

# **Direction Regarding Draft Outdoor Lighting Ordinance**



## City of Las Cruces

### Community Development Interoffice Memorandum

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TO: Mayor and City Council

THROUGH:  David Weir, Community Development Director  
Terrence Moore, City Manager

FROM: Robert Kyle, Building Official 

DATE: June 3, 2010

SUBJECT: Outdoor Lighting Ordinance

M-10-121

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Attached for your review please find a draft copy of revisions to the Las Cruces Outdoor Lighting Ordinance (Chapter 39, LCMC). At the direction of City Administration, Staff undertook a comprehensive review and revision of the existing Ordinance in the spring and summer of 2009 to address issues within the Ordinance related to new technologies, i.e. LED lighting, the current format of the Ordinance and the upcoming August 2010 compliance deadline.

The goal of Staff was to prepare an Ordinance that the city could easily administer and enforce and which would address the issues being raised by the business community, outdoor lighting control advocates, design professionals, as well as Staff. The draft Ordinance tries to represent a compromise of the various interests while providing tangible results in controlling outdoor lighting.

Highlights of the changes are:

- Moving from the phrase 'full cutoff' to 'fully shielded'.
  - The concept is easier to work with.
  - Allows for more latitude in architectural design.
- Changing the loss of 'Grandfather' status.
  - Removing the outdated dollar amount and instead tying the requirement to bring lighting into compliance with on-going remodel/alteration projects.
- Including electronic (LED) billboards and signs (currently not addressed in the ordinance).
  - Limiting the light output of electronic billboards and signs.
- Allowing very limited amounts of unshielded lighting for;
  - Architectural lighting,
  - Neon lighting,
  - Multi-family lighting,
  - Residential lighting.

- Reducing the amount of shielded light output from 70 lumens per square foot to 50 lumens per square foot [similar to how bright it is under the more moderately lit gas station canopies and still well above the Illuminating Engineering Society of North America (IESNA) recommendation].
- Allowing unshielded lighting for United States and State of New Mexico flags.

Some additional issues for consideration by Council:

- Light trespass.
- Establishing a lumens per acre cap which will allow more light for larger properties.
- Recommendations for maximum to minimum lighting ratios
- Establishing zones with gradient amounts of allowable lumens. The 2009 International Energy Conservation Code will establish zones to establish a maximum amount of energy allowed to be used for outdoor lighting.
- Establishing a Community Responsive Design

A public input meeting was held on July 29, 2009 to gather input on the proposed draft. There were 33 attendees, excluding Staff, at the meeting of which 18 provided comments (see attached minutes). In general, the group was split between those who felt the existing Ordinance was sufficient and didn't need to be changed, those who thought the revisions were a good start but would like more done to regulate outdoor lighting, and those who wanted the changes to be fair and specific enough to facilitate good design. In addition to the public hearing, Staff received comments from the public at large and those comments are also included.

Following the public hearing Staff was of the opinion that the positions of the vocal stakeholders were known and now specific direction from the City Council as to how to proceed with the ordinance was needed. Due to numerous scheduling issues and priorities the matter was not visited by the City Council until February 22, 2010. At that meeting, Staff provided the Council with a review of the timeline and general issues related to the Ordinance and sought direction. However, the matter was left open pending a future work session. As such, Staff would appreciate obtaining direction from City Council.

Options that the Council could consider are:

1. Finalize this draft and go forward to First Reading.
2. Turn the project/revision over to an ad-hoc committee, similar to the one established by City Council May 18, 1998 when the existing Ordinance was originally drafted.
3. Seek more stakeholder input.
4. Do nothing; keeping the existing ordinance.

Attachments:

1. Draft Ordinance
2. Minutes from July 29, 2009 Public Input Meeting
3. Letter from Karen Wooton, Esq., representing Pic Quik and petition from Pic Quik customers.
4. Various public comments received via letters and e-mails.

