

TIDD BOARD AGENDA

Monday, January 23, 2023 at 1:00 PM



City of Las Cruces®

City Council Chambers

Chair
Ken Miyagishima

Vice Chair
Kasandra Gandara

Board Members
Tessa Abeyta
Becki Graham
Johana Bencomo
Becky Corran
Yvonne Flores

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	Page
1. <u>CALL TO ORDER</u>	
2. <u>ACTION ITEMS</u>	
2.1. Approval of Minutes from October 24, 2022 Tax Increment Development District Board Meeting - Oct 24 2022 - Minutes - Pdf	2 - 9
3. <u>DISCUSSION ITEMS</u>	
3.1. Financial Update.	
3.2. Current Projects Update.	
4. <u>ADJOURNMENT</u>	



City of Las Cruces®

MINUTES

Tax Increment Development District Board Meeting

Monday, October 24, 2022 @ 1:00 PM

City Council Chambers, City Hall

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

ABSENT:

1. CALL TO ORDER

2. ACTION ITEMS

2.1 Approval of Minutes from April 25, 2022.

Councilor Tessa Abeyta moved, seconded by Councilor Becky Corran, to Approve the TIDD Board Minutes from April 25, 2022.

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

3. DISCUSSION ITEMS

3.1 Financial Update.

Chris Faivre, Business Development Administrator gave an overhead presentation.

3.2 Current Projects Update.

Chris Faivre continued the overhead presentation.

Board Member Bencomo said the \$8.8 Million that you're estimating is left, that doesn't include the cost for the shade.

Chris Faivre said the shade would come out of that, correct.

Board Member Bencomo said given that there has been an increase and some property damage to the businesses Downtown, I don't know how Anti-Donation

Agenda Item #2.1.

plays within a TIDD, but I am curious about using some of those funds for some sort of private security for the TIDD area.

Chris Faivre said I know there's certain things you can do with the TIDD money, and it's a real fine line, but there's also other issues with the TIDD funds as well. I'd probably have to look into that a little bit more to see if it's more of a general security for Main Street versus security for private business.

Board Member Bencomo said a couple weeks ago at a Regular City Council meeting I mentioned needing more outreach funding to do outreach for unhoused people and it was brought to my attention that that funding for Community of Hope ran out, that we are no longer providing funding for their Community Outreach person. I think the City was doing that and I wonder if the TIDD could cost share the cost of the Community Outreach person with the Housing and Neighborhood Services Department, given that a lot of the outreach would happen in the TIDD area.

Chris Faivre said that's something I need to look into, and I will, and I'll get back to you with an answer on that.

Ifo Pili, City Manager said from my understanding I believe TIDD's are for public infrastructure. I'm not sure if it can be used for anything aside from that but we'll come back with a direct answer.

Board Chair Miyagishima asked are you aware of any monies that the City uses that are General Fund to help with the TIDD or is it strictly 100% TIDD?

Chris Faivre said out of the General Fund the City does fund the Renovate Main Street Program, which is allowable in the TIDD because of the MRA and some of the anti-donation. Because the money has to be used for public infrastructure, we can't use the TIDD funds for Renovate Main Street.

Vice Chair Gandara said at one point in time we had advocated for cameras. When we do deploy that one camera it does make a huge difference; it mitigates the crime. I know at one point we had an analysis done and an idea that we would be looking at cameras down the line in the TIDD District. Can you get an update for us around that particular idea?

Chris Faivre said I'll follow-up and see if there was some sort of feasibility study conducted.

3.3 Plaza Shade Recommendation.

Chris Faivre continued the overhead presentation.

Board Chair Miyagishima said I don't think that I could support replanting the trees. I don't think the shade is going to be what is needed. I think it's just a matter of us figuring out some type of shade structure and be able to remove it and put it back on when we need it.

Agenda Item #2.1.

Board Member Flores said as far as Plaza shade, if I recall, the one that I think Councilors liked was over \$1 Million. I like the idea of having trees out there. What's going to happen to the trees that we already have?

