | 200,000              | 539,596                                            | 589,596              | 539,596             | 50,000              | 30,000              | Other             |
| <b>Utilities - Total Annual Projects</b>                         | <b>\$ 10,682,085</b> | <b>\$ 46,796,691</b>                               | <b>\$ 12,016,246</b> | <b>\$ 5,099,596</b> | <b>\$ 3,560,000</b> | <b>\$ 8,280,000</b> |                   |
| <b>Utilities - Future Projects</b>                               |                      |                                                    |                      |                     |                     |                     |                   |
| Gas Rehabilitation - Regulator Stations                          |                      | 600,000                                            |                      |                     |                     |                     | Fees              |
| Wastewater SCADA                                                 |                      | 279,854                                            | 30,000               | 30,000              | 30,000              | 30,000              | Fees              |
| Water Rehabilitation - Pump PRV                                  |                      | 235,000                                            |                      |                     |                     |                     | Fees              |
| Water Rehabilitation - Pump Station Rehabilitation               |                      | 175,000                                            | 100,000              | 100,000             | 100,000             | 100,000             | Fees              |
| Wastewater Development                                           |                      | 143,023                                            |                      |                     |                     |                     | Fees              |
| Water NMFA Loan                                                  |                      | 100,000                                            |                      |                     |                     |                     | Bonds             |
| Wastewater East Mesa Water Reclamation                           |                      | 25,000                                             | 25,000               | 25,000              | 25,000              | 25,000              | Fees              |
| Gas Rehabilitation Phase I AMR Implementation                    |                      |                                                    | 250,000              | 250,000             | 250,000             | 250,000             | Fees              |
| <b>Utilities - Total Future Projects</b>                         | <b>\$ -</b>          | <b>\$ 1,557,877</b>                                | <b>\$ 405,000</b>    | <b>\$ 405,000</b>   | <b>\$ 405,000</b>   | <b>\$ 405,000</b>   |                   |
| <b>Total Utilities</b>                                           | <b>\$ 23,264,377</b> | <b>\$ 57,751,910</b>                               | <b>\$ 14,040,246</b> | <b>\$ 5,504,596</b> | <b>\$ 3,965,000</b> | <b>\$ 8,685,000</b> |                   |

**City of Las Cruces  
Capital Improvements Program  
FY 2023-2028**

Amended as of 04/17/2023

Agenda Item #7.2.

| Project Title                               | Funded<br>FY2023      | Infrastructure Capital Improvement Plan (Unfunded) |                       |                       |                      |                      | Funding Source(s) |
|---------------------------------------------|-----------------------|----------------------------------------------------|-----------------------|-----------------------|----------------------|----------------------|-------------------|
|                                             |                       | FY 2024                                            | FY 2025               | FY 2026               | FY 2027              | FY 2028              |                   |
| <b>VISIT LAS CRUCES</b>                     |                       |                                                    |                       |                       |                      |                      |                   |
| Visit Las Cruces - Carryover Projects       |                       |                                                    |                       |                       |                      |                      |                   |
| Convention Center FF&E                      | 150,000               |                                                    |                       |                       |                      |                      | Taxes             |
| Visit Las Cruces - Total Carryover Projects | <b>\$ 150,000</b>     | <b>\$ -</b>                                        | <b>\$ -</b>           | <b>\$ -</b>           | <b>\$ -</b>          | <b>\$ -</b>          |                   |
| Total Visit Las Cruces                      | <b>\$ 150,000</b>     | <b>\$ -</b>                                        | <b>\$ -</b>           | <b>\$ -</b>           | <b>\$ -</b>          | <b>\$ -</b>          |                   |
| <b>ALL DEPARTMENTS</b>                      |                       |                                                    |                       |                       |                      |                      |                   |
| Total Newly Funded Projects                 | <b>\$ 32,641,635</b>  | <b>\$ 7,779,961</b>                                | <b>\$ 2,380,000</b>   | <b>\$ 2,323,400</b>   | <b>\$ 2,380,000</b>  | <b>\$ 2,380,000</b>  |                   |
| Total Carryover Projects                    | <b>\$ 126,922,594</b> | <b>\$ 39,426,828</b>                               | <b>\$ 31,862,546</b>  | <b>\$ 37,200,000</b>  | <b>\$ 13,515,000</b> | <b>\$ 4,950,000</b>  |                   |
| Total Annual Projects                       | <b>\$ 28,297,662</b>  | <b>\$ 60,230,691</b>                               | <b>\$ 25,100,246</b>  | <b>\$ 18,433,596</b>  | <b>\$ 16,649,000</b> | <b>\$ 21,724,000</b> |                   |
| Total Future Projects                       | <b>\$ -</b>           | <b>\$ 190,507,194</b>                              | <b>\$ 53,707,850</b>  | <b>\$ 48,390,700</b>  | <b>\$ 43,542,200</b> | <b>\$ 35,587,700</b> |                   |
| <b>GRAND TOTAL</b>                          | <b>\$ 187,861,891</b> | <b>\$ 297,944,674</b>                              | <b>\$ 113,050,642</b> | <b>\$ 106,347,696</b> | <b>\$ 76,086,200</b> | <b>\$ 64,641,700</b> |                   |

Abbreviations and Notes:

■ Indicates a Change

*Pending Legislative Appropriations noted in italic*

**Current funding sources noted in bold**

ARPA - American Rescue Plan Act

Bonds - Includes Bonds and Loans

Grants - Includes Local, State, Federal,  
or private entity

Other - Includes Fees, State Entitlements, Leases,  
Developer Contributions, and Donations

PIF - Park Impact Fees

PSIF - Public Safety Impact Fees

TIDD - Tax Increment Development  
District

WIF - Water Impact Fees

WWIF - Wastewater Impact Fees

## FY 2023 Vehicle Acquisition Funding

|                                         |             |                                |                                         |                            | Funding by Source        |                   |                                    |
|-----------------------------------------|-------------|--------------------------------|-----------------------------------------|----------------------------|--------------------------|-------------------|------------------------------------|
| Department/LOB                          | Inventory # | Existing Model                 | Replacement Model                       | Estimated Replacement Cost | Vehicle Acquisition Fund | Utilities Funding | Other Sources (Grant, Lease, Debt) |
| <b>City Managers Office</b>             |             |                                |                                         |                            |                          |                   |                                    |
| Airport                                 | 25001       | 1999 Dodge Ram 1500            | F-150 Electric                          | 60,000                     |                          |                   | 60,000                             |
| Airport                                 | NEW         | NEW                            | F-150 Electric                          | 65,000                     |                          |                   | 65,000                             |
| Facilities                              | NEW         | NEW                            | F-150 Electric                          | 65,000                     |                          |                   | \$ 65,000                          |
| Facilities                              | NEW         | NEW                            | F-150 Electric                          | 65,000                     |                          |                   | \$ 65,000                          |
| <b>Total City Managers Office</b>       |             |                                |                                         | <b>\$ 255,000</b>          | <b>\$ -</b>              | <b>\$ -</b>       | <b>\$ 255,000</b>                  |
| <b>Community Development Department</b> |             |                                |                                         |                            |                          |                   |                                    |
| Community Development/One stop Shop     | 30845       | 2006 F-150 Electric            | F-150 Electric                          | 60,000                     |                          |                   | \$ 60,000                          |
| Community Development/One stop Shop     | NEW         | NEW                            | F-150 Electric                          | 60,000                     | \$ 60,000                |                   |                                    |
| <b>Total Community Development</b>      |             |                                |                                         | <b>\$ 120,000</b>          | <b>\$ 60,000</b>         | <b>\$ -</b>       | <b>\$ 60,000</b>                   |
| <b>Fire</b>                             |             |                                |                                         |                            |                          |                   |                                    |
| Emergency Response                      | 27202       | 2002 American La France Eagle  | 2022 Pierce Aerial                      | \$ 1,600,000               |                          |                   | \$ 1,600,000                       |
| Emergency Response                      | 30911       | 2006 American La France Eagle  | 2022 Pierce Aerial                      | \$ 1,600,000               |                          |                   | \$ 1,600,000                       |
| Emergency Response                      | 27015       | 2002 American La France Eagle  | 2022 Pierce Engine                      | \$ 700,000                 |                          |                   | \$ 700,000                         |
| Emergency Response                      | 27016       | 2002 American La France Eagle  | 2022 Pierce Engine                      | \$ 700,000                 |                          |                   | \$ 700,000                         |
| Air Rescue & Firefighting               | 31026       | 2007 Rosenbauer Pather         | 2022 Osh Gosh                           | \$ 900,000                 |                          |                   | \$ 900,000                         |
| Train & Professional Development        | 31183       | 2008 Ford Expedition XLT       | F-150 Electric                          | \$ 70,000                  |                          |                   | \$ 70,000                          |
| Technical Rescue Team                   | 31248       | 2008 International 4400        | F-550                                   | \$ 250,000                 |                          |                   | \$ 250,000                         |
| Prevention                              | NEW         | NEW                            | F-150 Electric                          | \$ 70,000                  |                          |                   |                                    |
| Operational Support                     | 30761       | 2006 F-250                     | F-150 Electric                          | \$ 70,000                  |                          |                   | \$ 70,000                          |
| Mobile Integrated Healthcare            | 31836       | 2013 Ford Taurus               | F-150 Electric                          | \$ 50,000                  | \$ 50,000                |                   |                                    |
| <b>Total Fire</b>                       |             |                                |                                         | <b>\$ 6,010,000</b>        | <b>\$ 50,000</b>         | <b>\$ -</b>       | <b>\$ 5,890,000</b>                |
| <b>Legal</b>                            |             |                                |                                         |                            |                          |                   |                                    |
| Compliance                              | 31356       | 2009 Ford Escape               | Ford Explorer 4x4                       | \$ 55,000                  |                          |                   | \$ 55,000                          |
| <b>Total Legal</b>                      |             |                                |                                         | <b>\$ 55,000</b>           | <b>\$ -</b>              | <b>\$ -</b>       | <b>\$ 55,000</b>                   |
| <b>Parks &amp; Recreation</b>           |             |                                |                                         |                            |                          |                   |                                    |
| Parks Administration                    | 32190       | Sand Pro 5040                  | Toro 4800 Ground Master                 | \$ 28,000                  | \$ 28,000                |                   |                                    |
| Parks Administration                    | NEW         | NEW                            | F-150 Electric                          | \$ 60,000                  | \$ 60,000                |                   |                                    |
| Parks Administration                    | NEW         | NEW                            | Toro Workman MDX                        | \$ 15,000                  | \$ 15,000                |                   |                                    |
| Parks Administration                    | NEW         | NEW                            | Toro Workman MDX                        | \$ 15,000                  | \$ 15,000                |                   |                                    |
| Parks Administration                    | NEW         | NEW                            | F-150 Electric                          | \$ 60,000                  | \$ 60,000                |                   |                                    |
| Out of School Time & Youth Div          | 31841       | 2000 Ford Excursion            | F-350 Transit Van- 15 Passenger         | \$ 55,000                  |                          |                   | \$ 55,000                          |
| Out of School Time & Youth Div          | 30797       | 2006 Ford E-350 Super Duty     | F-350 Transit Van- 15 Passenger         | \$ 55,000                  |                          |                   | \$ 55,000                          |
| Parks Administration                    | 30698       | 2006 Tycrop MH400              | Toro MH 400 Series broadcast topdresser | \$ 25,000                  |                          |                   | \$ 25,000                          |
| Parks Administration                    | 31252       | 2008 John Deere Gator Electric | Toro Workman MDX                        | \$ 10,000                  |                          |                   | \$ 10,000                          |
| Parks Administration                    | 31258       | 2008 John Deere Gator 3x6      | Toro Workman MDX                        | \$ 10,000                  |                          |                   | \$ 10,000                          |
| Parks Administration                    | 30753       | 2006 Ford F-250                | F-250 Utility Bed                       | \$ 70,000                  |                          |                   | \$ 60,000                          |
| Fitness, Recreation, Wellness           | 32189       | Sand Pro                       | F-150 Electric                          | \$ 60,000                  |                          |                   | \$ 60,000                          |
| Parks & Recreation A&G                  | NEW         | NEW                            | F-150 Electric                          | \$ 48,000                  |                          |                   | \$ 48,000                          |
| Parks Administration                    | NEW         | NEW                            | F-150 Electric                          | \$ 48,000                  |                          |                   | \$ 48,000                          |
| Parks Administration                    | NEW         | NEW                            | F-150 Electric                          | \$ 48,000                  |                          |                   | \$ 48,000                          |
| Parks & Recreation A&G                  | 30995       | 2007 Isuzu NPR Tymo Sweep      | Tymco Sweeper                           | \$ 120,000                 |                          |                   | \$ 120,000                         |
| Parks & Recreation A&G                  | NEW         | NEW                            | F-150 Electric                          | \$ 65,000                  |                          |                   | \$ 65,000                          |
| <b>Total Parks &amp; Recreation</b>     |             |                                |                                         | <b>\$ 792,000</b>          | <b>\$ 178,000</b>        | <b>\$ -</b>       | <b>\$ 604,000</b>                  |
| <b>Quality of Life</b>                  |             |                                |                                         |                            |                          |                   |                                    |
| Senior Programs                         | 29261       | 2005 Chevy Astro               | F-150*                                  | \$ 56,000                  | \$ 56,000                |                   |                                    |
| Senior Programs                         | 29262       | 2005 Chevy Astro               | F-150*                                  | \$ 56,000                  | \$ 56,000                |                   |                                    |
| Senior Programs                         | 30211       | 2005 Dodge Caravan             | F-150*                                  | \$ 50,000                  |                          |                   | \$ 50,000                          |
| Senior Programs                         | 30969       | 2006 Dodge Caravan             | F-150*                                  | \$ 50,000                  |                          |                   | \$ 50,000                          |
| <b>Total Quality of Life</b>            |             |                                |                                         | <b>\$ 212,000</b>          | <b>\$ 112,000</b>        | <b>\$ -</b>       | <b>\$ 100,000</b>                  |
| <b>Police</b>                           |             |                                |                                         |                            |                          |                   |                                    |
| Public Safety                           | 30907       | 2007 Chevy Impala              | Ford Mach EV                            | \$ 65,000                  | \$ 65,000                |                   |                                    |
| Public Safety                           | 27599       | 2003 Chevy Impala              | Ford Interceptor Hybrid                 | \$ 65,000                  |                          |                   | \$ 65,000                          |
| Public Safety                           | 31118       | 2008 Chevy Impala              | Ford Mach EV                            | \$ 65,000                  | \$ 65,000                |                   |                                    |
| Public Safety                           | 31290       | 2009 Ford Crown Vic            | Ford Interceptor Hybrid                 | \$ 65,000                  | \$ 65,000                |                   |                                    |
| Public Safety                           | 31941       | 2013 Dodge Charger             | Ford Interceptor Hybrid                 | \$ 65,000                  | \$ 65,000                |                   |                                    |
| Public Safety                           | 31944       | 2013 Dodge Charger             | Ford Interceptor Hybrid                 | \$ 65,000                  | \$ 65,000                |                   |                                    |
| Public Safety                           | 31866       | 2012 Dodge Charger             | Ford Interceptor Hybrid                 | \$ 65,000                  | \$ 65,000                |                   |                                    |
| Public Safety                           | 31894       | 2012 Dodge Charger             | Ford Interceptor Hybrid                 | \$ 65,000                  | \$ 65,000                |                   |                                    |
| Public Safety                           | 31892       | 2013 Dodge Charger             | Ford Interceptor Hybrid                 | \$ 65,000                  | \$ 65,000                |                   |                                    |
| Public Safety                           | 31856       | 2013 Dodge Charger             | Ford Interceptor Hybrid                 | \$ 65,000                  | \$ 65,000                |                   |                                    |
| Public Safety                           | 31873       | 2013 Dodge Charger             | Ford Interceptor Hybrid                 | \$ 65,000                  | \$ 65,000                |                   |                                    |
| Public Safety                           | 31864       | 2012 Dodge Charger             | Ford Interceptor Hybrid                 | \$ 65,000                  | \$ 65,000                |                   |                                    |
| Public Safety                           | 31903       | 2011 Dodge Charger             | Ford Interceptor Hybrid                 | \$ 65,000                  | \$ 65,000                |                   |                                    |
| Public Safety                           | 31862       | 2013 Dodge Charger             | Ford Interceptor Hybrid                 | \$ 65,000                  | \$ 65,000                |                   |                                    |
| Public Safety                           | 31931       | 2013 Dodge Charger             | Ford Interceptor Hybrid                 | \$ 65,000                  | \$ 65,000                |                   |                                    |
| Public Safety                           | 31937       | 2013 Dodge Charger             | Ford Interceptor Hybrid                 | \$ 65,000                  | \$ 65,000                |                   |                                    |
| Public Safety                           | 31928       | 2013 Dodge Charger             | Ford Interceptor Hybrid                 | \$ 65,000                  |                          |                   | \$ 65,000                          |
| Public Safety                           | 31865       | 2012 Dodge Charger             | Ford Interceptor Hybrid                 | \$ 65,000                  | \$ 65,000                |                   |                                    |
| Community Outreach                      | NEW         | NEW                            | Hyundai Kona, RWD SUV - EV              | \$ 35,185                  |                          |                   | \$ 35,185.00                       |
| Community Outreach                      | NEW         | NEW                            | Hyundai Kona, RWD SUV - EV              | \$ 35,185                  |                          |                   | \$ 35,185.00                       |
| Community Outreach                      | NEW         | NEW                            | Hyundai Kona, RWD SUV - EV              | \$ 35,185                  |                          |                   | \$ 35,185.00                       |
| Community Outreach                      | NEW         | NEW                            | Hyundai Kona, RWD SUV - EV              | \$ 35,185                  |                          |                   | \$ 35,185.00                       |
| Patrol                                  | 32387       | 2016 Ford Interceptor          | Ford Interceptor Hybrid                 | \$ 75,000                  |                          |                   | \$ 75,000                          |
| Patrol                                  | 33043       | 2017 Ford Interceptor          | Ford Interceptor Hybrid                 | \$ 75,000                  |                          |                   | \$ 75,000                          |
| <b>Total Police</b>                     |             |                                |                                         | <b>\$ 1,460,740</b>        | <b>\$ 1,040,000</b>      | <b>\$ -</b>       | <b>\$ 420,740</b>                  |

\* Indicates no suitable electric vehicle.

## FY 2023 Vehicle Acquisition Funding

|                                    |             |                       |                            |                            | Funding by Source        |                     |                                    |
|------------------------------------|-------------|-----------------------|----------------------------|----------------------------|--------------------------|---------------------|------------------------------------|
| Department/LOB                     | Inventory # | Existing Model        | Replacement Model          | Estimated Replacement Cost | Vehicle Acquisition Fund | Utilities Funding   | Other Sources (Grant, Lease, Debt) |
| <b>Public Works</b>                |             |                       |                            |                            |                          |                     |                                    |
| Operations & Maintenance           | NEW         | NEW                   | Distributor truck          | \$ 278,000                 |                          |                     | \$ 278,000                         |
| Operations & Maintenance           | 31123       | 2008 F-250            | F-250                      | \$ 65,000                  |                          |                     | \$ 65,000                          |
| Operations & Maintenance           | 31350       | 2008 F-150 Electric   | F-150 Electric             | \$ 48,000                  |                          |                     | \$ 48,000                          |
| Public Infrastructure              | NEW         | NEW                   | F-150 Electric             | \$ 48,000                  |                          |                     | \$ 48,000                          |
| Public Infrastructure              | 30752       | 2006 F-150 Electric   | F-150 Electric             | \$ 48,000                  |                          |                     | \$ 48,000                          |
| Public Infrastructure              | 30749       | 2006 F-150 Electric   | F-150 Electric             | \$ 48,000                  |                          |                     | \$ 48,000                          |
| Public Infrastructure              | 30926       | 2006 F-150 Electric   | F-150 Electric             | \$ 48,000                  |                          |                     | \$ 48,000                          |
| Public Infrastructure              | 31076       | 2008 F-150 Electric   | F-150 Electric             | \$ 48,000                  |                          |                     | \$ 48,000                          |
| Public Infrastructure              | 29268       | 2005 F-150 Electric   | F-150 Electric             | \$ 48,000                  |                          |                     | \$ 48,000                          |
| Traffic Engineering                | NEW         | NEW                   | Ford/Utem F550             | \$ 150,000                 |                          |                     | \$ 150,000                         |
| <b>Total Public Works</b>          |             |                       |                            | <b>\$ 829,000</b>          | <b>\$ -</b>              | <b>\$ -</b>         | <b>\$ 829,000</b>                  |
| <b>Transit</b>                     |             |                       |                            |                            |                          |                     |                                    |
| Roadrunner Transit                 | 31289       | 2008 Gillig           | Electric Bus - Res. 22-040 | \$ 1,000,000               |                          |                     | \$ 1,000,000                       |
| Roadrunner Transit                 | 28732       | 2004 Gillig           | Electric Bus - Res. 22-040 | \$ 1,000,000               |                          |                     | \$ 1,000,000                       |
| Roadrunner Transit                 | 28733       | 2004 Gillig           | Electric Bus - Res. 22-040 | \$ 1,000,000               |                          |                     | \$ 1,000,000                       |
| Roadrunner Transit                 | 28734       | 2004 Gillig           | Electric Bus - Res. 22-040 | \$ 1,000,000               |                          |                     | \$ 1,000,000                       |
| Roadrunner Transit                 | 28736       | 2004 Gillig           | Electric Bus - Res. 22-040 | \$ 1,000,000               |                          |                     | \$ 1,000,000                       |
| Roadrunner Transit                 | 28739       | 2004 Gillig           | Electric Bus - Res. 22-040 | \$ 1,000,000               |                          |                     | \$ 1,000,000                       |
| Roadrunner Transit                 | 31287       | 2008 Gillig           | Electric Bus - Res. 22-040 | \$ 1,000,000               |                          |                     | \$ 1,000,000                       |
| Roadrunner Transit                 | 27019       | 2002 Chevy Venture    | Ford Transit 3E350 Van     | \$ 55,000                  |                          |                     | \$ 55,000                          |
| <b>Total Transit</b>               |             |                       |                            | <b>\$ 7,055,000</b>        | <b>\$ -</b>              | <b>\$ -</b>         | <b>\$ 7,055,000</b>                |
| <b>Utilities</b>                   |             |                       |                            |                            |                          |                     |                                    |
| Locating & Mapping                 | 32056       | 2013 F-150 Electric   | F-150 Electric             | \$ 48,000                  |                          | \$ 48,000           |                                    |
| Locating & Mapping                 | 32057       | 2013 F-150 Electric   | F-150 Electric             | \$ 48,000                  |                          | \$ 48,000           |                                    |
| Water Line Maintenance             | 32025       | 2011 Case 580SN       | CAT 420F2 4WDE or EV       | \$ 110,000                 |                          | \$ 110,000          |                                    |
| Water Line Maintenance             | 31783       | 2013 Case 580SN       | CAT 420F2 4WDE             | \$ 110,000                 |                          | \$ 110,000          |                                    |
| Water Line Maintenance             | 30851       | 2006 Intl 440SBA      | Intl 4400 w Crane          | \$ 240,000                 |                          | \$ 240,000          |                                    |
| Water Line Maintenance             | 32469       | 2017 Intl 7600        | Intl 7600 dump truck       | \$ 180,000                 |                          | \$ 180,000          |                                    |
| Water Production                   | 31327       | 2009 F-150 Electric   | F-150 Electric             | \$ 48,000                  |                          | \$ 48,000           |                                    |
| Water Production                   | 32066       | 2014 F-250            | F-250                      | \$ 55,000                  |                          | \$ 55,000           |                                    |
| Solid Waste Residential Collection | 31097       | 2008 Intl 7400SB      | Grappler                   | \$ 200,000                 |                          | \$ 200,000          |                                    |
| Solid Waste Residential Collection | 32281       | 2015 Peterbilt M32    | Residential Side loader    | \$ 364,000                 |                          | \$ 364,000          |                                    |
| Solid Waste Residential Collection | 32282       | 2015 Peterbilt M32    | Residential Side loader    | \$ 364,000                 |                          | \$ 364,000          |                                    |
| Solid Waste Commercial Collection  | 32284       | 2014 Peterbilt loader | Commercial Front loader    | \$ 384,000                 |                          | \$ 384,000          |                                    |
| Solid Waste Commercial Collection  | 32305       | 2015 Peterbilt loader | Commercial Front loader    | \$ 384,000                 |                          | \$ 384,000          |                                    |
| Solid Waste Commercial Collection  | 32306       | 2016 Peterbilt loader | Commercial Front loader    | \$ 384,000                 |                          | \$ 384,000          |                                    |
| Solid Waste Commercial Collection  | 31537       | 2010 Int roll off     | Commercial Front loader    | \$ 384,000                 |                          | \$ 384,000          |                                    |
| Solid Waste Green Waste            | 32327       | 2015 Caterpillar 950M | CAT 950M Loader            | \$ 350,000                 |                          | \$ 350,000          |                                    |
| Solid Waste Green Waste            | NEW         | NEW                   | CAT 950M Loader            | \$ 350,000                 |                          | \$ 350,000          |                                    |
| Patch - Admin UT                   | 31095       | 2008 Intl Durastar    | Intl 4yard dump            | \$ 180,000                 |                          | \$ 180,000          |                                    |
| Patch - Admin UT                   | 31022       | 2007 Case 580SMII     | CAT 420F2 Backhoe          | \$ 110,000                 |                          | \$ 110,000          |                                    |
| <b>Total Utilities</b>             |             |                       |                            | <b>\$ 4,293,000</b>        | <b>\$ -</b>              | <b>\$ 4,293,000</b> | <b>\$ -</b>                        |
| <b>Total VAF by Funding Source</b> |             |                       |                            | <b>\$ 21,081,740</b>       | <b>\$ 1,440,000</b>      | <b>\$ 4,293,000</b> | <b>\$ 15,268,740</b>               |

\* Indicates no suitable electric vehicle.