**Chapter 39**  
Draft 5-27-09  
**OUTDOOR LIGHTING**

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**Article I. General**

- Sec. 39-1. Title.**
- Sec. 39-2. Purpose.**
- Sec. 39-3. Applicability.**
- Sec. 39-4. Severability.**
- Sec. 39-5. Minimum Requirements.**
- Sec. 39-6. Conflict.**
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- Sec. 39-22. Reduced Lighting Levels.**
- Sec. 39-23. Architectural Illumination.**
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- Sec. 39-25. LED Billboards and Signs/Electronic Variable Message Display.**
- Sec. 39-26. Multi-Family Installations.**
- Sec. 39-27. Residential Installations.**
- Sec. 39-28. Non-Permitted Lighting.**
- Sec. 39-29. Exemptions and Exceptions.**
- Sec. 39-30. Grandfathering.**
- Sec. 39-31. Variance Procedure.**
- Sec. 39-32. Enforcement.**
- Sec. 39-33 through 39-40 are reserved.**

**ARTICLE I.**

**IN GENERAL**

**Sec. 39-1. Title.**

This article shall be entitled the "Outdoor Lighting Ordinance" of the City of Las Cruces, NM.

**Sec. 39-2. Purpose.**

The intent of this Code is to encourage the most appropriate use of outdoor lighting and to promote the health, safety, and general welfare of the community for the purpose of improving each citizen's quality of life.

**Sec. 39-3. Applicability**

This chapter shall apply to all outdoor lighting, as that term is defined in section 39-8, within the city limits.

**Sec. 39-4. Severability**

If any article, section, paragraph, sentence, phrase or part of this chapter is declared unconstitutional or otherwise invalid, the remaining portions shall not be affected.

**Sec. 39-5. Minimum requirements**

The provisions of this article shall be considered to be the minimum requirements to meet the purpose expressed in section 39-2 of the article; nothing herein prohibits the Building Official or his designee from imposing greater requirements to ensure the promotion of health, safety and welfare of the citizens of the city.

**Sec. 39-6. Conflict.**

- A. Local conflict. Where the provisions of any local ordinance or regulation impose greater restrictions than those of this article, the provisions of such document shall prevail.
- B. Federal and state conflict. Any provisions of U.S. or state law that impose a greater duty, standard or requirement than those contained herein shall supersede the provisions of this article.
- C. Conflict within this article. When two or more provisions of this article are in conflict, the most restrictive provision shall apply.

**Sec. 39-7. Interpretation of meaning.**

The Building Official or designee shall interpret the meaning of the provisions of this article. Disagreement with an interpretation may be appealed to the Planning and Zoning Commission. The appeal must be made in writing within thirty calendar days of the aggrieved action. The decision of the Planning and Zoning Commission may be appealed to the City Council.

**Sec. 39-8. Definitions.**

This article contains only those definitions essential to the proper application of this ordinance. It is not intended to include commonly defined general terms or commonly defined technical terms from related codes and standards.

[Commonly defined general terms include those terms defined in general English language dictionaries and terms that are not used in a unique or restricted manner in this ordinance.]

As used in this chapter, the following words and phrases shall have the meanings ascribed to them in this section:

*Commercial* means all outdoor lighting installations that are not residential or multi-family.

*Electronic Variable Message Display* means any sign capable of displaying words, symbols, figures, or images that can be electronically changed by remote or automatic means. Such signs may include the following modes of operations:

1. Static. Signs which include no animation or effects simulating animation.
2. Travel. Signs where the message is changed by the apparent horizontal movement of the letters or graphic elements of the message.
3. Scrolling. Signs where the message is changed by the apparent vertical movement of the letters or graphic elements of the message.

*Flood Lamp* means a specific form of lamp designed to direct its output in a specific direction (a beam) with a reflector formed from the glass envelope of the lamp itself, and with a diffusing glass envelope. Such lamps are so designated by the manufacturers and are typically used in residential outdoor area lighting.

*Fluorescent Lamp* means a lamp which use fluorescence of a phosphor to produce visible light.

*Fully Shielded means;*

1. A luminaire that is certified by the manufacturer as “full cut off” [as defined by IESNA (Illuminating Engineering Society of North America)] and supported by a photometric test report from a third party testing agency and installed according to the manufacturers instructions.
2. A luminaire constructed in such a manner that all light emitted by the luminaire, either directly from the lamp or a diffusing element, or indirectly by reflection or refraction from any part of the luminaire, is projected below the horizontal. This can be determined by:
  - a. Certification by the manufacturer, or
  - b. A photometric test by a design professional.
 Any structural part of the luminaire providing this shielding must be permanently affixed.
3. A luminaire that is shielded by building canopies, overhangs, roof eaves, and similar types of construction which prevents direct or reflected emission of light above the horizontal. This can be determined by:
  - a. Drawing lines from the bottom of the luminaire to the bottom of the canopy or structure. The resulting lines shall all be at an angle downward from horizontal when seen in elevation view or,
  - b. A photometric test by a design professional.