Chris Faivre said I imagine we could probably relocate those to someplace where they have a better chance of growing. The soil conditions there are really challenging for the trees, and we've already lost several trees on the Plaza. That'll continue to be an issue if not addressed independent of which direction you decide to go with the shade structure.

Vice Chair Gandara asked did Staff participate in this conversation aside from you?

Chris Faivre said I was involved, and we talked with the City's Arborist on the tree design, and I've been talking off and on with Public Works Staff about this project since I became involved.

Vice Chair Gandara asked I wonder if a conversation had been had with Lisa LaRocque from the Sustainability Office? I know she's done this wonderful analysis of the temperatures at various times of the year. Some of the hotter areas had been in the Plaza because of all that asphalt. If we haven't had a conversation with her, I think one should be had and maybe pulling that data. I really wanted the other structure and having it be an art installation. I know at the time we were looking at ways that we could reduce the cost so trees seemed like a better idea at the time. I am for the trees if you can get the largest. It'll benefit all of us almost immediately and it will also reduce the temperatures drastically in that area. From reducing our carbon footprint this is something right up our alley.

Chris Faivre said I did have a couple conversations with Lisa regarding this. I think the option that Council liked the most was called the decorative metal, and it was four areas on the Plaza. When I talked with Lisa one of the things that she had been looking at was a type of paint that reduces. We thought we would be able to use it on the Plaza, but it only works on asphalt. One of the concerns going with metal options, now you're creating a heat oven where the metal heats up and it actually increases the temperature, so you're doing the opposite of what you're trying to do.

Board Member Bencomo said the Committee, I'm hoping to understand the enthusiasm behind the recommendation. Were they excited about the tree recommendation? I don't want to move forward if people were like, I guess it's the best option. I think natural shade is incredible; I love this idea. Could we hear from some of the Committee Members?

Russ Smith, Member of the Public said it wasn't a unanimous committee for trees. I was a person who liked a structure simply because I thought it would be predictable. I thought better to have a structure that mitigated sun, afternoon especially when the Plaza's used in the evening predominantly. So, my thought was predictable, structure, something on the sides, something that didn't impose in the center with pillars. That was our Option 2.

Agenda Item #2.1.

Robert Cruise, Member of the Public said as a member of this committee, we were definitely looking at the structural components and what it would take to do that. Any type of structure is somewhat permanent but will wear over time. A shade structure that goes up on the pergolas would have to come down during the winter, so that would take Staff time. I love trees, and after talking with Mr. Zabriskie it just seemed to make more sense for what we're trying to accomplish Downtown. I'm a proponent for the tree option just because it is a green space, and it reduces some of our carbon footprint.

Board Member Bencomo said we're talking about the current Sycamores on the Plaza and that some of them have died, yet there's a Mexican Sycamore option on here. Is it a different species?

Chris Faivre said I don't know the exact species but like Mr. Cruise alluded to, the reasons the trees aren't living is because of the soil issues.

Board Member Bencomo said my last question is around the logistics of bringing in mature trees. Where do the mature trees come from?

Chris Faivre said they would come from places in Texas or Florida or Arizona. One of the issues that Mr. Zabriskie did bring up was a couple years ago when we had that deep freeze in the south, a lot of the tree inventory was affected. One of the upsides of doing this work in early 2024 is it gives more time for that inventory. Those aren't the only places to get trees. That's why I was going to budget a little bit more if we had to go a little further for the trees. We would start the procurement process and keep that to a point where we don't have to make final decisions until we see all the options.

Board Member Abeyta asked with the mature trees, are we at risk for any sort of damage to the concrete as they grow? Or because they're mature we don't expect that?

Chris Faivre said that would be something that the Forester would have to monitor over time and hopefully that's something they'd take into consideration, that we don't cause damage down the road with these trees.

Board Member Corran said I support the tree option, but I really hope we can make sure that they have the best conditions to succeed. I would like this to be at least a medium-term solution that can last for a fair amount of time. I hope that we don't value engineer the room for the roots to grow out of that process.

Board Chair Miyagishima asked is there any kind of guarantee on those trees?

Chris Faivre said I would assume that there's some probably some type of warranty when you buy trees of that size and that cost from professional tree farms. That would definitely be something we would be looking at during the procurement process.