## BUDGET ADJUSTMENT SUMMARY

|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |                       |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------|
| FUND NO.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          | 1000                  |
| FUND TITLE:                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       | General Fund          |
| TYPE OF ADJUSTMENT:                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               | Revenue & Expenditure |
| DEPARTMENT:                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       | Quality of Life       |
| PROGRAM:                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          | Public Art            |
| REVENUE ADJ AMOUNT                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                | \$54,552              |
| EXPENDITURE ADJ AMOUNT                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            | \$54,552              |
| TRANSFER ADJ AMOUNT                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               | \$                    |
| CIP PROJECT AMENDMENT NEEDED:                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     | No                    |
| REASON FOR ADJUSTMENT: The Earth & Cosmos mosaic in La Placita downtown was damaged in December 2020 while a broken water line in that area was being repaired. An insurance claim was filed for the damage to the artwork. Some repairs were made in FY22 as funds permitted. The remaining repairs have been on hold pending the insurance claim payment. In March 2023, the Public Art Program received that insurance claim payment and will be used to complete the repairs to the mosaic. Any remaining funds will be used for other Public Art maintenance and/or repairs. |                       |

|                                                                                                                                 |                           |
|---------------------------------------------------------------------------------------------------------------------------------|---------------------------|
| FUND NO.                                                                                                                        | 1000                      |
| FUND TITLE:                                                                                                                     | General Fund              |
| TYPE OF ADJUSTMENT:                                                                                                             | Expense                   |
| DEPARTMENT:                                                                                                                     | Fire & Emergency Services |
| PROGRAM:                                                                                                                        | Operational Support       |
| REVENUE ADJ AMOUNT                                                                                                              | \$                        |
| EXPENDITURE ADJ AMOUNT                                                                                                          | \$ 280,000                |
| TRANSFER ADJ AMOUNT                                                                                                             | \$                        |
| CIP PROJECT AMENDMENT NEEDED:                                                                                                   | No                        |
| REASON FOR ADJUSTMENT: Increase of \$280,000 for Radio Upgrades for 700 MHZ Public Safety System P25 to finish out the project. |                           |

|                                                                                                                                                                                           |                    |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------|
| FUND NO.                                                                                                                                                                                  | 1000               |
| FUND TITLE:                                                                                                                                                                               | General Fund       |
| TYPE OF ADJUSTMENT:                                                                                                                                                                       | Expense            |
| DEPARTMENT:                                                                                                                                                                               | Financial Services |
| PROGRAM:                                                                                                                                                                                  | Treasury           |
| REVENUE ADJ AMOUNT                                                                                                                                                                        | \$                 |
| EXPENDITURE ADJ AMOUNT                                                                                                                                                                    | \$ 941,054         |
| TRANSFER ADJ AMOUNT                                                                                                                                                                       |                    |
| CIP PROJECT AMENDMENT<br>NEEDED:                                                                                                                                                          | No                 |
| REASON FOR ADJUSTMENT: Administrative charges are higher than anticipated do to GRT coming in higher. We need to increase the budget by \$941,054 to reflect projections more to actuals. |                    |

|                                                                                                                                                                                                               |                                    |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------|
| FUND NO.                                                                                                                                                                                                      | 1000                               |
| FUND TITLE:                                                                                                                                                                                                   | General Fund                       |
| TYPE OF ADJUSTMENT:                                                                                                                                                                                           | Expense                            |
| DEPARTMENT:                                                                                                                                                                                                   | Parks & Recreation                 |
| PROGRAM:                                                                                                                                                                                                      | Parks, Sport Fields, & Comm Forest |
| REVENUE ADJ AMOUNT                                                                                                                                                                                            | \$                                 |
| EXPENDITURE ADJ AMOUNT                                                                                                                                                                                        | \$ 353,635                         |
| TRANSFER ADJ AMOUNT                                                                                                                                                                                           | \$                                 |
| CIP PROJECT AMENDMENT<br>NEEDED:                                                                                                                                                                              | Yes                                |
| REASON FOR ADJUSTMENT: Due to the playground not meeting full safety compliance and the structure being over twenty years old, we are requesting to replace playground for Safe Haven – Weed and Seed Program |                                    |

|                                                                                                                                                                                                                                                                                                                                                                |                |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------|
| FUND NO.                                                                                                                                                                                                                                                                                                                                                       | 1000           |
| FUND TITLE:                                                                                                                                                                                                                                                                                                                                                    | General Fund   |
| TYPE OF ADJUSTMENT:                                                                                                                                                                                                                                                                                                                                            | Transfers      |
| DEPARTMENT:                                                                                                                                                                                                                                                                                                                                                    | Non-Department |
| PROGRAM:                                                                                                                                                                                                                                                                                                                                                       | Non-Subsection |
| REVENUE ADJ AMOUNT                                                                                                                                                                                                                                                                                                                                             | \$             |
| EXPENDITURE ADJ AMOUNT                                                                                                                                                                                                                                                                                                                                         | \$             |
| TRANSFER ADJ AMOUNT                                                                                                                                                                                                                                                                                                                                            | \$ (2,035,133) |
| CIP PROJECT AMENDMENT<br>NEEDED:                                                                                                                                                                                                                                                                                                                               | No             |
| REASON FOR ADJUSTMENT: Transfer to Fund 3616: \$(2,317) for 2022 Go Bond Fire apparatus debt service payment budgeted interest bringing to actuals.<br>Transfer to Fund 6330: \$(255,147) to increase Workers Compensation to reflect the actuarial report. Transfer to Fund 6340: \$(1,777,669) to increase Liability claims to reflect the actuarial report. |                |

|                                                                                                                                                                                             |                       |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------|
| FUND NO.                                                                                                                                                                                    | 1500                  |
| FUND TITLE:                                                                                                                                                                                 | HHR GRT               |
| TYPE OF ADJUSTMENT:                                                                                                                                                                         | Expense               |
| DEPARTMENT:                                                                                                                                                                                 | Mayor & Council Admin |
| PROGRAM:                                                                                                                                                                                    | Non-Subsection        |
| REVENUE ADJ AMOUNT                                                                                                                                                                          | \$                    |
| EXPENDITURE ADJ AMOUNT                                                                                                                                                                      | \$(50,000)            |
| TRANSFER ADJ AMOUNT                                                                                                                                                                         | \$                    |
| CIP PROJECT AMENDMENT<br>NEEDED:                                                                                                                                                            | No                    |
| REASON FOR ADJUSTMENT: Increase of \$100,000 for Administrative Charges, GRT coming in higher than anticipated. Decrease \$(150,000) for two Patrol vehicles that were involved in a wreck. |                       |

|                                                                                                                              |           |
|------------------------------------------------------------------------------------------------------------------------------|-----------|
| FUND NO.                                                                                                                     | 1500      |
| FUND TITLE:                                                                                                                  | HHR GRT   |
| TYPE OF ADJUSTMENT:                                                                                                          | Expense   |
| DEPARTMENT:                                                                                                                  | Police    |
| PROGRAM:                                                                                                                     | Patrol    |
| REVENUE ADJ AMOUNT                                                                                                           | \$        |
| EXPENDITURE ADJ AMOUNT                                                                                                       | \$150,000 |
| TRANSFER ADJ AMOUNT                                                                                                          | \$        |
| CIP PROJECT AMENDMENT<br>NEEDED:                                                                                             | No        |
| REASON FOR ADJUSTMENT: Funds to purchase 2 replacement Police vehicles (asset: 32387 & 33043) that were involved in a wreck. |           |

|                                                                                           |                              |
|-------------------------------------------------------------------------------------------|------------------------------|
| FUND NO.                                                                                  | 2100                         |
| FUND TITLE:                                                                               | Special Revenue Reimb Grants |
| TYPE OF ADJUSTMENT:                                                                       | Revenue & Expense            |
| DEPARTMENT:                                                                               | Parks & Recreation           |
| PROGRAM:                                                                                  | Community Recreation         |
| REVENUE ADJ AMOUNT                                                                        | \$(1,237)                    |
| EXPENDITURE ADJ AMOUNT                                                                    | \$(1,237)                    |
| TRANSFER ADJ AMOUNT                                                                       | \$                           |
| CIP PROJECT AMENDMENT<br>NEEDED:                                                          | No                           |
| REASON FOR ADJUSTMENT: To adjust Fitlot Benavidez Park FY23 grant projections to actuals. |                              |

|                                                                         |                              |
|-------------------------------------------------------------------------|------------------------------|
| FUND NO.                                                                | 2100                         |
| FUND TITLE:                                                             | Special Revenue Reimb Grants |
| TYPE OF ADJUSTMENT:                                                     | Expense                      |
| DEPARTMENT:                                                             | Police                       |
| PROGRAM:                                                                | Administration-PD            |
| REVENUE ADJ AMOUNT                                                      | \$                           |
| EXPENDITURE ADJ AMOUNT                                                  | \$(11,855.24)                |
| TRANSFER ADJ AMOUNT                                                     | \$                           |
| CIP PROJECT AMENDMENT<br>NEEDED:                                        | No                           |
| REASON FOR ADJUSTMENT: To adjust Police ARPA FY23 projection to actuals |                              |

|                                                                                                                                                                     |                               |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------|
| FUND NO.                                                                                                                                                            | 2100                          |
| FUND TITLE:                                                                                                                                                         | Special Revenue Reimb Grants  |
| TYPE OF ADJUSTMENT:                                                                                                                                                 | Expense                       |
| DEPARTMENT:                                                                                                                                                         | Economic Development          |
| PROGRAM:                                                                                                                                                            | Housing Neighborhood Services |
| REVENUE ADJ AMOUNT                                                                                                                                                  | \$                            |
| EXPENDITURE ADJ AMOUNT                                                                                                                                              | \$(363,575)                   |
| TRANSFER ADJ AMOUNT                                                                                                                                                 | \$                            |
| CIP PROJECT AMENDMENT<br>NEEDED:                                                                                                                                    | No                            |
| REASON FOR ADJUSTMENT: Keep ARPA Budget for the contracts of \$10 million separate from contract administration. Finance department will be managing the contracts. |                               |

|                                                                                                                                                                     |                              |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------|
| FUND NO.                                                                                                                                                            | 2100                         |
| FUND TITLE:                                                                                                                                                         | Special Revenue Reimb Grants |
| TYPE OF ADJUSTMENT:                                                                                                                                                 | Expense                      |
| DEPARTMENT:                                                                                                                                                         | Financial Services           |
| PROGRAM:                                                                                                                                                            | Grants                       |
| REVENUE ADJ AMOUNT                                                                                                                                                  | \$                           |
| EXPENDITURE ADJ AMOUNT                                                                                                                                              | \$ 375,430.24                |
| TRANSFER ADJ AMOUNT                                                                                                                                                 | \$                           |
| CIP PROJECT AMENDMENT<br>NEEDED:                                                                                                                                    | No                           |
| REASON FOR ADJUSTMENT: Keep ARPA Budget for the contracts of \$10 million separate from contract administration. Finance department will be managing the contracts. |                              |

|                                                                         |                      |
|-------------------------------------------------------------------------|----------------------|
| FUND NO.                                                                | 2790                 |
| FUND TITLE:                                                             | Alarm Fees and Fines |
| TYPE OF ADJUSTMENT:                                                     | Transfer             |
| DEPARTMENT:                                                             | Non-Department       |
| PROGRAM:                                                                | Non-Subsection       |
| REVENUE ADJ AMOUNT                                                      | \$                   |
| EXPENDITURE ADJ AMOUNT                                                  | \$                   |
| TRANSFER ADJ AMOUNT                                                     | (\$1,540.18)         |
| CIP PROJECT AMENDMENT<br>NEEDED:                                        | No                   |
| REASON FOR ADJUSTMENT: Transfer to fund 7410- needed to close fund 2790 |                      |

|                                                                                                                           |                           |
|---------------------------------------------------------------------------------------------------------------------------|---------------------------|
| FUND NO.                                                                                                                  | 3616                      |
| FUND TITLE:                                                                                                               | 22 NMFA FR                |
| TYPE OF ADJUSTMENT:                                                                                                       | Expense                   |
| DEPARTMENT:                                                                                                               | Fire & Emergency Services |
| PROGRAM:                                                                                                                  | Chiefs Executive Office   |
| REVENUE ADJ AMOUNT                                                                                                        | \$                        |
| EXPENDITURE ADJ AMOUNT                                                                                                    | \$ 2,067                  |
| TRANSFER ADJ AMOUNT                                                                                                       | \$                        |
| CIP PROJECT AMENDMENT<br>NEEDED:                                                                                          | No                        |
| REASON FOR ADJUSTMENT: Increase 2022 Go Bond Fire apparatus debt service payment, budgeted interest was budgeted too low. |                           |

|                                                                                                                                                               |                |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------|
| FUND NO.                                                                                                                                                      | 3616           |
| FUND TITLE:                                                                                                                                                   | 22 NMFA FR     |
| TYPE OF ADJUSTMENT:                                                                                                                                           | Transfer       |
| DEPARTMENT:                                                                                                                                                   | Non-Department |
| PROGRAM:                                                                                                                                                      | Non-Subsection |
| REVENUE ADJ AMOUNT                                                                                                                                            | \$             |
| EXPENDITURE ADJ AMOUNT                                                                                                                                        | \$             |
| TRANSFER ADJ AMOUNT                                                                                                                                           | \$2,317        |
| CIP PROJECT AMENDMENT<br>NEEDED:                                                                                                                              | No             |
| REASON FOR ADJUSTMENT: Transfer from Fund 1000: \$2,317 for 2022 Go Bond Fire apparatus debt service payment budgeted bond/note interest was budgeted to low. |                |

|                                                                                                                                                     |                                       |
|-----------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------|
| FUND NO.                                                                                                                                            | 4100                                  |
| FUND TITLE:                                                                                                                                         | Capital Projects Reimbursement Grants |
| TYPE OF ADJUSTMENT:                                                                                                                                 | Expense                               |
| DEPARTMENT:                                                                                                                                         | Parks & Recreation                    |
| PROGRAM:                                                                                                                                            | Parks, Sports Flds & Comm Fores       |
| REVENUE ADJ AMOUNT                                                                                                                                  | \$(4,825)                             |
| EXPENDITURE ADJ AMOUNT                                                                                                                              | \$                                    |
| TRANSFER ADJ AMOUNT                                                                                                                                 | \$                                    |
| CIP PROJECT AMENDMENT<br>NEEDED:                                                                                                                    | No                                    |
| REASON FOR ADJUSTMENT: To adjust grant projections to actuals: Decrease of \$4,803.78 to RTP Wayfinding and \$21.12 decrease to RTP University Loop |                                       |

|                                                                                                                                                                            |                         |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------|
| FUND NO.                                                                                                                                                                   | 4106                    |
| FUND TITLE:                                                                                                                                                                | Public Park Development |
| TYPE OF ADJUSTMENT:                                                                                                                                                        | Expense                 |
| DEPARTMENT:                                                                                                                                                                | Parks & Recreation      |
| PROGRAM:                                                                                                                                                                   | Administration P&R      |
| REVENUE ADJ AMOUNT                                                                                                                                                         | \$                      |
| EXPENDITURE ADJ AMOUNT                                                                                                                                                     | \$419,645               |
| TRANSFER ADJ AMOUNT                                                                                                                                                        | \$                      |
| CIP PROJECT AMENDMENT<br>NEEDED:                                                                                                                                           | Yes                     |
| REASON FOR ADJUSTMENT: Increase in expenses for Provencio Van Dam (PVD) improvements that include a prefabricated restroom. Park is the soccer park off Hadley and Solano. |                         |

|                                                                                                                                                                                                                                   |                    |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------|
| FUND NO.                                                                                                                                                                                                                          | 5010               |
| FUND TITLE:                                                                                                                                                                                                                       | Airport            |
| TYPE OF ADJUSTMENT:                                                                                                                                                                                                               | Expense            |
| DEPARTMENT:                                                                                                                                                                                                                       | Las Cruces Airport |
| PROGRAM:                                                                                                                                                                                                                          | Las Cruces Airport |
| REVENUE ADJ AMOUNT                                                                                                                                                                                                                | \$31,336           |
| EXPENDITURE ADJ AMOUNT                                                                                                                                                                                                            | \$9,364            |
| TRANSFER ADJ AMOUNT                                                                                                                                                                                                               | \$                 |
| CIP PROJECT AMENDMENT NEEDED:                                                                                                                                                                                                     | No                 |
| REASON FOR ADJUSTMENT: Increase \$40,700 expenditures for FY22 VAF Falcon 15 Mower carryover that was not initially budgeted in FY23. Correction to RES 23-099 due to 2 revenue accounts provided instead of one expense account. |                    |

|                                                                                                                                                                                                     |                                 |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------|
| FUND NO.                                                                                                                                                                                            | 6150                            |
| FUND TITLE:                                                                                                                                                                                         | Fleet Services                  |
| TYPE OF ADJUSTMENT:                                                                                                                                                                                 | Revenue & Expense               |
| DEPARTMENT:                                                                                                                                                                                         | Assistant City Manager's Office |
| PROGRAM:                                                                                                                                                                                            | Repairs                         |
| REVENUE ADJ AMOUNT                                                                                                                                                                                  | \$(775,000)                     |
| EXPENDITURE ADJ AMOUNT                                                                                                                                                                              | \$(1,283,835)                   |
| TRANSFER ADJ AMOUNT                                                                                                                                                                                 | \$                              |
| CIP PROJECT AMENDMENT NEEDED:                                                                                                                                                                       | No                              |
| REASON FOR ADJUSTMENT: To reduce Fleets revenue by \$(775,000) and expenses by (1,283,835) for Solid Waste revenue and expenses that were going to move to Fleet but instead stayed with Utilities. |                                 |

|                                                                                                                             |                      |
|-----------------------------------------------------------------------------------------------------------------------------|----------------------|
| FUND NO.                                                                                                                    | 6330                 |
| FUND TITLE:                                                                                                                 | Workers Compensation |
| TYPE OF ADJUSTMENT:                                                                                                         | Transfer             |
| DEPARTMENT:                                                                                                                 | Non-Department       |
| PROGRAM:                                                                                                                    | Non-Subsection       |
| REVENUE ADJ AMOUNT                                                                                                          | \$                   |
| EXPENDITURE ADJ AMOUNT                                                                                                      | \$                   |
| TRANSFER ADJ AMOUNT                                                                                                         | \$255,147            |
| CIP PROJECT AMENDMENT<br>NEEDED:                                                                                            | No                   |
| REASON FOR ADJUSTMENT: Transfer from Fund 1000: \$255,147 to increase Workers Compensation to reflect the actuarial report. |                      |

|                                                                                                                           |                  |
|---------------------------------------------------------------------------------------------------------------------------|------------------|
| FUND NO.                                                                                                                  | 6340             |
| FUND TITLE:                                                                                                               | Liability Claims |
| TYPE OF ADJUSTMENT:                                                                                                       | Transfer         |
| DEPARTMENT:                                                                                                               | Non-Department   |
| PROGRAM:                                                                                                                  | Non-Subsection   |
| REVENUE ADJ AMOUNT                                                                                                        | \$               |
| EXPENDITURE ADJ AMOUNT                                                                                                    | \$               |
| TRANSFER ADJ AMOUNT                                                                                                       | \$1,777,669      |
| CIP PROJECT AMENDMENT<br>NEEDED:                                                                                          | No               |
| REASON FOR ADJUSTMENT: Transfer from Fund 1000: \$1,777,669 to increase Liability Claims to reflect the actuarial report. |                  |

|                                                                           |                                |
|---------------------------------------------------------------------------|--------------------------------|
| FUND NO.                                                                  | 7410                           |
| FUND TITLE:                                                               | MV Regional Dispatch Authority |
| TYPE OF ADJUSTMENT:                                                       | Transfer                       |
| DEPARTMENT:                                                               | Non-Department                 |
| PROGRAM:                                                                  | Non-Subsection                 |
| REVENUE ADJ AMOUNT                                                        | \$                             |
| EXPENDITURE ADJ AMOUNT                                                    | \$                             |
| TRANSFER ADJ AMOUNT                                                       | \$1,540.18                     |
| CIP PROJECT AMENDMENT<br>NEEDED:                                          | No                             |
| REASON FOR ADJUSTMENT: Transfer from fund 2790- needed to close fund 2790 |                                |

|                                                                                                                                                                                                       |                |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------|
| FUND NO.                                                                                                                                                                                              | 7492           |
| FUND TITLE:                                                                                                                                                                                           | HIDTA          |
| TYPE OF ADJUSTMENT:                                                                                                                                                                                   | Expense        |
| DEPARTMENT:                                                                                                                                                                                           | HIDTA-CLC      |
| PROGRAM:                                                                                                                                                                                              | Non-Subsection |
| REVENUE ADJ AMOUNT                                                                                                                                                                                    | \$             |
| EXPENDITURE ADJ AMOUNT                                                                                                                                                                                | \$(420)        |
| TRANSFER ADJ AMOUNT                                                                                                                                                                                   | \$             |
| CIP PROJECT AMENDMENT<br>NEEDED:                                                                                                                                                                      | No             |
| REASON FOR ADJUSTMENT: The decrease is for Modification 7 done on 7/5/22 Res 23-006 was to bring down budget by \$420. This is to correct \$420 that was added back in, in error and true up numbers. |                |



City of Las Cruces

# City Council Action and Executive Summary

3030; Council Bill 23-024

Type of Action:  
☐ Resolution  
☒ Ordinance  
☐ TIDD Resolution

|              |                                                                                                                                                                                                                                  |                                       |                            |                            |                            |                            |                              |
|--------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------|----------------------------|----------------------------|----------------------------|----------------------------|------------------------------|
| District:    | <input type="checkbox"/> 1                                                                                                                                                                                                       | <input checked="" type="checkbox"/> 2 | <input type="checkbox"/> 3 | <input type="checkbox"/> 4 | <input type="checkbox"/> 5 | <input type="checkbox"/> 6 | <input type="checkbox"/> N/A |
| 1st Reading: | April 17, 2023                                                                                                                                                                                                                   |                                       |                            | Adopted:                   | May 1, 2023                |                            |                              |
| Drafter:     | Vince Banegas                                                                                                                                                                                                                    |                                       |                            | Department:                | Community Development      |                            |                              |
| Program:     | Community Planning                                                                                                                                                                                                               |                                       |                            | Line of Business:          | Community Planning         |                            |                              |
| Title:       | AN ORDINANCE APPROVING A ZONE CHANGE FROM A-2 (RURAL AGRICULTURAL DISTRICT) TO C-3C (COMMERCIAL HIGH INTENSITY-CONDITIONAL) FOR PROPERTY LOCATED AT 4003 TELLBROOK ROAD. SUBMITTED BY RAYLYN AND LEZLIE WILCOX, PROPERTY OWNERS. |                                       |                            |                            |                            |                            |                              |

TYPE OF ACTION:    ☐ Administrative    ☐ Legislative    ☒ Quasi-Judicial

PURPOSE(S) OF ACTION:  
Zone Change

BACKGROUND / KEY ISSUES / CONTRIBUTING FACTORS:  
The City Council is required to review and take final action on zone changes per Section 38-10.B.2.b. and 38-13.A. of the 2001 Las Cruces Zoning Code, as amended. A zoning district is a specifically delineated area where land use regulation uniformly governs the use, placement, spacing, density, bulk, height, and size of buildings and/or land.