*High intensity discharge (HID) Lamp* means a lamp that produces visible light directly by the electrical heating or excitation of a gas. Examples of such lighting include, but are not limited to: metal halide, high pressure sodium, and low pressure sodium. For purposes of this chapter, fluorescent lights are not considered HID lighting.

*Illuminance* means the density of luminous flux incident upon a surface. Illuminance is measured in footcandles (lumens/square foot) or lux (lumens/square meter). One footcandle equals 10.76 lux.

*Incandescent lamp* means a lamp which produces light via an electrically heated metallic filament.

*Initial Lumens* means a lamps light output, in lumens, at initial installation. The manufacturer usually lists initial lumens. For example, a 100-watt incandescent lamp emits approximately 1800 lumens.

*Light emitting diode (LED)* means a semiconductor device that emits light when an electrical current is passed through it.

*Light Pollution* means any adverse effect of manmade light.

*Light Trespass* means light falling where it is not wanted or needed, typically across property boundaries.

*Lot* means a portion of a subdivision or other parcel of land intended for the purpose, whether immediate or future, for development. It also is a tract of land described by metes and bounds and as shown on the records in the county assessor's office.

*Lumen* means a unit measurement of the rate at which a lamp produces light. A lamp's lumen output rating expresses the total amount of light the lamp emits in all directions per unit time.

*Luminaire* means a complete lighting unit consisting of a lamp or lamps and the parts designed to distribute the light, to position and protect the lamp(s), and to connect the lamp(s) to the power supply. (Also referred to as a fixture.)

*Multi-family means* any residential use not meeting the definition of *Residential*.

*Outdoor Luminaire* means any lighting device located exterior to a structure or that illuminates areas exterior to a structure, whether permanently or temporarily installed. This includes, but is not limited to:

- search light
- spotlight
- flood light
- security lighting
- sign and architectural lighting
- lighting for parks, parking lots, roadways
- athletic facility lighting
- building overhang and open canopy lighting
- product display area lighting
- landscape lighting
- signs or billboards whether on-premise or off-premise, including LED, plasma and similar light sources

*Residential* means a one or two family dwelling on a single lot.

*Spot Lamp* means a specific form of lamp designed to direct its output in a specific direction (a beam) with a reflector formed from the glass envelope of the lamp itself, and with a clear or nearly clear glass envelope. Such lamps are so designated by the manufacturers, and typically used in residential outdoor area lighting.

*Total Initial Lumens* means the sum of the individual initial lumens output for all the luminaires of an installation. For example, six luminaires with 10,000 initial lumens output per luminaire would equal 60,000 total initial lumens.

*Total Initial Lumens per Luminaire* means the total light output of each luminaire. This is based on the largest lamp(s) that the luminaire is rated to accommodate. Measurement of total luminaire output is expressed in

lumens. This is the initial lumen value for the lamp(s) as stated by the manufacturer. (For example: a 100-watt incandescent lamp produces about 1800 lumens, a luminaire with one lamp socket rated at 100 watts maximum results in a total luminaire output of 1800 lumens, two lamp holders rated at 100 watts maximum each would result in a total luminaire output of 3600 lumens.)

*Unshielded Luminaire* means a luminaire that does not meet the definition of “fully shielded”.

### **Sec. 39-9. Plan Submittals**

Plan submittals for projects involving outdoor lighting except for one and two family dwellings on a single lot, shall contain all the information required by the City of Las Cruces Building Code (Chapter 30, Las Cruces Municipal Code).