Shannon Reynolds, Ex Officio Member asked do you have an idea what the canopy height will be?

Agenda Item #2.1.

Chris Faivre said I don't, depending on which varietals we end up going with. I imagine that could be something that the Arborist could figure out.

Shannon Reynolds said I'm looking at the canopy underneath, because if we go to larger trees, then that's going to consume more of the useful area along the sides of the Plaza. So, if we have trees that are going to have a canopy height of roughly 8 to 10 feet, then we could still put some of those tents underneath and still make them useful. The other requirement for that, though is to have good grate safety underneath the trees and around the trees so we can make that a useful area. I'm in favor of the trees, but I want to make sure we that don't consume the space that's usable along the side to make it passable and safe for people to walk under the trees.

Chris Faivre said the recommendation from the Forester would be that if you're looking on the map where the existing trees are now, instead of it being individual tree wells with the grates over it would be one long, rectangular tree well with trees and bushes planted in to protect the trees and give them the best chance of survival. The Forester was recommending that we put a fence around it to keep people and animals from going in there. However, the amount of extra space that it will take up won't drastically reduce the useability of the space on the Plaza. One of the concerns with some of the permanent structures was that it would have a negative impact on some of the events there. The idea with going with the trees was to minimize the impact that any shade structure would have on events on the Plaza, so we would be keeping that in mind as we designed the footprint of the new trees.

Board Member Graham said I'm looking at page 4 of 5. It says, "the shade panels are designed to be decorative and removable." Easily removable if we're talking about part of the issue with the shade structure is it'll make it too cold in winter, we could just pop the panels out if we needed to?

Chris Faivre said the idea is at the top, those would be that canvas material like you see over La Placita and what we'll be using in the callecitas. How easily removable? I'm not sure until we get it designed, but the idea would be that they would only be up in during the months that we're really needing it to reduce the amount of sun exposure and try to prolong the life of them. We would take them down and put them up as needed.

Board Member Graham said I am not anti-tree because I am pro shade structure. I love them so much that I don't want to see them die if we errantly place them in an environment where they will not thrive. So, for the sake of predictability and also thinking towards maintenance costs, I'm on the side of the shade structure at the moment.

Vice Chair Gandara said if we move into utilizing the trees, you're going to have to do all this remediation with the soil. Once those trees are mature, how likely will we have cracks in our infrastructure? That's what was concerning our Arborist from the beginning.

Agenda Item #2.1.

Chris Faivre said the answer is I don't know. Based on my conversations with the Forester, those are things that he was taking into account when he was making this recommendation.

Vice Chair Gandara said I would really like to have more information from the Arborist, from Lisa, the canopy, how much square footage will it cover. I think those are all really important. Maybe an Option 3 is one side with trees and the other side with the shade structure and then we have the best of both worlds.

Board Member Flores said we're looking at how deep the roots will go, and we want trees that are deep-rooted, not spread out. And then we need to look at how tall the trees will grow and then what the spread will be, because I'm thinking of a combined shade structure not on the sides but down the middle, maybe just as wide as the stage is. Can those options be looked at?

Chris Faivre said one of our parameters was not to impact the middle of the Plaza.

David Sedillo, Public Works Director said there was a recommendation to stay out of the middle and I believe that came from both Public Works and Parks and Rec. There are certain Holiday events like the tree lighting Downtown, visibility of the stage. From Public Works' standpoint, there's quite a bit of infrastructure underground running through there that would have to be rerouted. That would add quite a bit of money to the shade structure at that point. It can be done; it just would be more expensive. A large portion of it is the electrical system that runs from the power and the transformers that are there that run to other amenities along the Plaza. That would be the major undertaking, to reroute a lot of that infrastructure. We could design around that but there are factors that Parks and Rec have. We can look at any options that we have and come up with some costs.

Board Member Flores asked Mayor Pro Tem had a similar question in terms of combining; can that be done since we aren't going to make a decision today?

Chris Faivre said certainly, we can circle back with the committee, with Public Works and Parks and Rec and see what's an option. One of the reasons I had three event planners of larger events on the committee was doing things to the middle of the Plaza that's now going to limit what event planners can do and it's already a pretty limited space. We can certainly look at anything.