The applicant is requesting a zone change from A-2 (Rural Agricultural District) to C-3C (Commercial High Intensity-Conditional) for property approximately 10.85 acres in size and located at 4003 Tellbrook Road. The existing A-2 zone represents a non-conforming zoning district designation that became defunct upon adoption of the 2001 Las Cruces Zoning Code, as amended. In order to develop the property, a zone change to an appropriate zoning designation will be required. Due to the surrounding area, the subject property being adjacent to a minor arterial/collector roadway intersection, and the development vision proposed by the applicant, the C-3C zoning district is an appropriate designation. In this particular instance, the conditions that were proposed by the applicant, and recommended by the Planning and Zoning Commission, speak to limiting permitted land uses to those listed in an exhibit which will be attached to the Ordinance as Exhibit "B". This list focuses on reducing the types of office and service uses, and significantly reduces the types of retail uses allowed on the property. By implementing these restrictions, land uses and the degree of intensity they may create will be minimized from what the C-3 district would otherwise allow. The conditions also facilitate the development vision the property owners wish to achieve involving the creation of an office, dwelling, botanical gardens, an accessory structure (storage of equipment, etc.), and potentially a small coffee shop to be ancillary to the botanical garden use.

The subject property is presently vacant. Immediately north of the property is a large lot that is predominately vacant and also zoned A-2. Immediately south, are developed and undeveloped properties zoned C-2 (Commercial Medium Intensity), R-2 (Multi-Dwelling Low Density), and R-3 (Multi-Dwelling Medium Density). Of those developed, several are single-family dwellings, and several others are apartments (duplexes, triplexes and one fourplex). To the east, further south, and further north, medium to large lot residential uses are prevalent. Several of these properties are outside the city limits.

## Agenda Item #9.1.

The proposed zone change is consistent with the Elevate Las Cruces Comprehensive Plan and several goals, policies, and actions contained therein. Policy supporting the request speaks to encouraging the development of vacant/underutilized property, supporting, promoting, and identifying places of employment to help increase employment opportunities, and promoting a jobs-housing balance. The property is within the Suburban Place Type characterized by low to moderate-density residential land uses intermixed with areas of commercial development.

On January 24, 2023, the case was heard by the Planning and Zoning Commission at their regular meeting. The zone change request had significant opposition from residents in the area. In fact, 39 emails were received by staff. Of those, 37 were opposed to the proposal, 1 was in support, and 1 was simply requesting additional information. Many of those submitting emails were in attendance at the Planning and Zoning Commission meeting. In consideration of all input received (emails, phone calls, meetings), issues raised for the opposition involved increased light pollution, traffic, and noise, lack of compatibility the proposal brings to the surrounding residential area, potential impacts to wildlife and property values, lack of assurances that development will not broaden beyond the stated scope, and whether commercial zoning was even needed in the area. Of the few supporting the request, statements clearly reflect that there was a general acceptance of the development as proposed and that said the development could bring desirable uses closer to residents thereby creating increased walkability in the neighborhood and reducing the need for vehicle miles traveled. Ultimately, the Planning and Zoning Commission voted 4-1-0 (two seats vacant) to approve the request with the aforementioned condition.

Although no appeals were submitted regarding the Planning and Zoning Commission's recommendation, one area resident requested the addition of documentation to this CAES packet. This documentation was not presented to the Commission at the January 24, 2023 meeting. It contains additional information intended to further strengthen the opposition's perspective. This attachment is clearly identified as to its source and content. Please be advised that handling new information in this manner is not normally done, but has been carried out in the past.

### **SUPPORT INFORMATION:**

[EXHIBIT "A" - Vicinity Map](#)

[EXHIBIT "B" - List of Permitted Uses](#)

[EXHIBIT "C" - Findings of Fact](#)

[ATTACHMENT "A" - 4003 Tellbrook Road Staff Rprt](#)

[ATTACHMENT "B" - Unapproved 1/24/23 Minute Excerpts](#)

[ATTACHMENT "C" - Email Correspondence](#)

### **PLAN(S):**

Elevate Las Cruces

### **COMMITTEE/BOARD REVIEW:**

P&Z

### **DOES THIS AMEND THE BUDGET?:**

☐ Yes

☒ No

### **Does this action amend the Capital Improvement Plan (CIP)?**

☐ Yes

☒ No

### **Does this action align with Elevate Las Cruces?**

## Agenda Item #9.1.

☒ Yes

☐ No

### **OPTIONS / ALTERNATIVES:**

1. Vote "Yes"; this will approve the Ordinance and affirm the P&Z recommendation for approval. The subject property located at 4003 Tellbrook Road will be rezoned from A-2 (Agricultural District) to C-3C (Commercial High Intensity-Conditional).
2. Vote "No"; this will deny the Ordinance and will reject the recommendation made by P&Z. The current non-conforming zoning designation of A-2 (Agricultural District) will remain, requiring the property owner to seek an alternate zoning designation prior to development.
3. Vote to "Amend"; this could allow the City Council to modify the Ordinance by adding conditions as deemed appropriate.
4. Vote to "Table"; this could allow the City Council to table/postpone the Ordinance and direct staff accordingly.

**ORDINANCE 3030; COUNCIL BILL 23-024**

**AN ORDINANCE APPROVING A ZONE CHANGE FROM A-2 (RURAL AGRICULTURAL DISTRICT) TO C-3C (COMMERCIAL HIGH INTENSITY-CONDITIONAL) FOR PROPERTY LOCATED AT 4003 TELLBROOK ROAD. SUBMITTED BY RAYLYN AND LEZLIE WILCOX, PROPERTY OWNERS.**

The City Council is informed that:

**WHEREAS**, Raylyn and Lezlie Wilcox, property owners, have submitted a request for a zone change from A-2 (Agricultural District) to C-3C (Commercial High Intensity-Conditional); and

**WHEREAS**, the condition attached to the C-3 designation reduces multiple service uses, and substantially reduces commercial uses otherwise allowed in the C-3 district while allowing the applicant to fulfill his development vision for the property; and

**WHEREAS**, the subject property is approximately 10.85 acres in size, vacant, and has a defunct zoning district in need of change; and

**WHEREAS**, the proposed zone change is consistent with the Suburban Place Type per Elevate Las Cruces Comprehensive Plan and is supported by various goals and policies contained therein; and

**WHEREAS**, the proposed zone change meets the purpose and intent of the 2001 Las Cruces Zoning Code, as amended; and

**WHEREAS**, the Planning and Zoning Commission, after conducting a public hearing on January 24, 2023, recommended that the zone change request be approved by a vote of 4-1-0 (two commission seats vacant).

**NOW, THEREFORE**, Be it Ordained by the Governing Body of the City of Las Cruces:

(I)

**THAT** the land as reflected in Exhibit "A", attached hereto and made part of this Ordinance, is hereby zoned C-3C (Commercial High Density - Conditional).

(II)

**THAT** the conditions stipulated are identified in Exhibit "B", attached hereto and made part of this Ordinance.

(III)

**THAT** the zoning is based on the findings contained in Exhibit "C", attached hereto and made part of this Ordinance.

(IV)

**THAT** the zoning of said property be shown accordingly on the City Zoning Atlas.

(V)

Agenda Item #9.1.

**THAT** City staff is hereby authorized to do all deeds as necessary in the accomplishment of the herein above.

**DONE AND APPROVED** this    day of

Agenda Item #9.1.

APPROVED

\_\_\_\_\_

ATTEST:

\_\_\_\_\_

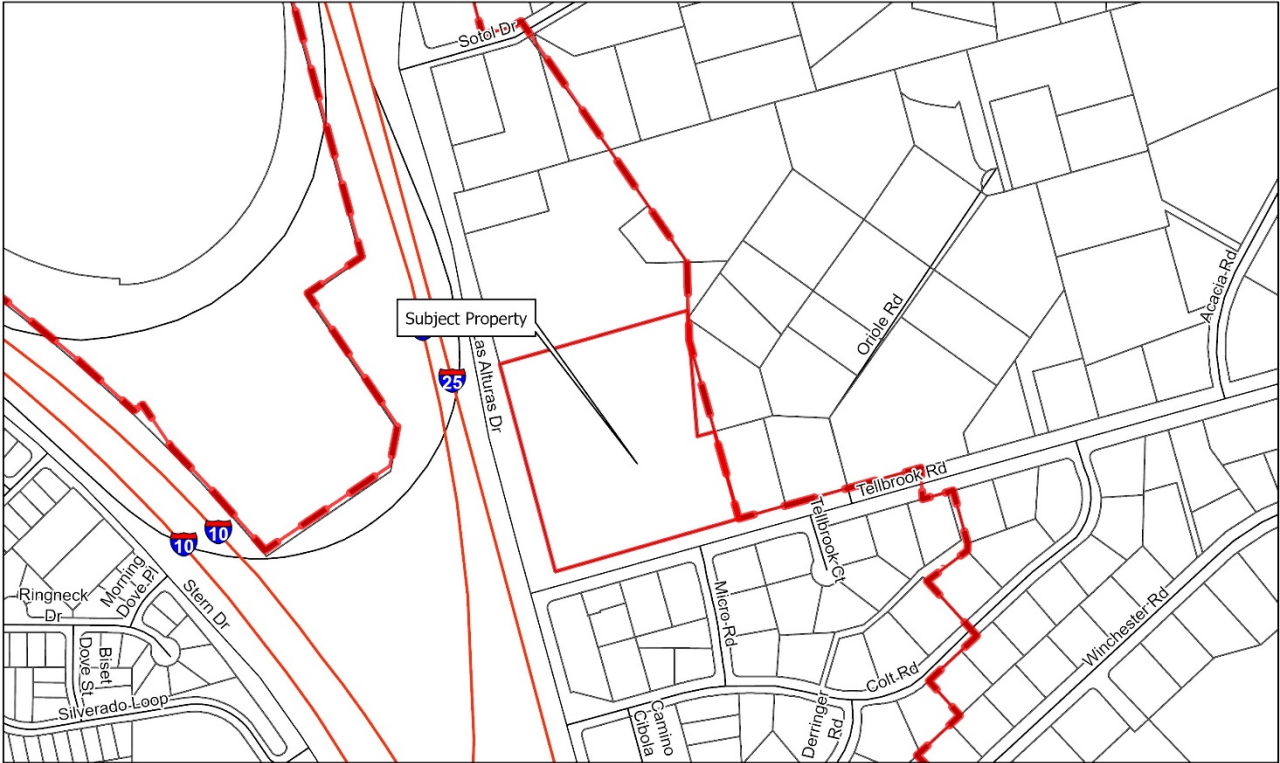
**Moved by:**

**Seconded by:**

**AYES**

**NAYS**

EXHIBIT "A"



Note: Subject property is outlined in red.



Miles

W

N

E

S

EXHIBIT "B" – Zoning Condition

Permitted Use List From C-3 District Listing

C-3 COMMERCIAL HIGH INTENSITY: The C-3 district facilitates and encourages development of those uses which provide retail, service, and wholesale activities within the City and a regional market, whose use generally serves a population of over 15,000.

LAND USES ALLOWED

RESIDENTIAL-RELATED LAND USES (See Section 38-33B)

Apartments

Accessory Uses and Structures

Greenhouse, Garden Shed or Tool Shed (ancillary to botanical gardens)

INSTITUTIONAL LAND USES (See Section 38-33D)

Community Buildings Uses

Library/Museum

RECREATIONAL LAND USES (See Section 38-33E)

Health/Exercise Club/Gymnasium/Sports Instruction

Botanical Park

SERVICE LAND USES (See Section 38-33F)

Accounting, Auditing & Bookkeeping

Architectural, Engineering, Planning & Surveying Services

Art Studio

Barber/Beauty/Hair Salon & Related Personal Care

Business Offices

Consulting

Counseling Services

Desktop Publishing & Graphic Design

Institutional Office: Public, Private, Educational, Religious, & Philanthropic Insurance

Legal Services

Lessons (Art, Dance, Music, etc.)

Photography Studio

Real Estate

Tax Preparation

## Agenda Item #9.1.

### RETAIL LAND USES (See Section 38-33G)

Café, Cafeteria, Coffee Shop, Restaurant, etc. (ancillary to botanical gardens)

Clothing Store (limited to 2,500 sq. Ft. building)

Garden Supply

Plant Nursery

EXHIBIT "C"

**FINDINGS OF FACT**

1. The property under consideration has a non-conforming zoning designation that no longer exists in the 2001 Las Cruces Zoning Code, as amended.
2. Prior to development, an appropriate zoning district designation needs to be established pursuant to code. The proposed C-3C district designation is the most appropriate zoning district given the surrounding area and the applicant's development proposal.
3. Staff agrees with Exhibit "A" (permitted land uses) in that they will achieve what the applicant seeks to develop on the property while ensuring that any future residential, office, and commercial uses remain compatible with the surrounding neighborhood.
4. The subject property falls within the Suburban place type. This place type is characterized by low to moderate density residential land uses intermixed with areas of commercial development. This place type is consistent with what the proposed C-3C zone seeks to provide.
5. The proposed zone change request is supported by the Elevate Las Cruces Comprehensive Plan and meets the purpose and intent of the 2001 Zoning Code (2001 Zoning Code, Section 38-2). Goals, policies and actions supporting this case can be found in ATTACHMENT "A" of this CAES packet.
6. The proposal will be compatible with the limited commercial and multi-family zoning south of Tellbrook Road.
7. The proposal will help create a commercial/service node at the intersection of Las Alturas and Tellbrook Road which will serve surrounding residential uses.



**City of Las Cruces**  
MOUNTAINS OF OPPORTUNITY

ATTACHMENT "A"

**Planning & Zoning Commission 1/24/2023**  
**CASE 22ZO0500020: TELLBROOK ROAD REZONING:**

|                              |                                                                                                          |
|------------------------------|----------------------------------------------------------------------------------------------------------|
| <b>STAFF CONTACT:</b>        | Vincent Banegas, (575) 528-3058,<br><a href="mailto:vbanegas@las-cruces.org">vbanegas@las-cruces.org</a> |
| <b>OWNER:</b>                | Raylyn and Lezlie Wilcox                                                                                 |
| <b>REPRESENTATIVE:</b>       | Same                                                                                                     |
| <b>DISTRICT:</b>             | District #2                                                                                              |
| <b>SITE ADDRESSES:</b>       | 4003 Tellbrook Road                                                                                      |
| <b>EXISTING ZONING:</b>      | A-2 (Rural Agricultural District)                                                                        |
| <b>REQUEST:</b>              | Rezone from A-2 (Rural Agricultural District) to C-3C (Commercial High Intensity-Conditional)            |
| <b>RELATED APPLICATIONS:</b> | N/A                                                                                                      |
| <b>STAFF RECOMMENDATION:</b> | Approval                                                                                                 |

**SUMMARY OF CASE 22ZO0500020:**

A zone change from A-2 (Rural Agricultural District) to C-3C (Commercial High Intensity-Conditional) for property located at the northeast corner of Tellbrook Road and Las Alturas Drive. The property encompasses ±10.85 acres and is in Council District #2. Submitted by Raylyn and Lezlie Wilcox, property owners.

**SUMMARY OF RECOMMENDATION:**

Staff is recommending **APPROVAL with CONDITIONS** based on the findings listed below:

- The property under consideration has a non-conforming zoning designation that no longer exists in the 2001 Las Cruces Zoning Code, as amended.
- Prior to development, an appropriate zoning district designation needs to be established pursuant to code. The proposed C-3C district designation is the most appropriate zoning district given the surrounding area and the applicant's development proposal.
- Staff is in agreement with Exhibit "A" (permitted land uses) in that they will achieve what the applicant seeks to develop on the property while

ensuring that any future residential, office, and commercial uses remain compatible with the surrounding neighborhood.

- The subject property falls within the Suburban place type. This place type is characterized by low to moderate density residential land uses intermixed with areas of commercial development. This place type is consistent with what the proposed C-3C zone seeks to provide.
- The proposed zone change request is supported by the Elevate Las Cruces Comprehensive Plan and meets the purpose and intent of the 2001 Zoning Code (2001 Zoning Code, Section 38-2).
- The proposal will be compatible with the limited commercial and multi-family zoning south of Tellbrook Road.
- The proposal will help create a commercial/service node at the intersection of Las Alturas and Tellbrook Road which will serve surrounding residential uses.

**CONDITIONS:**

- The subject property is limited to the list of permitted land uses as outlined in Exhibit "A."

**PROPOSAL AND LAND USE HISTORY**

---

**DETAILED DESCRIPTION:**

The property owner is seeking rezoning of property from A-2 to C-3C to facilitate the proposed development of commercial botanical gardens, a small office, and one single-family dwelling. Through the application of proposed land use conditions (Exhibit "A"), other limited multi-family, office, and commercial uses may come to fruition although those uses are not the applicant's focus via this proposal. The present A-2 zoning district designation does not exist within the 2001 Las Cruces Zoning Code, as amended. The A-2 zoning district existed in earlier zoning codes, but was eliminated under the current code. At the time of code adoption, a two-year grace period allowed any non-conforming zoning to remain in full force and effect until rezoning or conversion of zoning took place. Staff initiated rezoning/conversion efforts for related properties and encouraged property owners to come forward with requests of their own to bring about compliance with the 2001 district standards. Due to the sheer number of properties that needed adjustment, staff could not reach out to all applicable property owners within the time frame provided even after extending the time frame for compliance. Originally, the A-2 district was typically used to zone agricultural land. Later, it was also used as a type of holding zone when property owners were uncertain as to the zoning district desired upon the annexation of land. Changing the zoning to C-3C will correct this zoning non-conformity.

The annexation that created the need herein stated was called the I-10 and I-25 Interchange Annexation. The annexation occurred in 1968 containing ± 920 acres.

**LAND USE HISTORY:**

The subject property was not created as part of any formal subdivision, but rather through a metes and bounds conveyance. The property is currently undeveloped.

**ZONING DECISION CRITERIA AND POLICIES**

| <b>POLICY</b>                                              | <b>DOES IT COMPLY?</b> |
|------------------------------------------------------------|------------------------|
| <b><u>Neighborhood Character and Compatibility</u></b>     | Yes                    |
| <b><u>Elevate Las Cruces Comprehensive Plan</u></b>        | Yes                    |
| <b><u>Thoroughfare Plans</u></b>                           | Yes                    |
| <b><u>Purpose and Intent of the Code: Section 38-2</u></b> | Yes                    |
| <b><u>Criteria for Decisions: Section 2-382</u></b>        | Yes                    |

**NEIGHBORHOOD CHARACTER AND COMPATIBILITY:**

In large part, the area surrounding the subject property consists of medium to large lot residential uses. This development pattern exists both east and south of the subject property. Directly north is more vacant A-2 zoning and directly south is C-2, R-2, and R-3 zoning developed as multi-family residential. Given the development pattern described, there should be no adverse impact to the surrounding neighborhood in terms of character and compatibility.

**COMPLIANCE WITH ELEVATE LAS CRUCES COMPREHENSIVE PLAN:**

According to the Future Development Map in the Elevate Las Cruces Comprehensive Plan, the subject parcel falls within the Suburban Neighborhood Place Type. The Suburban Neighborhood Place Type is characterized as providing low-to-moderate density residential land uses intermixed with areas of commercial development.

The following goals, policies, and actions from Elevate Las Cruces are relevant to the proposed Zone Change:

- Community Environment:
  - Goal CE-1: Balanced Growth – Encourage efficient land use development patterns that accommodate projected growth in a sustainable manner.
    - Policy CE-1.2. – Promote investment within older areas of the city through redevelopment.
    - Policy CE 5.1.2 – Provide gradual transitions between developments with residential lots of varying size and building heights.
  - Goal CE-5: Building and Site Design – Establish standards to integrate new development with surrounding built and natural features while mitigating long-term natural resources and climate impacts.
    - Policy CE-5.1 – Promote building form and scale that complements surrounding neighborhoods and creates strong linkages between the development site, the street, and other public grounds.
      - Action CE 5.1.2 – Provide gradual transitions between developments with residential lots of varying size and building heights.
- Community Prosperity:

- Goal CP-9: Housing Diversity – Provide a diverse range of housing options to accommodate residents at all stages in life.

Community Livability:

- Goal CL-2: Neighborhood Conservation - Strengthen neighborhood condition through improvements to the built-environment.
  - Policy CL-2.2 – Encourage redevelopment of vacant properties within neighborhoods.

As the uses surrounding the subject property are congruous to the suburban comprehensive plan place type and well supported by various comprehensive goals and policies, staff feels the application is justified and should pose no conflict with the existing neighborhood.

**COMPLIANCE WITH THOROUGHFARE PLAN:**

Tellbrook Road is a ± 36' major collector roadway which intersects Las Alturas Drive (± 50'), a minor arterial roadway as designated by the Elevate Las Cruces Thoroughfare Map. In that the subject property is on the northeast corner of this intersection, ingress/egress to the subject property should be attainable and easily accommodate the proposed uses. There is no curb, gutter or sidewalks along either roadway.

**CONSISTENCY WITH PURPOSE AND INTENT OF THE ZONING ORDINANCE:**

Per Section 38-2: The intent of the Zoning Code is to encourage the most appropriate use of land and to promote the health, safety, and general welfare of the community for the purpose of improving each citizen's quality of life.

The regulations relevant to the proposed zone change include:

- A. Ensure that all development is in accordance with this Code and the Elevate Las Cruces Comprehensive Plan and its elements.
- B. Encourage innovations in land development and redevelopment.
- C. Give reasonable consideration to the character of each zoning district and its peculiar suitability for particular uses.
- H. Encourage the conservation of energy in the use of structures, buildings, and land.
- J. Improve the design, quality, and character of new development.
- K. Encourage development of vacant properties within established areas.
- L. Ensure that development proposals are sensitive to the character of existing neighborhoods.
- N. Conserve the value of buildings and land.