Board Member Bencomo said in terms of Option 1 with the trees, you do say on here that this option would serve to correct soil issues impacting the current trees on the Plaza. The cost analysis, does that include that soil correction? It does? There's already a plan laid out for what that soil correction needs to be? The Forester knows already?

Chris Faivre said part of the cost estimate the Forester provided which is what I based those number on would be to go in and do all the electrical work, the soil work, all that stuff that needs to be done. Those have been factored in.

Agenda Item #2.1.

Board Chair Miyagishima said I wanted to use this pointer. Let's say we had a hole right here to hold some large poles one here, one here, one here, here and one in the middle. That would be a shade structure that we would provide just for this area here. I'm not talking the whole thing, just something that when there are some events, and then they'd just be removed and little caps to cover the holes so nobody trips. Has that even been discussed?

Chris Faivre said there are anchor points already in the Plaza. When we did our Job Fair in the Plaza we brought in that large tent, and they had the big cinder blocks that they had to weigh it down with, but they tied them into the anchor points that are in the Plaza. So, it already contains those types of things for tenting. If this is really just a conversation about temporary tenting, we could certainly look at purchasing something that could go that route if that's what the Board is looking at doing.

Board Member Abeyta said I'm also in favor of the tree option and the recommendations from the Committee. With regard to having this temporary option, I think that would be an additional added benefit. I'm ready to say yes to the trees today but then looking later on at Mayor's suggestion.

Chris Faivre said we could certainly look at a more permanent temporary solution from a tent that's larger in size that could be taken down during the fall and winter and spring and left up during the hottest months. We could look at doing that.

Russ Smith said to Board Member Reynolds, your idea that it would be intrusive perhaps for the tree leaves and overhang to be restricting space on the Plaza, I think that would be the case. It would reduce utility of area on the Plaza and the footprint underneath there would be limited, so there's some disruption. I'm here to reinforce the Mayor's idea of a tent that can come up and go down. There is structure already in place that would support that tent. It's a great idea and that tent size would apply itself to many points of use by the Public.

Shannon Reynolds said I wanted to check on the timeline. Did I hear that if we made a decision today this work could start in January or is it going to be a year from today?

Board Chair Miyagishima said normally if there's consensus, we move forward with what the majority wants to do and then they bring it back another time for a vote.

Shannon Reynolds said I do love the idea of a tent that's big enough to cover most of the Plaza or maybe two. Even in the winter when it gets cold you might want to put small standing heater things under a tent which would keep people warm as well. So, there's multiple uses for that.

David Sedillo said I did want to make one last note that there have been different options discussed here today. It looks like any of those would be feasible but just want to remind the Board that with any of these options as we look, there could be other infrastructure that is impacted. So, although there are different options, there still might be additional infrastructure impacts that could either prolong the project or increase those costs.

Board Member Flores asked procedurally where are we?

Board Chair Miyagishima said we're not voting. It sounds like if we could have Staff bring back two things: some type of a cover that can accommodate the weight and size that those anchors can hold, in addition to the trees that will be along the various sides of the Plaza. That way there if we were to move in that direction, we would have shade for next summer and then in the meantime we'd be able to plant trees.

Board Member Flores asked what about the Arborist? We really should hear from him.

Chris Faivre said what it sounds like we're looking at is replacing the trees but not necessarily as the only source of shade. So maybe that changes the type of trees that we would need to put in there. I can get back with the Forester. Maybe work up a plan based on that concept. The next TIDD Board Meeting is in January, and in the meantime, we can do some research on some tenting that we could make available as early as next summer to be out on the Plaza. So, we could come back with a modified tree recommendation and the shade tent recommendation as well and that would still give us enough time to budget for it and be ready for the summer. Does that sound like a good plan?

Board Chair Miyagishima said I saw at least four heads nodding yes, so I think we're good on that.

4. ADJOURNMENT

4.1 Councilor Johana Bencomo moved, seconded by Councilor Yvonne Flores, to Adjourn at 2:14 p.m.

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