Review by Staff determined the proposed zone change would not adversely impact the surrounding area. Future uses that may be authorized by the proposed district (with applicable conditions) will be in keeping with the surrounding area. Additionally, the proposed action will eliminate the property's non-conforming zoning.

**CRITERIA FOR DECISIONS:**

Per Section 2-382 of the Las Cruces Municipal Code, the Planning and Zoning Commission shall determine the following:

- A. The Planning and Zoning Commission shall review the comprehensive plan, and other applicable plans and codes and determine whether the request will:
  1. Impair an inadequate supply of light and air to adjacent property or otherwise adversely impact adjoining properties.
  2. Unreasonably increase the traffic in public streets.
  3. Increase the danger of fire or endanger the public safety.
  4. Deter the orderly and phased growth and development of the community.
  5. Unreasonably impair established property values within the surrounding area.
  6. In any other respect, impair the public health, safety, or general welfare of the city.
  7. Constitute a spot zone, and therefore, adversely affect adjacent property values.
  8. Be in harmony with the purpose and intent of the zoning code, sign code, design standards, and other companion codes.
- B. The commission shall take care that the development of the city, in accordance with present and future needs, best promotes the health, safety, morals, order, convenience, prosperity, and general welfare of the people. It shall also promote efficiency and economy in the process of development.
- C. The commission shall encourage the proper use and development of land, shall seek to create and maintain an aesthetic urban setting, and protect and preserve the quality of the water, air and other environmental, natural, historical and cultural resources for the city.
- D. The commission shall use the comprehensive plan as a guide in making all future decisions concerning land use and development, and in the financing and location of capital improvements.
- E. Before taking any action concerning land use and development and financing and location of capital improvements, the commission shall review the relationship between the proposed action and the comprehensive plan.

Upon internal review, Staff did not identify any issues that would deter the Planning and Zoning Commission from making an affirmative recommendation to City Council on the zone change with conditions. Staff also considered the Criteria for Decisions stated above during the internal review process and has deemed the zone change request appropriate with a recommendation of conditional approval.

## **DEVELOPMENT STANDARDS**

### **SITE COMPLIANCE FOR USES UNDER CURRENT ZONING:**

The subject property is currently zoned A-2 and is approximately 10.85 acres in size. If the subject parcel is to be developed, the rezoning to an appropriate designation is necessary in that the A-2 designation is defunct.

### **SITE SUITABILITY FOR USES UNDER PROPOSED ZONING:**

If the subject property is rezoned as proposed, no further action beyond submitting and receiving the necessary development permits/licenses will be required. The C-3C designation will accommodate the acreage and uses as proposed without the need for any subdivision of land. Staff feels that the change in zoning designation will not negatively impact the surrounding area. Access to the property will likely come from Tellbrook Road in that NMDOT will try and limit curb cuts along Las

Alturas Drive. Doing so helps maintain the functional integrity of this roadway as a minor arterial.

**ADEQUACY OF PUBLIC FACILITIES AND SERVICES:**

City water and gas currently serves the property and will not be negatively impacted by the zone change request and any resulting development. Septic tank(s) will provide the means for sewer service and will be considered by the New Mexico Environment Department (NMED).

**STAFF AND PUBLIC COMMENTS**

---

**PUBLIC NOTIFICATION AND INPUT:**

Notification letters were mailed to property owners within 500 feet of the subject property on 1/5/23. Staff has not received any input at the time this report was prepared.

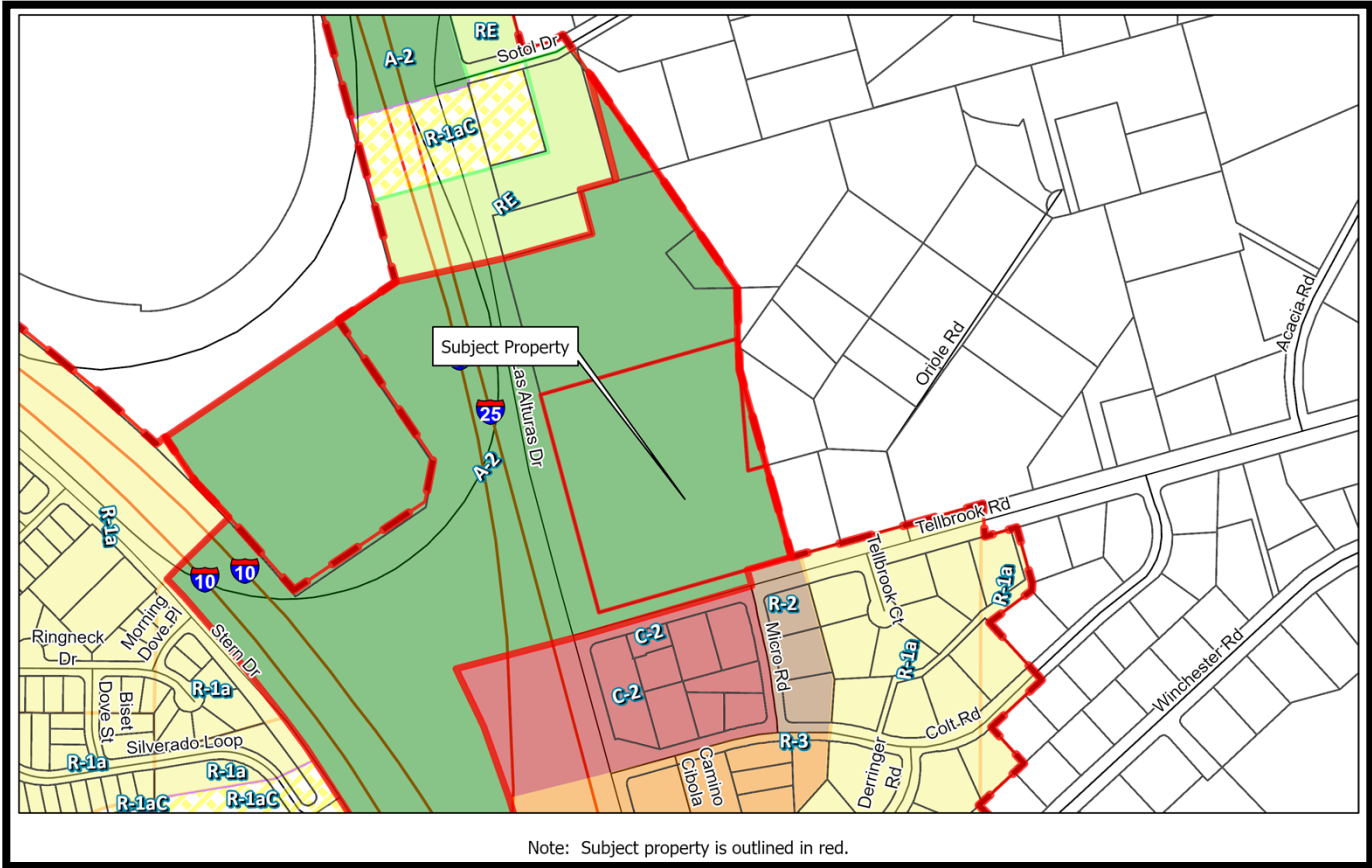
**STAFF COMMENTS:**

No reviewing department had any negative comments nor have any reviewing staff objected to the proposed rezoning.

**ATTACHMENTS:**

1. Zoning Map
2. Aerial Map
3. Exhibit "A" – Permitted Land Uses
4. Department Review Comments

**ATTACHMENT 1**  
**Zoning Map**



**ATTACHMENT 2**  
**Aerial Map**



Note: Subject property is outlined in red.

## **ATTACHMENT 3**

### **EXHIBIT “A” – PERMITTED LAND USES**

C-3 COMMERCIAL HIGH INTENSITY: The C-3 district facilitates and encourages development of those uses which provide retail, service, and wholesale activities within the City and a regional market, whose use generally serves a population of over 15,000.

#### LAND USES ALLOWED

##### RESIDENTIAL-RELATED LAND USES (See Section 38-33B)

Apartments

Accessory Uses and Structures

Greenhouse, Garden Shed or Tool Shed (ancillary to botanical gardens)

##### INSTITUTIONAL LAND USES (See Section 38-33D)

Community Buildings Uses

Library/Museum

##### RECREATIONAL LAND USES (See Section 38-33E)

Health/Exercise Club/Gymnasium/Sports Instruction

Botanical Park

##### SERVICE LAND USES (See Section 38-33F)

Accounting, Auditing & Bookkeeping

Architectural, Engineering, Planning & Surveying Services

Art Studio

Barber/Beauty/Hair Salon & Related Personal Care

Business Offices

Consulting

Counseling Services

## **Pg 2**

Desktop Publishing & Graphic Design

Institutional Office: Public, Private, Educational, Religious, & Philanthropic Insurance

Legal Services

Lessons (Art, Dance, Music, etc.)

Photography Studio

Real Estate

Tax Preparation

---

### RETAIL LAND USES (See Section 38-33G)

Café, Cafeteria, Coffee Shop, Restaurant, etc. (ancillary to botanical gardens)

Clothing Store (limited to 2,500 sq. Ft. building)

Garden Supply

Plant Nursery

## **ATTACHMENT 4**

### **Department Review Comments**

**Department: Planning**

Status: YES W/ Contingency

Submit metes and bounds zoning or other means to limit extent of commercial uses.

**Department: Flood Zone**

Status: YES

**Department: Parks and Recreation**

Status: YES

**Department: Transportation**

Status: NOT REQUIRED

**Department: Engineering**

Status: YES

**Department: Utility**

Status: YES

**Department: Fire**

Status: YES

**Department: MPO**

Status: YES

**Department: Economic Development**

Status: NOT REQUIRED

**ATTACHMENT “B” – UNAPPROVED MINUTE EXCEPTS**

**PLANNING AND ZONING COMMISSION  
FOR THE  
CITY OF LAS CRUCES  
City Council Chambers  
January 24, 2023 at 6:00 p.m.**

**BOARD MEMBERS PRESENT:**

Scott Kaiser, Chair  
Vanessa Vega, Secretary  
Joaquin Acosta, Member  
James Bennett, Member  
Enrico Smith, Member

**BOARD MEMBERS ABSENT:**

**STAFF PRESENT:**

Larry Nichols, Director Community Development Department, CLC  
Vincent Banegas, Interim Planner  
John Castillo, CLC Planner  
Jocelyn Garrison, CLC Senior Assistant City Attorney  
Adrian Guzman, CLC Communications  
Becky Baum, Recording Secretary, RC Creations, LLC

**1. CALL TO ORDER (6:10)**

Kaiser: Once again thank you all for your patience. We will now call this meeting to order. It is 6:10 on January 24, 2023. Before we get started, I'd just like to wish everybody a happy new year. This is our first meeting of the year. And it looks like we're going to have some good discussion tonight.

**2. CONFLICT OF INTEREST**

Kaiser: So before we get started, are there any conflicts of interest from any of the Commissioners? Hearing none.

**3. ACCEPTANCE OF THE AGENDA**

Kaiser: We'll move down to the acceptance of the agenda. Can I get a motion to approve tonight's agenda?

Bennett: I'll make a motion to approve tonight's agenda.

Vega: Second.

Baum: Board Member Acosta.

Acosta: Yes.

Baum: Board Member Vega:

Vega: Yes.

Baum: Board Member Bennett.

Bennett: Yes.

Baum: Chair Kaiser.

Kaiser: Yes.

**10.2 4003 Tellbrook Road Zone Change Request:** A zone change from A-2 (Rural Agricultural District) to C-3C (Commercial High Intensity-Conditional) for property located at 4003 Tellbrook Road. The property is ± 10.85 acres and located on the northeast corner of Tellbrook Road and Las Alturas Drive. Submitted by Raylyn and Lezlie Wilcox, property owners. (Case # 22ZO0500020)

Kaiser: Okay, we are moving on to our final item this evening. This is 10.2 a zone change from A-2 to C-3C at 4003 Tellbrook. Staff, all yours.

Banegas: Mr. Chairman, members of the Commission. Vincent Banegas, Interim Planner. I'll be presenting tonight's Case 22ZO00500020. It is involving property located at 4003 Tellbrook Road. It is a rezoning request from the current zoning of the property which is A-2, our agricultural district which is defunct in the present code. We no longer have an A-2 designation. That did not carry over from our 1981 Code. And they are seeking to go to a C-3C designation. The C-3C is our commercial high intensity district. And the C at the back end there refers to some conditions that we'd like to have you consider, that is part of the request this evening.

The property itself is just shy of 11 acres in size. It's 10.85 according to our assessor records. And again it was originally zoned A-2 and staff and based on our research has found that it was A-2 probably as a placeholder at the time of annexation. The A-2 zone back in the day was used as a placeholder when the property owner wasn't quite sure what they wanted to do with the land upon annexation. And so here we are, this evening. Indicated it was a defunct zone currently in the 2001 Code as written. In order for the property owner to develop the property they have to come into compliance and find a suitable district that will meet the

1 need in terms of what they're focusing in on in terms of development  
2 perspective and what the rules as written speak to. The property itself in  
3 context with the Elevate Las Cruces Comprehensive Plan is within the  
4 Suburban Place type. That place type as defined incorporates both low  
5 and moderate density residential with intermixed areas of commercial  
6 development.

7  
8 The property as you'll see here in a moment is vacant. It's part of the I-  
9 10/I- 25 interchange annexation that I referenced in terms of annexation  
10 back in 1968. And it's part of the Las Alturas Estate Block A Subdivision.  
11 At present, there's no sewer service, which is a key point to keep in mind.  
12 No sewer service available to the site. So at this point in time any  
13 development that takes place on site will have to receive approval, at least  
14 from the wastewater perspective from New Mexico Environment  
15 Department and/or their counterpart the EHB, which I believe is the  
16 Environmental Health Bureau.

17  
18 So here we have the zoning map showing Tellbrook Road located to the  
19 south of the subject property. The subject property is outlined here in red.  
20 Right along the east border is the City limit line. And it does jog out  
21 incorporate other properties south of Tellbrook. And then it follows along  
22 on the north side upwards towards University Avenue, etc. The areas that  
23 are not shaded are in the county. And if I'm not mistaken, almost all of the  
24 properties you see in this area are a DL-1 designation which is a single-  
25 family, low density residential district, low and moderate I believe.

26  
27 The aerial map here shows the property in question. It is vacant at  
28 present. You do have some surrounding development both north, you'll  
29 have some residential uses. East you'll have some additional residential  
30 uses on large lots. And then further south of the subject property you'll  
31 have a few apartment complexes in the area, and then it transitions over  
32 to a single-family style of development. One thing I wanted to point out on  
33 the zoning map is south of Tellbrook you'll see this node, at least on the  
34 south side of Tellbrook, of commercial zoning, transitioning over to R-2  
35 going east and then to the single-family designation going further east.

36  
37 So in terms of the proposal, the original request that came forward to the  
38 City from the applicant was a type of conversion request from the A-2 to  
39 straight C-3. The idea being in terms of development focus to create a  
40 botanical garden, engineering office to accommodate the property owners  
41 office needs, and a single-family detached dwelling in terms of residential  
42 use where they would reside. And then the accessory building or shed to  
43 store some of the equipment to maintain the property, 11 acres, just shy of  
44 that anyway, and the botanical gardens that they sought to develop. The  
45 request itself in terms of the mixture of uses, etc. is consistent with the  
46 Suburban Place type, as found in our Elevate Las Cruces Comprehensive

1 Plan. And then the C-3 designation accommodates the uses, and  
2 particularly it accommodates the parcel size. If you recall, our zoning  
3 code, at least in the commercial designation, relies on parcel size, relies  
4 on uses to an extent, and other development standards to help mitigate  
5 the types of uses or the intensity of uses that can occur on site. And so  
6 that's what we're dealing with here.

7  
8 The applicant was informed by staff back when they originally came  
9 forward with their proposal to provide early notification to the surrounding  
10 property owners in concert with the zoning code as written. Staff provided  
11 a list of property owners that met our notice requirement. Letter was sent  
12 out and dated February 27, 2022. In that letter the applicant identified  
13 these uses that I've gone over as the focus of their development pattern  
14 that they wanted to produce on site. And they also provided some  
15 clarification as to what could occur and what could not occur, and sought  
16 some recommendations on how to make it better, that kind of thing. They  
17 did receive some input from what I was informed and what I was provided  
18 in terms of content, it seemed like it was rather limited. But nonetheless,  
19 they did go through that endeavor. They also stated that they'd be willing  
20 to have a neighborhood meeting if that was indeed going to be helpful to  
21 clarify the development proposal.

22  
23 So staff took a look at the request, took a look at the overall acreage, their  
24 surrounding area, that kind of thing, the transportation network, the zones  
25 in the area. And admittedly, we had some concern over the straight C-3  
26 designation. We felt that the potential for 10.83 acres of C-3 could indeed  
27 overwhelm that particular location with commercial activity and so we  
28 started taking a look at what we could do to lessen the potential impact.  
29 One of those ideas that came to mind was to try and zone the property  
30 through a metes and bounds type of approach whereby through the use of  
31 a survey we can identify the exact boundaries for different uses on the  
32 property, have those defined, and then seek a zoning designation that  
33 pertains to the type of use that would occur within those metes and  
34 bounds boundaries. A little bit convoluted, yes, a little bit expensive in  
35 terms of the survey effort, absolutely. But that was one option. They  
36 countered, they being the property owners, countered with the idea of  
37 conditioning the C-3 district and really tying down the types of uses they  
38 really sought to provide and incorporating a little possibility for future  
39 growth. So that's the approach that staff went with. And we received a  
40 conditional listing of permitted uses, that is in your packet, and I'll show  
41 here as part of the presentation to help identify and control the impacts  
42 that the C-3 zoning might have on the area.

43  
44 The use list is called out as Exhibit A. And what it does is seek to remove  
45 multiple service land uses that are otherwise identified in the C-3 listing of  
46 permitted uses. And it also strikes majority of the retail uses that are

1 found on the existing list. And those retail uses that are identified, some of  
2 those are controlled, or at least one of those is controlled by maximum  
3 square footage of the use itself. And the others, there's one that pertains  
4 to the botanical garden specifically as an accessory to that use. And then  
5 the others kind of open it back up and are listed there. So we go from a  
6 large number of retail uses down to I believe it's about five. A couple of  
7 photos for this case, this is at the intersection of Tellbrook and Las Alturas.  
8 Tellbrook of course being here, and Las Alturas here along, adjacent to  
9 the interstate. And so we're looking northeast at this location. You can  
10 see some of the residential development off in the distance here. This is  
11 looking more west/northwest along the property. Looking east. And then  
12 looking a little south and southeast. And this one, this is where you start  
13 seeing some of the development. This is C-2 presently, and obviously  
14 vacant at the present time, but you'll start seeing some of the development  
15 shortly thereafter and beyond this property as well.

16  
17 So in terms of analysis, staff found no health, safety, or welfare issues  
18 specifically identified. We had proposed the development and conditional  
19 zoning to help maintain a reasonable, or significant degree actually, of  
20 compatibility for the surrounding area. Again, we're citing some of the  
21 intersection of some key roadways, in this case Las Alturas being a minor  
22 arterial and Tellbrook being a collector status type roadway, and some of  
23 the commercial zoning just south of there.

24  
25 The property is within the Suburban Place type and is consistent, at least  
26 in the zoning and the proposal are consistent was said place type. And  
27 the comprehensive plan supports the proposed zoning district, which  
28 some of the elements that are identified in there are development of  
29 vacant land, potential for housing diversity, balanced growth, integrating  
30 new development with surrounding built-in natural features, and the  
31 potential for job housing balance in terms of what it could become with  
32 some of those uses identified.

33  
34 Public notice was distributed per code. Staff received numerous, a great  
35 degree of input on this particular case. We received, I think that number  
36 needed to be updated by one, a late call came in. And all eight calls that  
37 we received that I'm aware of were opposed to the request. We had one  
38 walk-in inquiry, simply inquire in the nature, and 38 e-mails that were  
39 opposed. One was an inquiry as to the case itself. So those are what we  
40 collected as of the preparation or final tweaking of this presentation. And  
41 as indicated, the property owner had done their due diligence trying to get  
42 the early notification effort out there. And they received four e-mails, two I  
43 would classify as general inquiry, and two supportive. And then they also  
44 received two phone calls which were supportive in nature.

1 So staff's recommendation this evening is approval with the conditions,  
2 and the condition being that the permitted uses are as per Exhibit A.  
3 Exhibit A will be this, basically one and a half, two pages of permitted land  
4 use listing. This list comes right out of the C-3 district, striking several  
5 uses that would otherwise be reflected. And where you see the biggest  
6 change is here under the service land uses. There are several that have  
7 been struck, and the retail component, and there's a good many that have  
8 also been struck. The cafe which was an idea that was originally  
9 presented by the property owner, one of the initial discussions I had with  
10 them would be ancillary to the botanical garden use. And a clothing store,  
11 they wanted to control that and limit it to 2,500 square foot of building  
12 square footage or area. And then garden supply and plant nursery but all  
13 other retail uses would be eliminated.  
14

15 The findings for staff's recommendation is that the property has  
16 nonconforming zoning and that zoning no longer exists in the 2001 Zoning  
17 Code as amended. And then prior to any development on the property an  
18 appropriate zoning district designation needs to be established per code.  
19 The C-3C zoning district is an appropriate zoning district given the  
20 surrounding area, the lot size, and intended development. It would  
21 certainly accommodate what they're proposing to do. The property is  
22 within the Suburban Place type characterized by low and moderate  
23 density residential uses, intermixed with areas of commercial  
24 development, and several goals, policies, and actions from Elevate  
25 support the request and meet the purpose and intent of the 2001 Zoning  
26 Code as amended and Section 2- 382, the criteria for decisions. And also  
27 the surrounding area has little commercial office and multifamily  
28 residential development and thus the proposed development and zone  
29 change could help achieve a mixed use node at that specific intersection  
30 of those two significant roadways.  
31

32 So your options this evening, Mr. Chair, Commissioners, is to vote "yes"  
33 and approve, doing so would approve the condition as stipulated on that  
34 list and so it would be a C-3C. You can vote "no" and deny the request.  
35 Please provide any information or facts, findings of facts that are different  
36 from staff's, in that staff is in support of the request. And you could  
37 certainly vote "yes" and add conditions. If you feel that the conditions that  
38 are established are still a little too loose, you can recommend that some  
39 additional conditions be placed on the zone change. And then you can  
40 vote to table. And that concludes staff's presentation Mr. Chairman. I  
41 believe the applicants are in house and can maybe answer questions. I  
42 don't know if they have anything specific to add. And that concludes my  
43 presentation.  
44

1 Kaiser: Thank you very much. Before we go to the Commission, does the  
2 applicant wish to speak or say anything at this time? The applicant please  
3 come forward. Please state your name for the record.  
4  
5 Wilcox: Raylyn Wilcox.  
6  
7 Kaiser: And do you swear or affirm that the testimony you're about to give is the  
8 truth and nothing but the truth under penalty of law?  
9  
10 Wilcox: Yes, I do.  
11  
12 Kaiser: Go ahead.  
13  
14 Wilcox: All right, with all these people that have attended, it's very clear that all  
15 these people love our neighborhood, as well as I do. And hopefully my  
16 goal and the planner's goal is to make you feel comfortable that nobody is  
17 going to do anything crazy out there. I think we've agreed to a pretty good  
18 set of rules where we can't build a strip club, we can't build truck stops,  
19 nothing crazy at all. I've lived here all my life. And all my life everybody  
20 talks about, there's nothing to do in Las Cruces, nowhere for me take my  
21 kids. And I really see a botanical garden as being something kind of nice.  
22 And I'd actually like to team up with all these people and let's build  
23 something really nice together where we can bring our senior citizens to  
24 visit, bring your little kids, just have a really safe place. If you have any  
25 questions, just let me know.  
26  
27 Kaiser: Thank you. All right, any questions from the Commission? All right, we'll  
28 go ahead and open it for public comments. Can I get a show of hands of  
29 who wishes to speak on this item? Get a quick head count here. I count  
30 14. That may not be accurate, but it's a good headcount. So we we'll go  
31 ahead and provide two minutes of comment for each individual tonight. I  
32 do ask that you listen to speakers that may go before you, and let's try to  
33 minimize the amount of similar talking points if that makes sense. We'll all  
34 have a chance to speak but we understand that there's probably going to  
35 be similar comments and themes of this evening, so we just keep that in  
36 mind. So can I get everybody to raise their hands again and we'll figure  
37 out where to start. Let's start with this gentleman over here in the front  
38 row.  
39  
40 And given the nature of where this project is located, if you please  
41 wouldn't mind stating whether or not you live within the City boundary or  
42 the county before you give your comments. That would be appreciated.  
43 So please state your name for the record.  
44  
45 Milligan: Okay. I'm Brook Milligan. I live in the county. I'm also rep ...  
46

1 Kaiser: Hold on one second. I need to swear to you. Do you swear or affirm that  
2 the testimony you're about to give is the truth and nothing but the truth  
3 under penalty of law?  
4

5 Milligan: Yes, I do.  
6

7 Kaiser: You have two minutes.  
8

9 Milligan: I'm also representing a number of people and I would like to request  
10 several extra minutes to present our collective views so we can be more  
11 efficient about this.  
12

13 Nichols: Mr. Chair. If the other people that were going to speak will yield their time  
14 to you, then we can give you additional time.  
15

16 Kaiser: So for those individuals who may be allowing this gentleman to speak on  
17 their behalf tonight, can you please raise your hand? All right. When we  
18 get a head count, keep your hands up. Okay, we're going to go ahead  
19 and grant you 10 minutes. Does that work?  
20

21 Milligan: Okay, that's plenty of time.  
22

23 Kaiser: You may begin.  
24

25 Milligan: Thank you. So I wish to start by stating our joint strong objection to this  
26 motion to change the zoning on this property okay. You have before you  
27 a recommendation to support that zoning request. However, I point out  
28 that the recommendation is fundamentally flawed in several different  
29 ways. It does not reflect the nuanced understanding of the neighborhood  
30 around the site, nor does it present a reasoned analysis of the situation. It  
31 includes flawed logic and statements that do not follow from the  
32 information presented in the report. As a result, it does not reflect the  
33 principles underlying the Las Cruces Comprehensive Plan. As a  
34 consequence, the recommendation should not stand as justification for the  
35 proposed rezoning.  
36

37 In another document I've submitted before you in advance, I presented  
38 you more details on the points that I'll introduce tonight. However, to keep  
39 our focus and not prolong the comments, I want to emphasize three quick  
40 examples of the flawed logic and inadequate analysis. The  
41 recommendation is justified in part based upon the current zoning  
42 designation, which is not in current use. That is clearly a justification for  
43 some change, but no justification at all for the proposed change  
44 specifically, which leads to a zoning designation that's completely  
45 inconsistent with the entire surrounding neighborhood. This is simply  
46 flawed logic. The recommendation also concludes that this rezoning

1 action will "ensure that any future uses remain compatible with the  
2 surrounding neighborhood." Nothing in the proposal or zoning restrictions  
3 justifies this conclusion. A wide range of land uses are permitted under  
4 the proposed zoning category as listed in the Appendix A, almost all of  
5 which are inconsistent with the current land use, and perhaps more  
6 importantly, the land use that has existed in the region for the last 50  
7 years. Again, this is flawed logic, justifying the request by claiming that it  
8 promotes future consistency is demonstrably incorrect.

9  
10 Finally, the recommendations concludes that the project will have "help  
11 create a commercial/service zone node at the site which will serve the  
12 surrounding residential uses." This too is demonstrably false. Permitted  
13 land uses under the proposed zoning designation are intended to serve  
14 communities of over 15,000 people. There is no such local community to  
15 serve for any commercial purpose at that location. Two specific activities  
16 are mentioned, a botanical garden and an electrical engineering firm.  
17 Neither will serve the local community. The botanical garden would  
18 duplicate a public park one block away that has wonderful native  
19 vegetation and easy access for mobility impaired visitors. Views and  
20 access to the Organ Mountains are much better achieved via many easily  
21 accessible points along Dripping Springs Road and along Baylor Canyon  
22 Road, both of which are approximately the same distance from most Las  
23 Cruces as the proposed site, unlikely to be visited. The electrical  
24 engineering firm is even less likely to serve the local community. Its  
25 services are related to public works and commercial and industrial  
26 projects, which include medium voltage electrical distribution systems,  
27 sports lighting systems, and special telecommunication systems. No one  
28 in this or any other neighborhood conceivably needs those services for  
29 their residences. The proposed development will not serve the  
30 surrounding neighborhood in any compelling way.

31  
32 These are just a few examples of the many flaws of logic throughout the  
33 recommendations to approve the rezoning project or request. It is clear  
34 that a thorough and reasoned analysis of the case has not been  
35 completed. This undermines the principles of the Las Cruces  
36 Comprehensive Plan which has the explicit vision of "enhancing livability,  
37 prosperity, and environment for the shared benefit of current and future  
38 generations." Elements of that vision include reasoned development that  
39 "encourages context sensitive development, promotes development that  
40 compliments surrounding neighborhoods, supports efforts to preserve  
41 natural open space, and enables neighborhoods to define their unique  
42 identities and needs." The proposed rezoning accomplishes none of that  
43 and is being justified based upon inadequate assessment and faulty  
44 reasoning. The request should be rejected directly. On behalf of all of the  
45 people here who raised their hands earlier and many who have are not  
46 present tonight who have expressed these ideas to me separately, we all

1           urge you to reject the rezoning request for 4003 Tellbrook Road. Thank  
2           you very much.

3  
4   Kaiser:       Okay, may I see another raise of hands for those who did not cede their  
5           time to that gentleman? Okay, we'll start with this lady here in the front  
6           row.

7  
8   Nichols:      Two minutes.

9  
10   Kaiser:       Two minutes. Please state your name.

11  
12   McGuinn:     My name is Marcie McGuinn.

13  
14   Kaiser:       Do you swear or affirm that the testimony you're about to give is the truth  
15           and nothing but the truth under penalty of law?

16  
17   McGuinn:     I do have.

18  
19   Kaiser:       You have two minutes.

20  
21   McGuinn:     Thank you. I live in the county section of the Las Alturas subdivision for  
22           about 22 years. And I wanted to state that we have to all remember that if  
23           zoning C-3 is changed for this property, there's no going back. And any  
24           kind of promises can be made before anything is built, but that site specific  
25           plans cannot come in until the end of this process after the zoning has  
26           changed. The proposed land use for this property is not consistent with  
27           the character of the area. And while preliminary proposed plan  
28           conceptually could work at this location if the zoning were changed.  
29           Again, that would not be compatible with the character of the area. Some  
30           of the land uses allowed under the zoning classification could be a  
31           cannabis dispensary, cannabis consumption lounge, apartment, strip mall,  
32           restaurant, clothing store, library, museum, health/exercise club. While we  
33           welcome other single-family residence structures in the area, we don't  
34           welcome the above mentioned items.

35  
36           And as a last note, Mr. Wilcox the applicant, is also the owner of Lynco  
37           Electric located at 1520 West Amador. That is the owner record of  
38           address for this property that has been purchased in the last year. If by  
39           chance Mr. Wilcox, president of Lynco Electric were to move his Lynco  
40           offices from West Amador to Las Alturas, that would likely include the 15-  
41           plus company electric trucks, several outbuildings, and materials and  
42           supplies stored outside as shown in the Google satellite imagery and  
43           pictures on the Lynco website. According to PPP records, Lynco  
44           employees 23 people. This and their fleet of trucks would explain by one  
45           of the drawing renderings posted or provided to the City includes plans for  
46           a parking lot with at least 30 parking spaces. That's all. Thank you.

1  
2 Kaiser: Thank you. All right folks I'm going to need help because I can't keep  
3 track of everyone's hand raise, on this side of the room who else wishes to  
4 speak but didn't cede their time. Gentleman with the (*inaudible*).  
5

6 I have a very hard time hearing you.  
7

8 Kaiser: Please state your name for the record.  
9

10 Reser: Philip Reser.  
11

12 Kaiser: Do you swear or affirm that the testimony you're about to give is the truth  
13 and nothing but the truth under penalty of law?  
14

15 Reser: I do have.  
16

17 Kaiser: You have two minutes.  
18

19 Reser: I live on Tellbrook Court. I'm going to be a neighbor to that botanical  
20 garden. I would love to have a botanical garden as my neighbor. It has  
21 been said that this does not fit the neighborhood, this beautiful residential  
22 neighborhood. I walk my dog twice a day pass this property, that's 700  
23 times in the past year. And what do I see when I walk by this property?  
24 The I-25 flyover. It's kind of nice looking but it's not residential. This  
25 needs to change. It's needs to be developed. They have some  
26 complaints about noise from the development. A cement plant on the  
27 property would not make any more noise than I got off of I-10/I-25 every  
28 night. So any development there, I would appreciate. It would make the  
29 area look good. And hopefully somebody would do something about that  
30 rotting A-frame that I have to look at every day. Thank you.  
31

32 Kaiser: Thank you. The gentleman in the tannish sweatshirt. Yes you. Please  
33 state your name.  
34

35 Gutschick: I am Vincent Gutschick. And I live in the county.  
36

37 Kaiser: Do you swear or affirm that the testimony you're about to give is the truth  
38 and nothing but the truth under penalty of law?  
39

40 Gutschick: I do.  
41

42 Kaiser: You have two minutes.  
43

44 Gutschick: Okay, I was not privileged to see the list of approved uses under C-3C.  
45 And some of them have been mentioned. The ones that were highlighted  
46 earlier sounded rather benign. But I don't know that that can be affirmed.

1 I am wondering why a zoning of C-1 is not possible, which considerably  
2 limits the amount of commercial activity. Now I was told outside the  
3 meeting that C-1 has a limit on how much area can be covered. But I  
4 went through the zoning regulations and I did not see that. In fact, it said  
5 it's not applicable to state that there is an area limit. And I'd just like that  
6 confirmed. So yes, if that's, can I have that confirmed somehow? And is it  
7 then possible to consider C-1. Thank you.

8  
9 Kaiser: Thank you. And if I may staff, we just get through everybody and we'll  
10 come back and do any answers or comments. This gentleman over here.  
11 Please state your name.

12  
13 Allan: My name is Daniel Allan.

14  
15 Kaiser: Do you swear or affirm that the testimony you're about to give is the truth  
16 and nothing but the truth under penalty of law.

17  
18 Allan: I do.

19  
20 Kaiser: You have two minutes.

21  
22 Allan: First of all, as an aside to the previous gentleman who complained about  
23 the dilapidated rotten A-frame that is in the county. It needs to be  
24 condemned. I've attempted to have that done but I don't think the City  
25 should take the rap for that.

26  
27 Now we've lived, I live in the county, just over the line there, and we've  
28 lived there since 1983. And those of us who live there like it the way it is,  
29 the rural atmosphere, the lack of development. There is at present no  
30 commercial development in that area. It may be permissible, but there  
31 isn't any that I'm aware of unless people are doing things sub-rosa.  
32 Tellbrook Road is a major artery. Remington feeds into it, there's already  
33 too much traffic. It's much too fast, and it's hazardous. And we don't want  
34 anything to exacerbate that. One of our concerns is that despite the  
35 assurances of Mr. Wilcox, at some point he or his estate will sell the  
36 property. They will dispose of it and the new owners may return to the  
37 City in an attempt to have it rezoned in order to build high density housing  
38 or commercial whatever they want. And they'll be willing to bring the  
39 utilities to the property. I have no idea what that costs, but at some point,  
40 it may be feasible or have some other way of disposing of waste. And we  
41 do not want to have that happen. That would impact our own property  
42 values and the quality of life that we have enjoyed for these many years.  
43 Thank you.

44  
45 Kaiser: Thank you. Okay, is there anybody else on this side of the room that  
46 wishes to speak that did not cede their time? All right, the lady in the

1 sweater, please come. Sure, yes, we'll go to the gentleman behind you  
2 then.  
3  
4 Reynolds: Good evening.  
5  
6 Kaiser: Please state your name.  
7  
8 Reynolds: My name is Shannon Reynolds. I'm a Doña Ana County Commissioner. I  
9 live in Las Cruces in the City limits.  
10  
11 Kaiser: Okay. Hold on. Let me swear you in real quick.  
12  
13 Reynolds: Sure.  
14  
15 Kaiser: Do you swear or affirm that the testimony you're about to give is the truth  
16 and nothing but the truth under penalty of law?  
17  
18 Reynolds: Yes sir I do.  
19  
20 Kaiser: You have two minutes. Go ahead Commissioner.  
21  
22 Reynolds: Thank you. First, I want to say thank you guys, because this is, what  
23 you're doing is difficult. And we have the same thing happens in the  
24 county. Secondly, though, I'd like to say that as being representing the  
25 county, and by the way my district goes through probably, two-thirds of it  
26 also covers the City, that I have constituents on both sides of the line that  
27 are concerned about what we do with planning and zoning. I think I've  
28 received at least 60 e-mails and probably 20 phone calls over this issue in  
29 the last three days, four days. So my constituents are certainly concerned  
30 about what we do here. If I look at the district, there are a couple of  
31 businesses south, there's a trailer park that's really in bad shape. I'm  
32 trying to get that cleaned up or trying to get the guy to the burned trailers,  
33 the dilapidated trailers out of there and get that fixed up. There's another  
34 business also just south of that which actually deals in railroad ties, and  
35 some other assorted landscaping equipment. And then about another two  
36 miles down there's a trailer I think. So within about probably a mile, a mile  
37 and a half some of the commercial is there. I personally believe that it  
38 was there before all this development happened. And I don't think to  
39 continue to put commercial businesses in this area is consistent with what  
40 I believe this whole community is about. If you can go from Las Alturas  
41 over to University and pretty much all the way to the mountain and not find  
42 anything commercial. If you're looking for commercial we've got University  
43 is opening up a whole area of commercial stuff that's going to serve this  
44 neighborhood. And that is the kind of consistent plan that I see for  
45 actually providing commercial development for this area. The residents  
46 that I deal with, the ones I know both on the City side and the county side,

1           they're not going to be happy with this. I would recommend you consider  
2           T-1, T-2. And also I agree with the risk of C-3. Once you make a C-3 it  
3           doesn't go back. It's just a matter of time before somebody gets to all  
4           those exceptions listed because they don't last forever. Thank you for  
5           your time.  
6  
7   Kaiser:    Thank you. Gentlemen in the very back. Please come forward. Please  
8           state your name.  
9  
10   Fuller:   Hi. My name is Roger Fuller, F-U-L-L-E-R.  
11  
12   Kaiser:   And do you swear or affirm that the testimony you're about to give is the  
13           truth and nothing but the truth under penalty of law?  
14  
15   Fuller:   I do.  
16  
17   Kaiser:   You have two minutes.  
18  
19   Fuller:   And I just wanted to say that I've tried to imagine what kind of  
20           development could go into this location. I live in that area. And I pass that  
21           intersection many times a day. And there is nothing I can imagine that's  
22           going to improve the quality of my life or my neighbor's life. But I can't  
23           imagine a lot of development that's going to distract from that quality of  
24           life. That's it. Somebody could have my other minute and a half.  
25  
26   Kaiser:   Thank you. All right, moving over to my right hand side. Now can I get a  
27           show of hands. Gentleman in the front right here. Please state your  
28           name.  
29  
30   Lieberman: My name is Michael Lieberman.  
31  
32   Kaiser:   And do you swear or affirm that the testimony you're about to give is the  
33           truth and nothing but the truth under penalty of law?  
34  
35   Lieberman: I do.  
36  
37   Kaiser:   You have two minutes.  
38  
39   Lieberman: And I've lived in the county for what 35 years now. Could you go to slide  
40           six?  
41  
42   Kaiser:   I'll have to ask staff to control that.  
43  
44   Banegas:   Slide six.  
45

1 Lieberman: Okay. This is the description of what they wanted to put in, botanical  
2 garden, an engineering office, single-family residence, and accessory  
3 building. Well, on Tellbrook there is also one very large barn has been  
4 built already, an accessory building. An engineering office can be one or  
5 two rooms, or a huge complex. If you change the designation of this area,  
6 instead of changing the whole thing to C-3, part of it is a single-family  
7 dwelling, part of it is practically a park. And you can designate an area  
8 that will be compatible with a reasonable size structure not that different  
9 from a single-family home, that can handle the office. So I request that  
10 you turn down the C-3C and consider breaking up the area, if it's possible,  
11 to allow what they are requesting, but only that. Thank you.

12  
13 Kaiser: Thank you. And let's go to the lady in the pink sweater. Please state your  
14 name.

15  
16 Trujillo Hello, my name is Christine Trujillo.

17  
18 Kaiser: And do you swear or affirm that the testimony you're about to give is the  
19 truth and nothing but the truth under penalty of law?

20  
21 Trujillo Yes I do.

22  
23 Kaiser: You have two minutes.

24  
25 Trujillo I grew up in Las Cruces. However I had moved away. Most recently been  
26 living in Albuquerque. I live in the county now. I just recently moved back  
27 last year. And part of the reason why I moved back was where I lived in  
28 Albuquerque, I just bought a house in 2018. And right in front of my house  
29 across from an arroyo channel was a 10 acre plot of land. My realtor at  
30 the time told me just be aware that that could be developed. There is now  
31 a four story, four building apartment complex under construction that it  
32 certainly is not in a rural location like the area that most of us live in here,  
33 it's much more housing and commercial or hospital in that area in  
34 Albuquerque. But what I'm saying is that, that area of land that is now  
35 being developed as an apartment complex is pretty obtrusive, a four story  
36 apartment complex surrounded by residential homes. And so while I can  
37 appreciate Mr. Wilcox having these ideas for a botanical garden, which  
38 sounds beautiful, but shouldn't that be something that the City should  
39 continue? How can an individual maintain and have a botanical garden  
40 for the rest of his life and his heirs life, his family's life? How can you  
41 maintain that? Shouldn't that be something for the City? So you know we  
42 run the risk of having a four story apartment complex built in the future  
43 should that land eventually be sold. And that completely changes the  
44 landscape of that area. So I don't feel like you know looking forward that  
45 that is the right type of thing for the community in that area. Thank you.

1 Kaiser: Can we have another show of hands? We're going to go to this lady right  
2 here in the second row. Please state your name.  
3  
4 Hughes: Patty Hughes.  
5  
6 Kaiser: And do you swear or affirm that the testimony you're about to give is the  
7 truth and nothing but the truth under penalty of law?  
8  
9 Hughes: I do.  
10  
11 Kaiser: You may begin.  
12  
13 Hughes: I just want to reiterate about the history of Las Alturas. Over 50 years it  
14 has grown in the same direction. I was a member of a planning  
15 commission that applied some of the initial zoning in that area in the  
16 county, it was actually in the ETZ. What we heard was people wanted to  
17 maintain the nature of the area that they had built. And as I followed  
18 comprehensive plans over the years, people are giving the same input to  
19 planning and zoning Commission's, to county commissions, that they want  
20 to maintain the character of the area that they have built. The plan seems  
21 to be pretty innocuous. But does that plan need to be adhered to? Can  
22 10 acres of 60 foot high apartment buildings be erected without any further  
23 approval for many body? We answer that, I'd like an answer to that  
24 question. Also, if high dense 10 acres of 60 foot high apartment buildings,  
25 I'm not sure how many stories that is, it used to be 10 foot per story. Is  
26 that a six story? I don't think so. But what sort of population does that  
27 generate? And we're not talking about doing any TIAs or anything else  
28 with what the potential for this zone change could be. I'd just like to  
29 reiterate what other people have said that that zoning is not compatible  
30 with the area and everything I know about the input that people have given  
31 about what they want to see. We have an area that is somewhat unique,  
32 that is consistently grown in the same direction. People are saying  
33 consistently that they don't want the nature of our area to change. There's  
34 a lot of open ground out there. We really as far as the neighbors are  
35 concerned, I doubt that we need a botanical park. So thank you.  
36  
37 Kaiser: All right, moving on up. Yes, ma'am. Yes. Please state your name.  
38  
39 Liptak: Charlotte Liptak.  
40  
41 Kaiser: Do you swear or affirm that the testimony you're about to give is the truth  
42 and nothing but the truth under penalty of law?  
43  
44 Liptak: I do have.  
45  
46 Kaiser: You have two minutes.

1  
2 Liptak: I live in the county. This requested C-3 designation is, as people have  
3 said, not in keeping with the rest of the neighborhood. It's also not  
4 appropriate or necessary for the owners stated use. The requested  
5 commercial high intensity designation would still allow for retail businesses  
6 and the building of apartments. There are currently no apartment  
7 buildings in that area. There are a few duplexes, but everything else is  
8 single-family. He could build what he wants allegedly with a residential  
9 designation. In my opinion, I'm not an expert on the zoning code, or  
10 perhaps an O-1 designation that would account for an office  
11 neighborhood. Recently, I have seen electrical boxes put in for this  
12 property, which show that at least 480 volts has been installed or is being  
13 installed. This is far greater than any single-family home with an office  
14 would appear to need. I'm very concerned that this property could  
15 eventually be used for selling or growing cannabis if the C-3 designation is  
16 allowed. That should not be allowed in a residential neighborhood. Thank  
17 you for letting me address my concerns.

18  
19 Kaiser: Thank you. All right, gentlemen in the white hat. Please state your name.

20  
21 Gibbs: Les Gibbs.

22  
23 Kaiser: Do you swear or affirm that the testimony you're about to give is the truth  
24 and nothing but the truth under penalty of law?

25  
26 Gibbs: I do.

27  
28 Kaiser: You have two minutes.

29  
30 Gibbs: I've lived in the same area 5025 Las Alturas, which is just up the road, just  
31 north of this location, for 44 years. One of the reasons I live in the City  
32 and pay City taxes and all the other stuff is that we have control over the  
33 area. The area that the analysis that was done says that this is  
34 compatible with businesses. Those businesses are in the county not in  
35 the City. The City doesn't have any businesses in that area. The other  
36 thing is, when I bought into that land, Las Alturas covenant said that you  
37 had to have an acre for every house, and putting a business up was not  
38 going to be one per acre, it's going to be much more than that and it's not  
39 going to be compatible with that covenant. So the Las Alturas covenant  
40 should still be in account for that area. Also, this is a two lane road that  
41 supports all the Las Alturas areas and all the area south of there, that's  
42 going to bring a lot more traffic to that area and cause more people to be  
43 driving that road, which is already in a fairly bad shape. Also, that's one of  
44 the best bicycling roads around in town, so I see many, many bicyclists  
45 going on that road all the time. Adding more traffic is just going to cause

1 more problems for that. So anyway, as a City resident for 44 years on that  
2 same property, I am very much against this proposal. Thank you.  
3  
4 Kaiser: All right. Is there anybody else on this side that wishes to speak? Yes,  
5 ma'am.  
6  
7 Gleason: I'm Jeanne Gleason.  
8  
9 Kaiser: Do you swear or affirm that the testimony you're about to give is the truth  
10 and nothing but the truth under penalty of law?  
11  
12 Gleason: I do.  
13  
14 Kaiser: You have two minutes.  
15  
16 Gleason: Thank you, sir. I live out in the Tellbrook area and have loved living there  
17 for over 25 years. The pages I have given you show shows the A-frame  
18 that I think a lot of, probably everybody in this room would say, "Oh, could  
19 it please go down?" The biggest concern that I would add to what has  
20 already been spoken to tonight is fire. And I work for the College of  
21 Agriculture. I've worked for them for 45 years as faculty member, and it is  
22 a very huge danger to all the people that live there. And the house right  
23 now, the A-frame I think there's probably homeless people living there. It's  
24 falling apart. It's got shingles, the old shakes for shingles, and a fire could  
25 come through just like that. And my property, and probably many  
26 properties here represented, would be consumed by the fire. So I'm very,  
27 very concerned about that. And I asked that to be taken into  
28 consideration. Because what happens on that land, could well engulf all  
29 of us. Thank you.  
30  
31 Kaiser: All right. Anybody else on this side? All right, we're going to come back to  
32 this individual right here. Please state your name.  
33  
34 McGuffey: Hi, I'm Barbara McGuffey.  
35  
36 Kaiser: Do you swear or affirm that the testimony you're about to give is the truth  
37 and nothing but the truth under penalty of law?  
38  
39 McGuffey: I do.  
40  
41 Kaiser: You have two minutes.  
42  
43 McGuffey: Thank you. So one of the things that I take issue with is the comment that  
44 staff made about the agricultural district being a placeholder. I don't  
45 believe that's true. I'm very new to Las Cruces. I just bought my home  
46 there in May. But one of the things I was very careful about was finding

1 protective covenants because I did not want to live in an urban district.  
2 I've lived in a mixed development district. I want to live in a single-family  
3 zone district. There are protective covenants that I'll give you for my  
4 neighborhood, for my plat, that I believe may extend further. And they all  
5 stop at single-family. And some people have said that there's agricultural  
6 left in there. And when we bought our house, our realtor said that there's  
7 maybe one house out there that was zoned to have a horse. So on Senna  
8 there was a lot that just had a similar notice. And it was changed. It was  
9 requesting a change from agricultural to single-family. So I think  
10 agricultural has been, I'm sorry that the City has done away with that, but I  
11 think it's part of the deed restrictions that the big slurs who own that  
12 property specified when they allowed development of the whole area of  
13 Las Alturas Estates. And also all the land I think south of Tellbrook is  
14 deed restricted for single-family.

15  
16 So I take issue with the fact that the surrounding area is not really a  
17 Suburban Place type. It's deed restricted single-family, and those of us  
18 who bought deed restricted single-family would like to see it stay that way.  
19 So I would request that you deny this. And if there are other means that  
20 this gentleman can achieve, you know he bought an agricultural district  
21 zoned property. No one said he would get a changeup for that. So he  
22 could figure out now what else he can do. And he can meet with the  
23 neighbors. He offered to meet with the neighborhood. He's not met with  
24 any of the neighbors that I'm aware of. The letters were sent back in  
25 February of 2022. I think he needs to be sent back to the drawing board.  
26 I think you need to deny this today, ask him to come back to the  
27 neighborhood. Let staff work on it, see if there's a way that we can all get  
28 happy. Thank you.

29  
30 Kaiser: Thank you. Mr. Banegas, back to you.

31  
32 Banegas: Mr. Chairman, Commissioners, members of the public. As folks were  
33 talking, I kind of wrote down key points to provide answers to and/or  
34 clarify. One individual questioned whether or not we could seek a zoning  
35 designation that was a lesser designation than the C-3. That kind of  
36 speaks to what I stated in the presentation where staff considered  
37 opportunities to rezone the property using metes and bounds description  
38 whereby we could designate zoning districts that are more specific to the  
39 use that was being proposed and the uses, I should say plural, that were  
40 being proposed. Why we cannot just drop it down from C-3 to C-1 is  
41 within our code, there would be considerable size restrictions on the C-1  
42 uses in general. What is being proposed, I believe could not be  
43 accommodated because there's caps on the square footage of use, and  
44 there's definitely caps on the square footage of acreage. So unless the  
45 individual was willing to subdivide the property in compliance or  
46 conformance with the C-1 district development guidelines, that wouldn't

1 work. But the opportunity to rezone using metes and bounds could work,  
2 it just is going to take substantially more effort to do.

3  
4 Another individual talked about conditions, and down the road the  
5 conditions going away. If I heard correctly the assumption is that at some  
6 point in time if this Commission and City Council ultimately votes in favor  
7 of the zone change with conditions, if the assumption is that at some point  
8 in time the property gets sold and the new owners want to do away with  
9 those conditions, what would they need to do? Well, the answer is they'd  
10 have to rezone again. They'd have to come back to this body and seek  
11 either to change the designation in its entirety or seek the elimination or  
12 modification of the conditions that were placed on the property to begin  
13 with. So do they go away? They can, but not without some effort to do  
14 so. Not without coming forward to this body and City Council to do so.

15  
16 Parking for the office uses, yes parking can include any of the service  
17 vehicles within reason, we're not going to allow the storage of large  
18 equipment. I'm trying to think of some of the, like backhoes or anything  
19 like that associated with the engineering offices. But service vehicles or  
20 other vehicles to transport persons from A to B, that's fine. But beyond  
21 that, no. Any outside storage related to the use would be substantially  
22 restricted. So there's a whole screening type of requirement that has to be  
23 dealt with. And so that would be something that'd have to be looked at,  
24 specifically if that were to come forward.

25  
26 The botanical gardens, just as a matter of clarification, in speaking with  
27 the property owner, the question was asked whether or not it was for  
28 personal enjoyment or commercial type use. And the answer I got was  
29 more of a commercial type use. So if someone wanted to rent the  
30 botanical gardens for a small gathering, they didn't want to expand to large  
31 weddings or anything like that, but small gatherings, they could do so. So  
32 in that context, it makes it commercial.

33  
34 Can apartments be erected? Yes. The C-3 designation at present allows  
35 dwelling units to be constructed at a minimum density of 10 dwelling units  
36 per acre and a maximum of 40. The apartments is a land use designation  
37 that was on the conditional or permitted use listing, the Exhibit A that I  
38 showed in the presentation. And with the C-3 designation, unless there's  
39 some additional condition to restrict it, the height of any apartments could  
40 be at the development standards that is identified in the table and that's 60  
41 feet. So that could happen as presented with the request this evening.  
42 Are there apartments in the area? Yes, there's a few properties that have  
43 a little bit more than just your standard duplex or triplex, but not many.  
44 This property right along Micro Road, for example. When I drove by there,  
45 I believe it was this one, they may be in a duplex or triplex configurations  
46 but there's multiples of them. I think some of these other properties might

1 have duplex, maybe three units, but there's not many. So just want to  
2 clarify that.

3  
4 In terms of covenants, covenants were raised in one of the comments.  
5 And just to clarify that, the City of Las Cruces does not enforce covenants.  
6 So if there's any deed restrictions that are identified in any of the deeds for  
7 properties that individuals purchase, the City doesn't enforce that. We  
8 enforce the zoning code and the zoning on the land. So just wanted to  
9 clarify that.

10  
11 And in terms of the A-2 district, I know for a fact in working a little over 30  
12 years with the City and the department, A-2 was used for both ag zoning  
13 where you could have crops and animals and that kind of thing, but it was  
14 also used as a holding designation when the property owner was  
15 uncertain as to what they wanted to do with the property. And that kind of  
16 covered the laundry list that I heard. If there's anything I missed, I'd be  
17 happy to share.

18  
19 Kaiser: Go ahead.

20  
21 Vega: Just a quick question and I don't know if you'll know it or not. But is there  
22 City bus service that goes on Las Alturas?

23  
24 Banegas: Mr. Chairman, Commissioner Vega. I'm not aware of any at this time. No.

25  
26 Kaiser: Are there any other questions from the Commission, comment?

27  
28 Smith: I don't have any questions but I do have comments. Kind of taking some  
29 notes myself. I've lived there for almost 25 years and someone brought  
30 up cycling. I'm a cyclist and I mostly ride mountain bike, but I used to ride  
31 a lot on the road. And I used to ride up to Tellbrook because it was a nice  
32 place to climb, didn't have a lot of traffic. But (*inaudible*) ago you get to  
33 the top of Tellbrook and you would turn around and come back down  
34 because once you got to the top you know there wasn't anything there, but  
35 (*inaudible*) mountain. Now you can take a right, head down, head up, La  
36 Tierras Escondida is the development there. It's continuing to grow and  
37 grow and grow. Every time I ride up there. If I ride from A mountain on  
38 my mountain bike, I grew up there, I see this development. So I bring that  
39 point up because one of the issues and complaints was about traffic.  
40 Once you make that turn on Tellbrook off Las Alturas you're going into a  
41 neighborhood that is increasingly being filled with more cars, because  
42 there are more homes being built so there's more traffic on Tellbrook than  
43 ever before. And so you know just, I'm looking at both sides of this as far  
44 as the impact that it has on your community. Here there are a lot of  
45 people. I mean there was a gentleman said he lived there since 1993. It  
46 looks like a lot of you have lived there for quite a long time. So you live

1 there at a time when you know there were acre lots and there wasn't a lot  
2 of home density as far as how close the houses are. And I'm sure you are  
3 all aware that that has changed. And so I think it's important to, unless I'm  
4 wrong, I mean I could be because every, it's still one acre lots. Okay.  
5 Even going back to La Tierras Escondida. Okay. All right. So I stand  
6 corrected on that. But my whole point is that there's this continual growth  
7 going into that neighborhood where it's increasing traffic.

8  
9 MANY AUDIENCE MEMBERS SHOUTING OUT, UNINTELLIGIBLE.

10  
11 Smith: Excuse me, I'm sorry, ma'am.

12  
13 WOMAN IN AUDIENCE SPEAKING, NOT AT THE MICROPHONE.

14  
15 Smith: Right, but there's still private land that's being developed there. And I'm  
16 pretty familiar with the BLM land, because I'm actually one of the Rangers  
17 on the monument. So I know the boundary. But the traffic has increased  
18 because there's still development happening up to the La Tierra  
19 Escondida area. And so my whole point in this, and like I say I'm trying to  
20 look at both sides of this is that you know this this ...

21  
22 Nichols: Excuse me Mr. Chair. If we're going to receive comments to  
23 Commissioner Smith, you'll have to come to the podium and state your  
24 name for the record please, not just an outburst from the crowd. Thank  
25 you very much.

26  
27 Smith: And this proposal, where this land is has been there for a long, long time,  
28 as you're all aware, and the impact that it would have from a neighborhood  
29 compatibility, because according to the requirements for this property it  
30 does meet that because as you make that turn and go up Tellbrook, once  
31 you pass that area you're in your neighborhood, you're heading uphill, you  
32 still have your views of the mountains and that's not being blocked. The  
33 gentleman that talked about walking his dog every day, you know, yes it's  
34 like along Las Alturas you have, basically Las Alturas is frontage road.  
35 You may not see it that way, but it's basically a frontage road. And then  
36 you have the highway. So to the west, you're not losing anything as far as  
37 like your community and impact in your community because you have a  
38 highway and a frontage road. It's not until you start to go up into your  
39 neighborhood that it could be an impact as far as your quality of life, your  
40 views of the mountains. Because I see the Organ Mountains every day,  
41 it's part of my job, I drive there every single day. The view never gets old.  
42 So those of you who live higher up in the, up in that community, you have  
43 that spectacular view.

44  
45 So as we move forward to make a decision on this proposal, really think  
46 about how it's really impacting your quality of life. Having a botanical

1 garden is it really going to impact your quality of life? We can create a  
2 narrative of what could possibly happen and make it a reality that he's  
3 going to have an electrical business move there, but you don't know that.  
4 That's up to the property owner to make that application, to make that  
5 decision, if he wants to expand it he still has to go through that process to  
6 do that. But we can't make a decision on that now based on what he  
7 could do in the future. We can only make a decision based on what he's  
8 allowed and permitted to do now. So I just wanted to just make those  
9 comments.

10  
11 AUDIENCE MEMBER SPEAKING, NOT AT MICROPHONE.

12  
13 Kaiser: Hold on one minute ma'am. Let's see if there's any additional comments  
14 from Commissioner. So I do have a couple of follow ups. It seems to me  
15 that the crux of the matter is the potential uses under this zone change is  
16 what's really concerning to folks. But the applicant has made it clear that  
17 his desire is to do a botanical garden. So my question to staff is, is there  
18 no other way to arrive at this ability to allow the applicant to develop this  
19 botanical garden? Is this the truly the only route available? Other, I know  
20 you mentioned the metes and bounds option, but it sounds like in that  
21 option you're still sort of parsing out different land uses. So my question  
22 is, if a botanical garden is really what he's interested in, is there no other  
23 option to get there other than what's presented before us?

24  
25 Banegas: Mr. Chairman, Commissioners. Keep in mind that in talking with the  
26 applicant there's basically four uses that they're really interested in,  
27 botanical gardens is one of them. But there's the office, there's a single-  
28 family home, and then of course some accessory building for storage of  
29 equipment. Metes and bounds is definitely one of them, you still, as you  
30 indicated, still have to kind of go through it and parse out the type of uses  
31 that wouldn't be deemed compatible. Beyond that, I think you know if they  
32 wanted to go to a C-2 designation, they're still looking to parse out some  
33 of the uses that are deemed questionable. So I don't know if we gain  
34 anything there. Plus they're going to have to go through the effort of  
35 subdivision to go to no more than one acre in size for the parcels they  
36 create to chisel that 10.85 down to one acre chunks. So nothing easy,  
37 and it's based on what I'm thinking, it's a whole lot like what we're going  
38 through this evening.

39  
40 Kaiser: Understood. And on the botanical garden piece is there a minimum lot  
41 size requirement there? Or is that come into play strictly on those I guess  
42 more traditional commercial uses, the office, the other things that the  
43 applicant was wishing to do.

44  
45 Banegas: The botanical gardens, basically, in that we're dealing with the entire  
46 parcel, there's nothing proposed to be parceled out/subdivide it out. They

1 can make it as large as they'd like to. There's no restriction on a square  
2 footage.  
3  
4 Kaiser: And they could do the opposite. They could make it as tiny as they  
5 wanted to.  
6  
7 Banegas: Yes.  
8  
9 Kaiser: And then so the C-2 designate, the parcels that are C-2 to the south,  
10 what's that minimum lot size requirement?  
11  
12 Banegas: The C-2 has a minimum of 10,000 square feet and a maximum of one  
13 acre.  
14  
15 Kaiser: Okay, so theoretically, a metes and bounds approach, they could carve  
16 off, figure out what their botanical garden is, carve off a couple of parcels  
17 to get to that minimum/maximum size and they could then do a C-2  
18 designation there. Because from my perspective, folks you've got C-2  
19 already there. So I mean the things that we're talking about tonight can  
20 already in some respects happen at the southern corner. So to say that  
21 commercial was completely inconsistent or incompatible, you know that's  
22 not entirely true either. So I'm just sort of thinking out loud here of  
23 potential options that might be on the table so thank you. I don't have any  
24 further questions. So before we ... Commissioner Smith.  
25  
26 Smith: I just have one question for Mr. Banegas. You know, this proposal that  
27 the owner has to be in compliance with Elevate Las Cruces  
28 Comprehensive Plan. And looking at your zoning decision criteria, he did  
29 meet that. And under that community environment, it says to encourage  
30 efficient land use development patterns that accommodate projected  
31 growth in a sustainable manner. So he's met that. And so that, I think it's  
32 important that we look at he's meeting you know the criteria. And so that  
33 would mean that he is going to work within the criteria that are established  
34 here to develop this property, correct.  
35  
36 Banegas: Mr. Chairman, Commissioner Smith. That is correct. To the best of my  
37 knowledge in terms of the information presented to the City, what he  
38 originally came forward with was very limited, very limited. The land use  
39 or the permitted land use list was an afterthought of how can we ensure  
40 down the road that we're restricted. It opened up a little bit. I'm not going  
41 to say it did not. But in terms of consistency with the comprehensive plan  
42 and what he's achieving to do, there was a lot of alignment that staff saw  
43 with the plan, with policy.  
44  
45 Smith: All right. Thank you.  
46

1 Kaiser: All right, so it sounds like there's a couple of folks in the audience that  
2 wish to come back up and speak. Can I get a show of hands? Okay, I  
3 see one, two, three, four, five, six, seven, eight. I'm going to give folks 30  
4 seconds for those that raised their hand. I recognize it's not a lot of time,  
5 but we've heard the issues. We understand them. And we need to make  
6 a decision here tonight. And I'm sure you all will appreciate, regardless of  
7 what the outcome is, of not being here till 2:00 a.m. So 30 seconds. Can  
8 get the show hands again. I'm going to start here with this gentleman.  
9  
10 Milligan: Thank you. Brook Milligan. So I'd like to make a statement about that you  
11 referred to the commercial designation on the south side of Tellbrook  
12 Road. That is an artifact, that's a leftover designation from 1974,  
13 according to the City GIS records of these plots. So it's not representative  
14 of its own of the current land use by any means. And I would also like to  
15 return to my point earlier, that the goal of all of this master plan is to  
16 enable neighborhoods to define their unique identities and needs. And so  
17 that it's not purely about individuals here that are proposing changes. It's  
18 about all of the issues that he has been faced with tonight, as well about  
19 us as a neighborhood defining what those unique needs ought to be.  
20 Thank you.  
21  
22 Kaiser: Can I get, the gentleman in the green shirt? And since this is your first  
23 time, I'm going to need to swear you in. So please state your name.  
24  
25 Vaughn: My name is Matthew Vaughn.  
26  
27 Kaiser: Do you swear or affirm that the testimony you're about to give is the truth  
28 and nothing but the truth under penalty of law?  
29  
30 Vaughn: Yes.  
31  
32 Kaiser: Please go ahead.  
33  
34 Vaughn: Okay. I think Mr. Banegas, you pointed to the property south of the parcel  
35 in question and called them apartment complexes several times. But each  
36 one of those properties, each one of those duplexes is on its own parcel.  
37 It's not an apartment complex as a whole. So it's different than what you  
38 said. And Mr. Smith, you pointed out that all the further, or there's further  
39 development going on up Tellbrook Road. However, all that development  
40 is residential, none of its commercial. I think you made that point that lots  
41 of other folks here have been saying.  
42  
43 Nichols: Time, Mr. Chairman.  
44

1 Kaiser: We'll come to the Commission. Gentlemen in the jacket right there, no,  
2 right there. This gentleman over here. Sorry Commissioner. The brown  
3 jacket.  
4  
5 Laskin: Ron Laskin.  
6  
7 Kaiser: And do you swear or affirm that the testimony you're about to give is the  
8 truth and nothing but the truth under penalty of law?  
9  
10 Laskin: Yes.  
11  
12 Kaiser: You have 30 seconds.  
13  
14 Laskin: So we heard about a botanical garden, a clothing store, a cafe, but once  
15 you open up Pandora's box and make it a C-something or other, he's  
16 increased the value of his property, he'll sell to somebody else and they'll  
17 do what they damn please.  
18  
19 Kaiser: Commissioner. I'm going to go to you and then I'll go to the lady in the  
20 back.  
21  
22 Reynolds: Thank you. First I want to tell everybody ...  
23  
24 Kaiser: Please state your name.  
25  
26 Reynolds: My name is Shannon Reynolds, County Commissioner. Tell everyone  
27 that I am trying to deal with the A-frame. It's takes it's process. Okay.  
28 Secondly, we had a developer who was trying to build a subdivision next  
29 to where I live, which is across the highway. They started when the ETZ  
30 there and they were turned down for a certain specific purpose. Then the  
31 county took it over, they applied again and they were turned down for the  
32 same reason. Lastly, the City took it over, they tried to do it again and  
33 they were actually going to get approved until we appealed because they  
34 tried to violate the same (*inaudible*) that was established 1992. I see the  
35 same thing happening here. Once they get to C-3 s they can put all this  
36 stuff on there, they can take two acres and put what they want, take the  
37 other five ..  
38  
39 Nichols: Time, Mr. Chair.  
40  
41 Reynolds: Acres for what they want. I don't think that we have any control over this.  
42 I'm concerned.  
43  
44 Kaiser: Please state your name. I'm going to need to swear you in.  
45  
46 Thornock: Hi. Nickie Thornock and I live in the county.

1  
2 Kaiser: Do you swear or affirm that the testimony you're about to get is the truth  
3 and nothing but the truth under penalty of law?  
4  
5 Thornock: I do.  
6  
7 Kaiser: You have 30 seconds.  
8  
9 Thornock: Okay, I am in favor this. I think change is good. I think a botanical garden  
10 to walk my kids to would be cool. Going to the Tellbrook Park is nice, but I  
11 have kids, I have a dog, we walk the neighborhood. To have a second  
12 place to stop would be really fun. Even if they put in a cafe to send my 16  
13 year old out of the house, not have to drive to Pic Quick, that would be  
14 nice. There is a very large subdivision going in past the trailer sales. So if  
15 we're talking about traffic, maybe we should address that rather than the  
16 house that's going to be on the corner that already gets tons of traffic and  
17 three, four, or five cars is not going to make any bigger of a difference.  
18  
19 Nichols: Time, Mr. Chairman.  
20  
21 Thornock: Than the Airbnb's do.  
22  
23 Kaiser: Thank you. All right, anybody else on this side? All right, moving on to  
24 the man in the hat. Please state your name for the record and you have  
25 30 seconds.  
26  
27 Zemek: John Zemek: I live in Las Alturas.  
28  
29 Kaiser: He's good.  
30  
31 Zemek: Yes sir, I promise to tell the truth and whole truth and nothing but the truth.  
32  
33 Kaiser: If you've already spoken ...  
34  
35 Zemek: I've got two things so I'm going to take more than 30 seconds. I'm in  
36 constant contact with the guy with A-frame house. If anybody wants to  
37 know more a little bit about that. I'm in constant contact with the guy. I  
38 can tell you just about anything you want to know about it. And so you  
39 can come and see me afterward. This reminds me of a story that  
40 happened up in Michigan, that someone was trying to get their place  
41 rezoned. It was zoned for agriculture and they were trying to get it  
42 rezoned so they could build some kind of a store. And everybody said no,  
43 no, no, you can't do that, you can't do that. Everything was negative.  
44  
45 Nichols: Time, Mr. Chairman.  
46

1 Zemek: So he said okay and he went home and he said it's zoned for agriculture.  
2 So he went home, put a fence around it, and built a pig farm.  
3  
4 Kaiser: Yes, ma'am. Please state your name.  
5  
6 Heavner: My name is Nancy Heavner. .  
7  
8 Kaiser: Do you swear or affirm that the testimony you're about to give is the truth  
9 and nothing but the truth under penalty of law?  
10  
11 Heavner: I do.  
12  
13 Kaiser: You have 30 seconds.  
14  
15 Heavner: I do live in the county and I live on one acre. The majority of those homes  
16 that built out in the Las Alturas area are one acre or more. I have an  
17 absolute passion for our state and the fact that you're going to build a  
18 botanical garden. Think about water, please. Our water is being depleted  
19 each and every day. We bring in another garden that needs more water.  
20 We bring in more apartment complexes. Think about light pollution,  
21 please. One of the things that we enjoy in the county is the ...  
22  
23 Nichols: Time, Mr. Chairman.  
24  
25 Heavner: Fact that we don't have the lights. I ask that you vote no and reject this  
26 offer.  
27  
28 Kaiser: Thank you. Is there anybody else who wishes to speak on the side? Yes,  
29 sir, with the hat. Please state your name for the record. And you have 30  
30 seconds.  
31  
32 Gibbs: Les Gibbs. The property that's right adjacent to this, just to the north of  
33 that, is about 80 acres and it's owned by Mr. And Mrs. Soules. Now Mr.  
34 Soules has passed away. But they have been trying to protect that area  
35 and keep it in the rural for this whole time. This is going to be a domino  
36 effect. If you approve it for this little area, the next thing will be that 80  
37 acres will have a motel on it. Thank you.  
38  
39 Kaiser: Yes ma'am. Please state your name for the record. And you have 30  
40 seconds.  
41  
42 Liptak: Charlotte Liptak. And if the owners intention is simply single-family home  
43 with an office and his botanical garden, then he should have no problem to  
44 put another condition that there will be no apartment buildings allowed  
45 either and no cannabis sales or growth. Thank you.  
46

1 Kaiser: Thank you. All right. I am going to close public comment. And I'm going  
2 to return back to the Commission. Any additional comments, questions,  
3 thoughts? I'm going to just come back real quick, because there's been a  
4 lot of discussion about the compatibility and just want to return to the  
5 comprehensive plan, quite frankly. This area, the entire Tellbrook  
6 neighborhood within the City of limits is identified as a suburban  
7 neighborhood. That's the place type. According to our comprehensive  
8 plans, suburban neighborhoods provide for low to moderate density  
9 residential land uses, intermixed with areas of commercial development.  
10 Representative land uses include single-family residential, detached or  
11 attached, multifamily residential, commercial services, single-family urban  
12 residential zoning districts and multifamily residential zoning districts. So  
13 just from my perspective, going back to what staff's presented tonight, I  
14 mean I think this is totally consistent. I think a botanical garden is not  
15 wildly out of character. So those are just my parting thoughts. Looking for  
16 a motion.  
17  
18 Bennett: I make a motion to approve 10.2 with the conditions under Exhibit A.  
19  
20 Vega: I second.  
21  
22 Baum: Board Member Acosta.  
23  
24 Acosta: I vote no.  
25  
26 Baum: Board Member Vega.  
27  
28 Nichols: One second please. Your vote "no" needs to be supported by findings or  
29 fact that was contrary to the presentation by staff.  
30  
31 Garrison: You just need to state them for the record.  
32  
33 Nichols: Statement for the record.  
34  
35 Acosta: I vote no based on community output tonight.  
36  
37 Baum: Board Member Vega please.  
38  
39 Vega: First of all, thank you all for coming out. It's a late night, it's freezing. And  
40 it's obvious how much everyone cares about your community. I personally  
41 love the idea of a botanical garden. I'd like to see it where it's accessible  
42 to everyone in the community. This is a little bit outside of, I guess we  
43 have like a more dense population. But with that said, I am hopeful that  
44 the owner will follow through on the plan proposed. And based on staff  
45 recommendation, I vote to approve.  
46

1 Baum: Board Member Bennett.

2

3 Bennett: I vote to approve based on staff recommendation, the thoroughfare plan,  
4 as well as the purpose and intent of the code.

5

6 Baum: Board Member Smith.

7

8 Smith: Before I vote, I respect and appreciate you know the strong feelings you  
9 have for your community. That's very important within any community and  
10 especially within our City. But the City does continue to grow and this  
11 area that where you live will grow. And this is a very small attempt at  
12 someone to grow their business, grow an opportunity to bring something  
13 good to this area. And so it's just something that is not going to have a  
14 negative impact only if you decide that it is a negative impact. So I am  
15 going to approve. So yes with conditions.

16

17 Baum: Chair Keiser.

18

19 Kaiser: Before I give my vote, just a reminder that this does require approval by  
20 the City Council. So for those of you all who came out tonight, there is  
21 another opportunity to express your perspective viewpoints at City  
22 Council, regardless of the outcome tonight. So with that, I vote yes, based  
23 on staff recommendation and consistency with Elevate Las Cruces.

24

25 Baum: Passes four to zero.

26

27 AUDIENCE MEMBERS SHOUTING OUT.

28

29 Baum: Excuse me four to one.

30

31 Kaiser: It passed four to one.

32

33

34 **12. ADJOURNMENT (6:21)**

35

36 Kaiser: So with that, we need a motion in a second to adjourn.

37

38 Vega: I make a motion to adjourn. And congratulations again.

39

40 Smith: And I second.

41

42 Kaiser: All in favor.

43

44 MOTION PASSES UNANIMOUSLY.

45

46 Kaiser: Meeting's adjourned.

Agenda Item #9.1.

- 1
- 2
- 3
- 4
- 5
- 6 

---

Chairperson

**Vincent Banegas**

---

**From:** ROBERT KUHN <KUHN\_LIPTAK@msn.com>  
**Sent:** Friday, January 20, 2023 2:39 PM  
**To:** Vincent Banegas  
**Subject:** Rezoning Request for 4003 Tellbrook

Dear Mr. Banegas. Thank you for the information you provided to me about the above topic when we spoke a few days ago. This is written to register our objection to the rezoning request filed by the owner of the above property (hereinafter "owner"). A C-3 designation is not in keeping with the rest of the neighborhood, which is overwhelmingly single-family dwellings. In fact, the properties that abut the owner's property are all single-family dwellings. Even with the conditions that you stated the owner is willing to put on the C-3 designation, such a zoning designation is still not appropriate. The rezoning would still be designated "commercial high intensity", which the rest of the area is not, and the designation would still allow for retail business and apartment uses. Such uses would be totally inappropriate for this residential area. You stated that the owner wants to build a single-family dwelling for himself and also an office for his business, and also a botanical garden/park. None of those uses require any commercial zone designation, let alone one that would be designated "high-intensity". In my review of the city code sections concerning zoning designations and their allowable uses, the owner could do what he says he wants to do with one of the residential zone designations, or at most, an O-1 designation (office neighborhood). Please do not destroy our low-density, almost rural, residential area, by allowing commercial high-intensity uses in the middle of it. Thank you for your time. Charlotte Liptak and Robert Kuhn

**Vincent Banegas**

---

**From:** Daniel Allan <dallan575@gmail.com>  
**Sent:** Friday, January 20, 2023 4:33 PM  
**To:** Vincent Banegas  
**Subject:** Case #: 22ZO0500020

Dear Mr. Banegas,

Thank you for meeting with me earlier this week. What you told me was helpful and I don't think any of the neighboring property owners have reservations about the Wilcox's plans. What is a concern is what might happen when the property is ultimately sold, either by the Wilcoxes or their estate. Any limitations on the use of C-3 zoning would have to be binding on any future owner.

Sincerely,

Daniel Allan

## **Vincent Banegas**

---

**From:** Julie Skinner <colorado.julie007@gmail.com>  
**Sent:** Friday, January 20, 2023 11:48 PM  
**To:** Vincent Banegas  
**Subject:** Tellbrook/Las Alturas

We are writing in hopes to deter what is intended for this corner. When we bought our home in Las Alturas, our paperwork stated that the original owner of all this land intended for it to be used only for rural-residential, not commercial. Las ALTuras Rd is only a 2 lane road, we like it that way, we dont want it wider to encourage more traffic. If it is left as 2 lanes, there will be alot of traffic!

We also bought in this area for the "dark skies" that we can experience. We want it left just like it is. If this happens the way the owner wants, with commercial, parking lot lights and additional street lighting on Las Alturas would be needed, and would take away the dark skies effect in this area.

Please dont allow this.

Steven and Julie Skinner  
4825 Tobosa Rd  
Las Cruces

**Vincent Banegas**

---

**From:** Jack Crabtree <jack2jesse@gmail.com>  
**Sent:** Saturday, January 21, 2023 11:00 AM  
**To:** Vincent Banegas

We oppose the Las Alturas/Tellbrook Zoning change proposal to high density commercial.

Thanks

Jack

Redman Road  
Las Cruces, NM

## **Vincent Banegas**

---

**From:** Barbara McGuffey <bamcguffey@gmail.com>  
**Sent:** Saturday, January 21, 2023 12:05 PM  
**To:** Vincent Banegas; Kyle Metzgar; sreynolds@donaanacounty.org  
**Subject:** OPPOSITION TO ZONING CHANGE, Case # 22Z00500020, 4403 TELLBROOK/LAS ALTURAS DR

To whom it may concern,

Having recently purchased my home in Las Alturas Estates (a deed restricted single family residential neighborhood), I am OPPOSED to the major zoning change proposed for this area.

The uses allowed under Commercial High Intensity represent a very significant change from the currently zoned Agricultural use for this 11 acre tract adjacent to Las Alturas Dr. The future impact should be evaluated more carefully before this zoning change is considered or approved.

The surrounding neighborhoods deserve to be better informed about this proposed zoning change and allowed additional time before any approval is considered.

**Please register this email as my opposition in the PUBLIC HEARING scheduled for Tuesday, Jan 24.**

Barbara McGuffey  
4845 Tobosa Rd  
Las Cruces, NM 88011  
409-771-1159 cell

## **Vincent Banegas**

---

**From:** Susan Conant <susanjconant@icloud.com>  
**Sent:** Saturday, January 21, 2023 3:21 PM  
**To:** Vincent Banegas  
**Subject:** Zoning change

I'm a home owner in the Las Alturas area and I am not in favor of the zoning change on the 11 acre lot on Las Alturas and Tellbrook to high density commercial.

Susan Conant  
4850 Sage Road  
Las Cruces 88011

Sent from my iPhone

## Vincent Banegas

---

**From:** Vicki Simons <vrsimons@comcast.net>  
**Sent:** Saturday, January 21, 2023 3:31 PM  
**To:** Vincent Banegas  
**Subject:** Zoning change on Tellbrook Road

Mr. Banegas,

The zoning change being requested seems disingenuous. The owners say they plan a botanical garden with a couple of buildings on approximately 11 acres.

Why have they asked the zoning to be high intensity commercial instead of low intensity commercial?

Their plans seem rather low intensity. A botanical garden at that location seems frankly ridiculous.

They seemingly have other plans for after the zoning change.

At present the area is completely residential and we residents ask that it remain so.

I hope the Planning Commission will reject their request.

Thank you for your attention.

Vicki and John Simons  
4052 Sotol Drive

## **Vincent Banegas**

---

**From:** John Bethel <foxholemine@gmail.com>  
**Sent:** Saturday, January 21, 2023 3:41 PM  
**To:** Vincent Banegas; Kyle Metzgar; sreynolds@donnaanacounty.org  
**Subject:** Zoning change at Las Alturas/Tellbrook

As a home owner here in the area, I have no problem with a shopping center built in this location.

John Bethel

6865 Lazo Del Norte 88011

(530)391-6028

Sent from my iPhone

## Vincent Banegas

---

**From:** Carlo Mora <cao473@gmail.com>  
**Sent:** Saturday, January 21, 2023 6:33 PM  
**To:** sreynolds@donaanacounty.org; Kyle Metzgar; Vincent Banegas  
**Subject:** concerned citizens

Dear city representatives,

We are residents of Las Alturas area (Sotol Drive). With great concern, we became aware of a zoning change request from agricultural to high density commercial in Las Alturas and Tellbrook.

We are writing you to express our opposition to such a request for multiple reasons.

- the plans are vague and do not disclose critical information about the zoning request, which in my opinion, appears to be disingenuous.
- If the zoning change is approved, the land can be developed in many different non-residential ways beyond the preliminary information. Thus, no control or oversight is possible if the change is approved.
- There is no logical explanation for the zoning request. The zone has been residential since its inception, and there are no compelling benefits for the neighborhood.
- Such zoning will bring unintended negative consequences to the neighborhood, including increased traffic, noise, and light pollution, just to name a few.

I hope you seriously consider the concerns of concerned citizens like us.

Respectfully,

Carlo & Gabriela Mora.

**Vincent Banegas**

---

**From:** Aol Mail <pennymcandrews@aol.com>  
**Sent:** Sunday, January 22, 2023 9:53 AM  
**To:** Vincent Banegas  
**Subject:** Zoning Change at Las Alturas and Tellbrook

Please vote no to changing the zoning at Las Alturas and Tellbrook. This is a residential neighborhood and we residents would like it to stay residential. A change to commercial zoning would have a negative impact on our home values.

Thank you.

Barbara and Robert Kaiser

**Vincent Banegas**

---

**From:** Heidi McConnell <granola1961@gmail.com>  
**Sent:** Sunday, January 22, 2023 10:02 AM  
**To:** Vincent Banegas  
**Subject:** 11 Acre Zoning Change Las Alturas and Tellbrook

Hello,

We live at 5445 Remington Rd in Las Alturas and we oppose the zoning change. This will destroy our neighborhood by introducing too many people into our quiet, rural neighborhood. We moved to Las Alturas to get away from commercial zoning and to live in a peaceful environment. We plan to attend Tuesday's meeting.

Sincerely,

Brian and Heidi McConnell

## **Vincent Banegas**

---

**From:** Kimberly Barnett <kbarnett@barnettharley.com>  
**Sent:** Sunday, January 22, 2023 11:20 AM  
**To:** Vincent Banegas  
**Cc:** sreynolds@donaanacounty.org  
**Subject:** Las Alturas/Tellbrook Zoning Change

Please do not approve zoning change referenced above, as we treasure our dark sky neighborhood. We have heavily invested in our property, and turning our neighborhood into a commercial zone will devalue the property and desire to live in Las Alturas. Thank you.

Kimberly Barnett  
Sent from my iPhone

## Vincent Banegas

---

**From:** jill begemann <javajill@gmail.com>  
**Sent:** Sunday, January 22, 2023 12:20 PM  
**To:** Vincent Banegas; Kyle Metzgar; sreynolds@donaanacounty.org  
**Subject:** Las Alturas/Tellbrook Zoning change

Greetings,

I love my neighborhood of Las Alturas. We are centrally located and have easy access to all Las Cruces has to offer. But, our neighborhood still has a rural feel. We still have open spaces to explore. Our night-skies shine bright with stars and we love when we see and hear owls, coyotes, and even an occasional javelina or bobcat. The quails and hawks that make their homes here are a constant source of delight. We love how peaceful and safe we feel here.

Changing the zoning for the 11 acres in question for commercial use, will greatly impact all of the above. Not to mention the increased traffic, especially at the University Ave. exit.

I am all for Las Cruces adding services and businesses to meet the demands of a growing population, but wouldn't it make more sense to put new business in the areas that are already zoned for business and have new housing communities being built? Las Alturas is a mature neighborhood with no major new housing developments

Thank you for your time and consideration,  
jill Begemann

## **Vincent Banegas**

---

**From:** Sam M <samclam23@gmail.com>  
**Sent:** Sunday, January 22, 2023 4:15 PM  
**To:** Vincent Banegas; Kyle Metzgar; sreynolds@donaanacounty.org; Tessa Abeyta  
**Subject:** Against Zoning Las Alturas/Tellbrook as High Density Commercial

Hello Vincent Banegas, Kyle D. Metzgar, Tessa Abeyta, and Shannon Reynolds,

I'm emailing the four of you as I have recently become aware of alarming plans to rezone the 11 acre lot at the corner of Las Alturas Drive and Tellbrook Road to become High Density Commercial. These plans are baffling to me as this area is a nice quiet neighborhood and is clearly not a fit for a commercial business. I have no doubt that should this area be rezoned, our neighborhood will be greatly negatively impacted by increased traffic, noise, and light pollution.

Another alarming part of this proposal is the vagueness of the plans for the lot, once this lot is rezoned we will have no guarantee that the preliminary plans will be followed. Who's to say they won't build a liquor store, cannabis dispensary, or bar in that spot once it's zoned favorably for those businesses?

I implore you to speak out against and stop this ridiculous rezoning as it will only have negative impacts on our neighborhood. Surely there are lots already zoned appropriately where these developers can build their business.

Thank you for your time.

Sincerely,  
Sam McGuinn

**Vincent Banegas**

---

**From:** TR Flores <starkflores@msn.com>  
**Sent:** Sunday, January 22, 2023 5:09 PM  
**Subject:** Rezoning request at Las Alturas/Tellbrook

I am writing to ask that you please reject this request for rezoning in this residential area. We live very close to this on Acacia Rd and SotoI, and specifically chose this area because of the location away from commercial businesses and in a country setting. Las Alturas is already very well traveled, and this would cause it to be more busy and more dangerous due to the traffic a business would attract. It would also set a very unsettling precedent about commercial properties in this country residential area.  
I implore you to please vote to reject the rezoning.

Thank you for your time,  
Robin Flores

## **Vincent Banegas**

---

**From:** TOBIAS FLORES <tobiasflores1@gmail.com>  
**Sent:** Sunday, January 22, 2023 5:19 PM  
**Subject:** Possible rezoning at Tellbrook/Las Alturas

I am writing to ask that you please reject this request for rezoning in this residential area. I live very close to this on Acacia Rd and Sotol, and specifically chose this area because of the location being away from commercial businesses and in a country setting. Las Alturas is already very well traveled, and this would cause it to be more busy and more dangerous due to the traffic a business would attract. It would also set a very unsettling precedent about commercial properties in this country residential area.

I implore you to please vote to reject the rezoning.

Thank you,  
Tobias Flores

## Vincent Banegas

---

**From:** TeriMatt <terimatt@comcast.net>  
**Sent:** Sunday, January 22, 2023 6:49 PM  
**To:** Vincent Banegas  
**Subject:** Comments on zoning change case 22ZO0500020 - 4003 Tellbrook Rd.

Dear Mr. Banegas,

I am writing in regards to a rezoning case on will be hearing this Tuesday, 24January2023. The case number is 22ZO0500020.

My wife and I moved to the Las Cruces area in 2009 because we liked the area and found a nice home in a quiet and dark neighborhood.

Some of the things we particularly liked about the Las Alturas area were the dark nighttime skies, the wildlife, the native plant landscaping, and the quiet of the purely residential area. This area is inhabited with retirees, young families, university employees, and missile range employees.

We were alarmed to recently see a sign on the property at 4003 Tellbrook Rd. notifying of a zoning change request. The current zoning is A2 rural agricultural, and the requested zoning change is to C-3C (commercial high intensity). We live less than 900 ft from this property and drive by the property multiple times daily.

This is a completely residential area, and a high-intensity commercial property is against the nature of the area. We regularly see people cycling, walking, or jogging on the neighborhood roads and along Las Alturas Dr. We are incredibly concerned that a business will bring increased traffic, light pollution, and noise to our quiet neighborhood.

Please vote no on a change to the zoning of this property, and keep the nature of our quiet neighborhood intact.

Sincerely,  
Matthew and Theresa Vaughn  
4222 Colt Rd.

## Vincent Banegas

---

**From:** Brook Milligan <brook@nmsu.edu>  
**Sent:** Sunday, January 22, 2023 8:07 PM  
**To:** Vincent Banegas  
**Cc:** brook Milligan; Katy Milligan  
**Subject:** Las Cruces Planning and Zoning Commission case 22ZO0500020: 4003 Tellbrook Road  
**Attachments:** tellbrook\_4003-20230122b.pdf

Dear Mr. Banegas,

We are writing in regard to the upcoming Las Cruces Planning and Zoning Commission meeting (Tuesday, 24 January 2023) that will be reviewing case 22ZO0500020, a request to rezone the parcel at 4003 Tellbrook Road to a high intensity commercial category. We wish to register our strong objection to this request. Our reasoning is documented in the attached memo to the Commission; in short, such a change is entirely inconsistent with existing land use, is inconsistent with parts of the Las Cruces Comprehensive Plan, and is being justified in ways that cannot be supported by the claims put forth.

Please present the attached memo to the Commission, so that the information contained can be part of the decision-making process.

Thank you very much for conveying this information to the Commission.

Sincerely,  
Brook and Katy Milligan

To: City of Las Cruces Planning and Zoning Commission  
From: Brook and Katy Milligan  
Subject: Case # 22ZO0500020: zoning change for 4003 Tellbrook Road  
Date: January 22, 2023

You are currently considering a request by Raylyn and Lezlie Wilcox to change the zoning for the property located at 4003 Tellbrook Road from A-2 (Rural Agricultural District) to C-3C (Commercial High Intensity-Conditional) (Case # 22ZO0500020). We are writing to register our **strong objection** to this change.

As long-time residents of the neighborhood, we value highly many of its characteristics that would be adversely impacted by the proposed rezoning and development that can thereafter occur. These include lack of traffic and associated noise, dark skies at night, and natural open spaces resulting from low-density residential development. These are all features that figure prominently in determining the value of property in this area, which will be reduced as a result of a rezoning action that enables commercial development. We see no compelling benefits that would mitigate these points.

Furthermore, as described below, we feel that the report prepared for the January 24, 2023 Planning and Zoning Commission meeting does not adequately reflect a thorough understanding of the neighborhood context and arrives at conclusions that are not justified. As a result, we, and a number of other residents in the neighborhood, feel that **the recommendation to grant this request is not warranted and that the request should be rejected.**

**Current zoning provides no justification for commercial designation** The first considerations in the report are that the current zoning designation (A-2) is non-conforming, and that it must be updated. Nonconformance is certainly a reason to update the zoning. However, in no way does that by itself support a conclusion that rezoning to a high intensity commercial category is warranted. As elaborated in the report, remnants of A-2 zoning designation are simply an artifact of inability of the Planning and Zoning Commission staff to keep up with the consequences of introducing new zoning categories. **This situation, a simple historical artifact, provides no justification for the proposed zoning change; it simply indicates that an update is needed.**<sup>1</sup>

**Proposal is inconsistent with land use and zoning in area and creates a Spot Zone** The report concludes that commercial development at 4003 Tellbrook is consistent with surrounding zoning and land use. It is clear that this conclusion derives from a narrow view of the surroundings, both in extent and nature; a view more consistent with the local conditions leads to the opposite conclusion. Every parcel, except one, along Las Alturas Drive until well south of Tellbrook Road is designated in residential or the remnant A-2 categories; all are developed as residential. The exception, on Tellbrook Road, is designated as commercial. However, this too is a remnant from 1974, does not reflect the current land use, and should not be used to justify an overly narrow interpretation of the

---

<sup>1</sup>It is clear that rezoning to a limited intensity residential category would address many of the considerations identified in the report, including the need to update to a current category.

residential development in the area, there is no such local community to be served. If the intent is to serve the wider Las Cruces community, siting services elsewhere with greater accessibility would be *immensely* more consistent with this goal. The "botanical garden" mentioned in the project might appear to be a unique service to the community. However, this cannot be taken at face value for at least three reasons. First, it will be too small to be relevant; the plans indicate no more than approximately 2.5 acres devoted to this purpose. Second, the immediate community surrounding the site clearly has no need for such a facility; indeed, there is a very nice park one block away that already provides at least as many benefits, is open to the public, and includes paved walks accessible to mobility-impaired visitors. Finally, the broader Las Cruces community is very unlikely to visit the proposed facility; the Organ Mountains themselves are easily visited, much better views are available from existing facilities and turnouts all of which are accessible to the mobility-impaired, and the 496,330 acres encompassing the Organ Mountain-Desert Peaks National Monument provide much greater opportunities for people of all ages and abilities. **The proposed development will not serve the surrounding neighborhood in any compelling way, and simply serves as a foothold for future development that is *inconsistent* with existing land use.**

**Conclusion** It is clear that the recommendation to approve the rezoning request for 4003 Tellbrook Road (i) does not adequately accommodate knowledge about characteristics of the site and its surroundings, (ii) reaches conclusions that cannot be fully supported by the claims made, and (iii) will degrade many neighborhood features that residents value and that figure prominently in determining property values in the neighborhood.

On behalf of ourselves, as well as all of our neighbors who have expressed objection to this project but are unable to attend the public hearing, we hope you will take these issues into account. This project is not in fact consistent with the surrounding area, does not meet all the criteria of the Las Cruces Comprehensive Plan, and does not serve those it purports to.

**Please reject this rezoning request directly and recommend strongly that the Las Cruces City Council do the same.**

## Vincent Banegas

---

**From:** McGuinn Family <mmcgufamily@gmail.com>  
**Sent:** Sunday, January 22, 2023 9:05 PM  
**To:** Tessa Abeyta; Vincent Banegas; Kyle Metzgar; sreynolds@donaanacounty.org  
**Subject:** Fwd: Las Alturas and Tellbrook zoning change proposal  
**Attachments:** 4003 Tellbrook Rd staff packet.pdf

Councilor Abeyta,

Please see my message below regarding the rezoning change proposed for an 11 acre piece of land located at the corner of Las Alturas and Tellbrook. Additionally, I understand employees at the City planning department have reviewed this proposal, completed a report, and submitted it for approval at the next planning and zoning commission meeting. (attached for your convenience.) At the bottom part of page four of the report, it is indicated that a review by staff determined the change would not adversely impact the surrounding area and that future uses that may be authorized by the proposal will be in keeping with the surrounding area. This is absolutely false. The surrounding area is residential, not commercial. It appears that nobody from the city took the time to review the actual current use for the area before preparing this report and including that statement.

Making a radical zoning change such as this in a quaint neighborhood like Las Alturas would be a travesty. There will be no limit to the commercial projects to be built once zoning is changed.

Concerned property owner,  
Marcie McGuinn

----- Forwarded message -----

**From:** McGuinn Family <mmcgufamily@gmail.com>  
**Date:** Fri, Jan 20, 2023 at 8:54 PM  
**Subject:** Las Alturas and Tellbrook zoning change proposal  
**To:** <ybanegas@las-cruces.org>, <kmetzgar@las-cruces.org>, <sreynolds@donaanacounty.org>

Dear Sirs,

Please accept this email as my formal opposition to the change in zoning on the above mentioned location. This is a residential neighborhood and commercial zoning is not welcome for the area.

Marcie McGuinn  
Resident

## Vincent Banegas

---

**From:** Vince Gutschick <vince.gutschick@gmail.com>  
**Sent:** Sunday, January 22, 2023 9:17 PM  
**To:** Vincent Banegas  
**Subject:** Adverse zoning along Las Alturas Dr. at 4003 Tellbrook

Dear Mr. Banegas,

A rezoning proposal just below the Las Alturas area has cropped up again after about a 10-year hiatus. A developer wants to rezone 4003 Tellbrook, in a wholly residential neighborhood, to high-density commercial. This makes no business sense, for one, in that no one shops in the area, but, should it be pushed and actually start businesses, the traffic and noise would be a big problem for area residents.

The parcel seems to be in the city but the county may have a say. A number of us in the area will be attending the preliminary zoning hearing in the City Council Chambers on Tuesday. We'd appreciate your support in listening to our reasons for preventing the rezoning.

Many thanks,  
Vince Gutschick  
4904 Calabazilla Dr. 88011  
(575) 571-2269

--  
Chair of the Board, Las Cruces Academy [lascrucesacademy.org](http://lascrucesacademy.org)  
Prof., Emeritus, Biology, NMSU  
vince.gutschick@gmail.com (575) 571-2269

If Shakespeare had been able to Google.... oh, never mind - Roy Blount, Jr.

Our so-called leaders still think they can bargain with physics and negotiate with the laws of nature – Greta Thunberg,  
*The Climate Book*

Common sense is so rare these days, it should be classified as a super power - T-shirt cited on the Code Project Lounge

What does Mark Zuckerberg do on a webpage where you're supposed to click on "I'm not a robot" - Vince Gutschick

**Vincent Banegas**

---

**From:** Kathy Cooke <consultcooke@hotmail.com>  
**Sent:** Sunday, January 22, 2023 9:17 PM  
**To:** Vincent Banegas; Kyle Metzgar; sreynolds@donaanacounty.org; Tessa Abeyta  
**Subject:** Tellbrook/Las Alturas

Dear Government official,

I have lived in Las Alturas for 20 years, first on Redman Rd and now on Charles Russell. I **STRONGLY OPPOSE** re-zoning the Tellbrook/Las Alturas corner to commercial use for the following reasons.

Such development would greatly change the nature of this neighborhood, not for the better. Residential property here draws upper economic buyers, who would not favor the sight of such development as a gateway to their neighborhood. The taxes paid by such residents should not be jeopardized by an off-putting near-by commercial zone.

The residential development since I have been here has greatly increased noise and traffic, and will continue to do so. This is inevitable, but should not be exacerbated by commercial enterprise.

Delivery trucks would pose a safety hazard in that area.

There is no need at that location for the likely businesses that would be sought. University Ave provides every sort of service and product.

The long-closed gas station on Stern is evidence that this general area will not support such endeavors.

While I support commercial development when it is properly sited and serves a verified need, this proposal does not meet those requirements.

Kathy Cooke  
5587 Charles Russell Rd

## Vincent Banegas

---

**From:** Jackie Hand <memejack46@gmail.com>  
**Sent:** Monday, January 23, 2023 8:24 AM  
**To:** Vincent Banegas; kmetzer@las-cruces.org  
**Subject:** Fwd: Corner of Las Alturas and Tellbrook

----- Forwarded message -----

**From:** Jackie Hand <memejack46@gmail.com>  
**Date:** Sun, Jan 22, 2023 at 11:00 AM  
**Subject:** Corner of Las Alturas and Tellbrook  
**To:** <sreynolds@donnaanacounty.org>  
**Cc:** <vbanegas@lascruces.org>, <kmetzgar@lascruces.org>

Good morning,

On August 7th 1985 we moved from Alabama to Las Cruces at 5333 Derringer Road. One of the draws for buying in this area was the view of the mountains and the surrounding area. As a young couple it was difficult to find affordable housing with interest rates at 12 5/8%.

I have remained in my home, raised two boys, and retired from teaching in 2011 after 26 years teaching Special Education. During this time, I have diligently maintained my home. There has been development around the area especially up Tellbrook and out the Remington area, but this area has remained very stable.

I am asking that you DO NOT vote in favor of the promised development of land on the corner of Las Alturas and Tellbrook. When new families arrive, most comment that the area and surrounding area was one of the reasons for buying here. This High Density Commercial development would not add value to our present location, only providing more traffic and unwanted deterioration of our community. Tell me one area that has been developed that adds to that community.

Thanks for your consideration,

Jackie Hand

## **Vincent Banegas**

---

**From:** Bob and Beth Czerniak <bethpackyourbag.49@gmail.com>  
**Sent:** Monday, January 23, 2023 8:28 AM  
**To:** Vincent Banegas  
**Subject:** Las Alturas zoning change

Please stop the zoning change at Las Alturas. This is a residential area!

Also, not far from here on Stern drive, a commercial area was completed about 15 years ago. Today, you can see the Stern road retail gas station /car wash is empty x 5 years now ending up as a failed attempt at commercial development.

## Vincent Banegas

---

**From:** Kyle Metzgar  
**Sent:** Monday, January 23, 2023 9:24 AM  
**To:** Celina Brusuelas  
**Cc:** Vincent Banegas  
**Subject:** RE: Zone Change

Good morning,

I am forwarding this email to Vincent Banegas, as he is the member of our staff that is assigned to it. If you have any questions or need any clarification he would be the best person to speak with since his knowledge is far greater than mine in respect to that. He is cc on this email as well as direct contact is [VBanegas@las-cruces.org](mailto:VBanegas@las-cruces.org)

Thank you

**Kyle D. Metzgar**  
Planning Technician Sr./Community Development/ Building & Development Services  
Direct: 575-528-3064 Main: 575-528-3043, [kmetzgar@las-cruces.org](mailto:kmetzgar@las-cruces.org)



**From:** [Celina Brusuelas](#)  
**Sent:** Monday, January 23, 2023 9:22 AM  
**To:** [Kyle Metzgar](#)  
**Subject:** Zone Change

Sent from my iPhone

I am opposed to the zoning change submitted for the corner of Tellbrook & Las Alturas. This would negatively impact the residential neighborhood in Las Alturas.  
Please allow only housing in this area.

Celina Brusuelas  
Tamarisk Rd

## Vincent Banegas

---

**From:** Kyle Metzgar  
**Sent:** Monday, January 23, 2023 9:25 AM  
**To:** AOL Mail  
**Cc:** Vincent Banegas  
**Subject:** RE: Zoning at Las Alturas and Tellbrook

Good morning,

I am forwarding this email to Vincent Banegas, as he is the member of our staff that is assigned to it. If you have any questions or need any clarification he would be the best person to speak with since his knowledge is far greater than mine in respect to that. He is cc on this email as well as direct contact is [VBanegas@las-cruces.org](mailto:VBanegas@las-cruces.org)

Thank you

**Kyle D. Metzgar**  
Planning Technician Sr./Community Development/ Building & Development Services  
Direct: 575-528-3064 Main: 575-528-3043, [kmetzgar@las-cruces.org](mailto:kmetzgar@las-cruces.org)



---

**From:** AOL Mail <pennymcandrews@aol.com>  
**Sent:** Sunday, January 22, 2023 9:56:03 AM  
**To:** Kyle Metzgar <kmetzgar@las-cruces.org>  
**Subject:** Zoning at Las Alturas and Tellbrook

Dear Ms. Metzgar:

Please keep the zoning at Las Alturas and Tellbrook as Residential. A change to Commercial zoning would have a negative impact on our lovely neighborhood, increasing traffic and decreasing home values.

Thank you.

Barbara and Robert Kaiser

## Vincent Banegas

---

**From:** Kyle Metzgar  
**Sent:** Monday, January 23, 2023 10:19 AM  
**To:** Bonnie Poulos  
**Cc:** Vincent Banegas; Adam Ochoa; John Castillo  
**Subject:** RE: Information about a rezoning case  
**Attachments:** 4003 Tellbrook Road.pdf

Good morning,

Attached is a copy of the staff report that is given to our Planning and Zoning Commissioners so they have an understanding of the proposed zone change prior to the presentation at the scheduled meeting tomorrow, January 24, 2023

Thank you

**Kyle D. Metzgar**  
Planning Technician Sr./Community Development/ Building & Development Services  
Direct: 575-528-3064 Main: 575-528-3043, [kmetzgar@las-cruces.org](mailto:kmetzgar@las-cruces.org)



**From:** Bonnie Poulos  
**Sent:** Saturday, January 21, 2023 9:50 PM  
**To:** Development Services  
**Subject:** Information about a rezoning case

Hello,

I am researching information for my mother who is a resident of Las Cruces. There is a proposed rezoning going before the Planning and Zoning Commission on Jan 24, 2023. I would like to know how I can obtain the planning report, proposed development plan and other information provided to the commission about this rezoning request. The item is 10.2 on the agenda, 4003 Tellbrook Rd, A2 to C3-C, case # 2270500020.

Thank you for your assistance.

Sincerely,  
Bonnie Poulos

Sent from Mail for Windows

## **Vincent Banegas**

---

**From:** Sheri Margulies-Semel <sherinanda@yahoo.com>  
**Sent:** Monday, January 23, 2023 12:52 PM  
**To:** Vincent Banegas  
**Subject:** Las Alturas Zoning Changes

I do not support the proposed zoning changes on Las Alturas adjacent to Tellbrook from agricultural to commercial. This area is an established residential, one-family home area, and should remain as such. This is not an area where commercial zoning would be appropriate. Single-family homes, larger lots, minimal traffic on our roads are all hallmarks of this area and should remain so. Please support this position when the council takes a vote.

Thank you -  
Sheri Margulies-Semel  
5040 Noche Bella Loop  
Las Cruces, NM 88011

**Vincent Banegas**

---

**From:** Kristen Roybal <kvroybal@gmail.com>  
**Sent:** Monday, January 23, 2023 2:01 PM  
**To:** Vincent Banegas  
**Subject:** Las Alturas/Tellbrook Zoning Change

Good afternoon,

I'm writing you to let you know that I'm high opposed to the Las Alturas/Tellbrook zoning change proposal to high density commercial zoning of the almost 11 acre lot at the corner of Las Alturas and Tellbrook from agricultural to high density commercial zoning.

This zoning change would completely change the area and make room for possible undesirable businesses and cheap apartments. As a resident off of Remington, I do not support this proposed re-zoning!

Kristen Roybal

**Vincent Banegas**

---

**From:** Mary and Len Hampton <mixedcompany.hampton@gmail.com>  
**Sent:** Monday, January 23, 2023 2:05 PM  
**To:** Vincent Banegas  
**Subject:** Las Alturas-Telbrook Rezoning Proposal

My husband and I are solidly against the proposal to re-zone the 11 acre parcel at Las Alturas and Telbrook to high intensity commercial. This property should be zoned agricultural or residential ONLY. This is a well established neighborhood and the quality of resident's lives would be negatively impacted by this zoning change. There is no guarantee that this property couldn't eventually end up being developed into a strip mall, mini-mart or any other type of commercial venture.

Las Alturas Drive is already filled with speedy drivers, especially in early morning and late afternoon hours. Adding more traffic will put residents in harm's way. Putting ANY commercial industry onto this piece of property-that's right in the middle of a family neighborhood-would open the door for more re-zoning and commercial development in the Las Alturas area, which would lead to the degradation of the area's property values and the ability of residents to practice quiet enjoyment of the properties we've worked so hard to own.

Thank you,

Mary and Len Hampton  
4845 Las Alturas Dr, LC, 88011

Sent from my iPhone

## **Vincent Banegas**

---

**From:** Tina Hales <tvsmith@nmsu.edu>  
**Sent:** Monday, January 23, 2023 4:32 PM  
**To:** Vincent Banegas; Kyle Metzgar; sreynolds@donaanacounty.org; Tessa Abeyta  
**Subject:** Las Alturas/Tellbrook Zoning Change Proposal

**Importance:** High

We would like to state our opposition to the proposed change from agriculture to a high intensity commercial zoning for the 11 acre lot at the corner of Las Alturas and Telbrook.

Thank you,

Bret and Tina Hales  
5186 Hunters Chase Rd.  
Las Cruces, NM 88011  
575-650-5063  
575-621-5603

**Vincent Banegas**

---

**From:** 4831 <4831@theisen.lc>  
**Sent:** Monday, January 23, 2023 6:09 PM  
**To:** Vincent Banegas; Kyle Metzgar; sreynolds@donaanacounty.org  
<sreynolds@donaanacounty.org>; Tessa Abeyta  
**Subject:** 4003 Tellbrook Road zone change 24 January 2023

Planning & Zoning Commission case 22ZO0200020

We are neighbors of the parcel, homeowners residing at 4831 Quail Run Avenue.

We take issue with two elements of the Staff recommendation:

- I. "The proposed C-3C district designation is the most appropriate ... "
  - a. What the Wilcoxes propose appears to be "small-scale ... within a neighborhood area" (C-1, Commercial Low Intensity): A layperson's reading of C-1 Allowed Land Uses does not appear to raise impediments to their proposal.
  - b. More to the point, with a C-3C designation, the Wilcoxes' less-thoughtful successors or assigns could undertake "retail, service, and wholesale activities within the City and a regional market" that residential neighbors and anyone who must use Las Alturas Drive would find more nuisance than asset.
- II. "The subject property falls within the Suburban place type." From a short distance east of Las Alturas to Tortugas Mountain, north and south of Tellbrook Road, the properties affected by "a commercial/service node at the intersection of Las Alturas and Tellbrook Road" are or would be zoned R1-c or RE.

We understand that the property must be rezoned and that there is precedent for commercial use of parcels fronting Las Alturas, but we urge the Commission to be more sensitive the character of the impacted neighborhood.

Kathrin J Theisen  
T E Theisen III

## **Vincent Banegas**

---

**From:** barbara gomez <bgomrn@yahoo.com>  
**Sent:** Monday, January 23, 2023 7:33 PM  
**To:** Vincent Banegas  
**Subject:** Zoning change

Good evening Ms. Banegas. We have lived at 5322 Derringer Rd for the past 15 years and want to express our opposition to approval of zoning change from agricultural to high density commercial for the following reasons:

Increased traffic, lights and noise. This neighborhood currently doesn't have street lights so that the natural sky light can be seen. Anything commercial will deter the natural lighting.

Decrease access out of the neighborhood. There is currently one way out of our neighborhood which already slows traffic and an increase in additional traffic would significantly negatively impact residents accessing the city.

Displacement of wildlife. As animal rights activists this is greatly disturbing. With the zoning change to commercial, the disruption to the natural environment will be devastating.

In closing, we do not agree with the proposal of rezoning this land from agricultural to commercial. Thank you for your consideration.

Barbara Gomez and Dana Critchlow

Sent from my iPhone

**Vincent Banegas**

---

**From:** Sanjay Lahiri <sanjaylahiri@gmail.com>  
**Sent:** Monday, January 23, 2023 10:27 PM  
**To:** Vincent Banegas  
**Subject:** rezoning of las Alturas and Telbrook

**Respectfully,**

**I strongly object to the plans to rezone the land at the crossing of Las Alturas and Telbrook. There is NO NEED for commercial development in this peaceful residential area. We have seen plans for Aggie Uptown only 1.5 miles north and the traffic for Burrell has made the roads quite busy. We are close to the strip malls and restaurants on University. More development in this area will increase visual and light pollution. Riding bikes will become even more dangerous.**

**I would be very grateful if you would bring these concerns to the attention of the relevant officials at the Tuesday January 24 meeting.**

**I have lived at 5055 Noche Bella Loop, Las Cruces, NM 88011 since 2011. I pay all required taxes, and do not support or encourage a decision to put in a bunch of commercial establishments in the midst of, and at the entrance of a peaceful residential neighborhood.**

**Thank you for your kind attention.**

**Sincerely,**

**Sanjay Lahiri, MD**  
575 444 9156

--

Sanjay Lahiri, MD  
575 444 9156

## **Vincent Banegas**

---

**From:** Betty Beltran <bettybeltran@comcast.net>  
**Sent:** Tuesday, January 24, 2023 7:53 AM  
**To:** Vincent Banegas  
**Subject:** Re-zoning on Las Alturas

In 1986, we purchased our home on Derringer Road and moved in with our two young daughters. We chose this area because it is a nice, quiet residential area and a great neighborhood to raise our children. We are now retired and enjoy daily walks. We often walk along Las Alturas to the beautiful NMSU campus. Many people in our area walk, ride bikes, and walk their dogs. The night skies are amazing with the stars being clearly visible. We do NOT want the zoning to be changed from residential to high density commercial. We love our quiet neighborhood. Changing the zoning will bring additional traffic and bright lights.....two things we do NOT want.

Please DO NOT change the zoning.....

Betty Beltrán  
5203 Derringer Road

Sent from my iPad

## Vincent Banegas

---

**From:** Sandra Hurley <nmsHurley@gmail.com>  
**Sent:** Tuesday, January 24, 2023 11:44 AM  
**To:** Vincent Banegas; Tessa Abeyta; Kyle Metzgar; sreynolds@donaanacounty.org  
**Subject:** Proposed High Density Commercial Zoning Change

Greetings, this is to register our strong opposition to the proposed change from Agricultural to High Density Commercial Zoning for the 11 acre parcel on the northeast corner of Las Alturas and Tellbrook.

When we moved to Las Cruces few years ago, this was the only neighborhood we considered. Its unique characteristics include that it is totally residential and homes have adequate space around them to allow for quiet and privacy. The proposed zoning change can completely change that, among other things by increasing traffic, noise, and light pollution. We see no compelling benefits to the neighborhood

Once zoned HIGH DENSITY COMMERCIAL, the land can be developed in many different ways far beyond any currently stated plans.

The proposed rezoning action is entirely inconsistent with the nature of the surrounding region, which is entirely residential.

We urge you to vote "no" on the proposed rezoning action.

Sincerely,

Thomas & Sandra Hurley  
4015 Tamarisk Road  
88011

## Vincent Banegas

---

**From:** Vincent Banegas  
**Sent:** Tuesday, January 24, 2023 1:24 PM  
**To:** Vanessa V; James A. Bennett; Enrico Smith; Luis Guerrero; Joaquin Acosta; scott.kaiser.lcpz@gmail.com  
**Cc:** Raylyn Wilcox; Adam Ochoa; John Castillo  
**Subject:** FW: Proposed Las Alturas/Tellbrook zoning change

Here is another one I'm forwarding along.

Vincent M. Banegas  
Interim Planner – CLC Community Development  
vbanegas@las-cruces.org  
(575) 528-3085

Accela Portal Register:  
<https://aca-prod.accela.com/lascruces/Account/RegisterDisclaimer.aspx>

Accela Portal Log-in:  
<https://aca-prod.accela.com/lascruces/Default.aspx>

**From:** Christine Trujillo <christntnm@gmail.com>  
**Sent:** Tuesday, January 24, 2023 1:15 PM  
**To:** Vincent Banegas <vbanegas@las-cruces.org>  
**Subject:** Proposed Las Alturas/Tellbrook zoning change

Good afternoon,

I hope this finds you well. I am emailing to voice my concern and extreme opposition to the proposed change on the land at Las Alturas/Tellbrook location. I recently moved to the Las Alturas South area in January of 2022 from Albuquerque. Part of my move back to Las Cruces was personal family reasons....the other was because directly across from a home I had bought in 2018 was a 4 story, 4 building apartment complex that was about to break ground on a 10 acre piece of land, called the Wintergreen Luxury apartments on the Westside of Albuquerque. This complex is now under construction and is an obtrusive development no matter how you look at it. The neighborhood right next to it will now have people in the apartment complex able to look directly into their backyards and homes. The people of Las Alturas DO NOT want this kind of development, be it an apartment complex or commercial use in our neighborhood, not only from an aesthetic standpoint, but also from an environmental standpoint. We have enough water challenges as it is, we do not need a large 'something' taking up even more of our water resources, as an apartment complex or commercial development would do. I strongly object to this proposed change as I know many others in our area do as well. I will be at the City council meeting tonight to voice my opposition.

Thank you for your time.

Regards,

## Agenda Item #9.1.

Christine Trujillo

## Vincent Banegas

---

**From:** Katherine Harrison Rogers  
**Sent:** Wednesday, January 25, 2023 8:34 AM  
**To:** Adam Ochoa; John Castillo; Vincent Banegas  
**Subject:** FW: Telbrook zoning change

A little late...

Katherine Harrison-Rogers, AICP  
Senior Planner/ Community Development/ Planning  
Direct: 575-528-3049 Main: 575-528-3043, krogers@las-cruces.org

<https://gcc02.safelinks.protection.outlook.com/?url=http%3A%2F%2Fwww.realizelascruces.com%2F&data=05%7C01%7Cvbanegas%40las-cruces.org%7C8b6796f47d204dba9e5b08dafee98a87%7Cdf81c53fa8c04af5a182cf3bce372944%7C0%7C0%7C638102576260414460%7CUnknown%7CTWFpbGZsb3d8eyJWljoImMC4wLjAwMDAiLCJQIjoiV2luMzliLCJBTiI6IjEhaWwiLCJXVCI6Mn0%3D%7C3000%7C%7C%7C&sdata=F2er9mZWKRASIEWr2GNQJUtAuLnah%2BRM8xu6jOWO%2B6Q%3D&reserved=0>

-----Original Message-----

From: Chris Miller <cm289@yahoo.com>  
Sent: Tuesday, January 24, 2023 6:13 PM  
To: Katherine Harrison Rogers <krogers@las-cruces.org>  
Subject: Telbrook zoning change

Good evening ,

I would like to urge you and the commission to deny the requested zone change at 4003 Telbrook. This has been a rural residential area since the 1970s. People, myself included, moved to this area to avoid commercial districts and the associated high-intensity traffic. The owner's of this property knew the zoning when they purchased it. Please don't punish the surrounding neighbors, many who've lived here for decades, to accommodate a single family's commercial venture. Unfortunately I cannot attend tonight's meeting but I wanted to pass along my thoughts on the matter.

Thank you,  
Chris Miller

Sent from my iPhone  
[O|||||O]