- A. In addition, evidence of compliance with the requirements of this Ordinance shall be provided by including an Outdoor Lighting Plan consisting of the following:
  1. Plans indicating the location, type, and height of luminaries including both building and ground-mounted luminaires, and demonstrating compliance with Table 39-31 for new and existing outdoor lighting.
  2. Total unshielded lumens as allowed by 39-23 (Architectural Illumination).
  3. Total unshielded lumens as allowed by 39-24 (Neon and Similar Installations).
  4. Additional information may be required by the Community Development Department in order to determine compliance with this Ordinance.
- B. A description of luminaires, sufficient to demonstrate compliance with this ordinance, including lamps, poles or other supports and shielding devices, provided as catalogue illustrations from the manufacturer, and photometric data, such as that furnished by the manufacturer, showing the downward angle of light emission shall be available on the jobsite with the approved set of plans.
- C. In addition to the information required in A. and B. and to help assure compliance with this Ordinance the following Certification shall be executed on submittals to the Community Development Department for all commercial and multi-family projects:

Date \_\_\_\_\_ I, \_\_\_\_\_, a Registered Professional Engineer, Architect or Licensed Contractor, license number \_\_\_\_\_, under the Laws of The State of New Mexico, hereby certify that the Outdoor Lighting Plan on this drawing was prepared under my direction and conforms to the City of Las Cruces Outdoor Lighting Ordinance and is true and correct to the best of my knowledge and belief.

\_\_\_\_\_  
Signed by the appropriate design professional.

### **Sec. 39-10. Measurement**

Unless otherwise stated, all illuminance measurements for the purpose of this ordinance shall be made at ground level with the meter oriented horizontally.

### **Secs. 39-11 – 39-20. Reserved**

## **ARTICLE II.**

### **PROVISIONS**

#### **Sec. 39-21. General Provisions**

- A. All luminaires shall be fully shielded unless otherwise allowed in this ordinance.
- B. Outdoor Lighting shall not adversely affect the safe vision of pedestrians, cyclists, or vehicle operators on public or private streets, driveways, or parking areas.
- C. Outdoor Lighting shall be installed and maintained to provide effective shielding.
- D. Outdoor Lighting shall be located aimed and/or shielded to minimize light trespass.
- E. Outdoor Lighting shall provide adequate lighting levels for security (if provided or applicable).
- F. Outdoor Lighting shall minimize or eliminate upward lighting and light pollution.

#### **Sec. 39-22. Reduced Lighting Levels**

- A. Billboard/sign/architectural lighting shall be turned off at 11:00 pm or close of business whichever is later
- B. Area lighting shall be turned off at 11:00pm or close of business whichever is later except that security lighting may remain on provided it is no more than one-third normal lighting levels.

#### **Sec. 39-23. Architectural Illumination**

Up lighting for architectural illumination shall be permitted for commercial installations provided that the total initial lumens are less than 5,400 initial lumens per lot. Moreover, no illumination may project beyond the highest point of the structure.

#### **Sec. 39-24. Neon and similar installations.**

This shall apply to neon and other light sources performing a similar function.

- 1. LED or other similar light sources shall have semi-opaque or frosted shielding to reduce glare.
- 2. The total amount of unshielded lumens from this type of light source shall be limited to xxxxxxxx 20,000 lumens per lot.
- 3. This type of outdoor lighting installation shall be allowed on a commercial installation only.

#### **Sec. 39-25. LED Billboards and Signs/ Electronic Variable Message Display**

Electronic variable message display signs shall be equipped with automatic dimming capability, and light produced by such signs shall not exceed 0.3 foot candles over ambient light levels. The ambient light reading is taken at least 30 minutes past sunset with the sign turned off or displaying all black copy. The fully lit reading is taken with the sign displaying all white copy. Measurement of light levels should be taken perpendicular to the face of the sign, and the following distances should be used as guidelines to determine where to take measurements:

- 1. 100 square foot or smaller sign to be measured 100 feet from source
- 2. Greater than 100 to 350 square foot sign to be measured 150 feet from source
- 3. Greater than 350 to 650 square foot sign to be measured 200 feet from source

- 4. Greater than 650 to 700 square foot sign to be measured 250 feet from source

**Sec. 39-26. Multi-family Installations**

Unshielded luminaires may be installed for each dwelling on a multi-family dwelling lot, provided that the total initial lumens per luminaire does not exceed 800 lumens each and that the total initial lumens of all the unshielded luminaires per dwelling unit does not exceed 1600 lumens. All other outdoor lighting such as, common area, security lighting, etc., shall be fully shielded.

**Sec. 39-27. Residential Installations .**

- 1. Luminaires of 900 total initial lumens and over shall be fully shielded.
- 2. Luminaires above the eave or parapet, or attached to buildings or poles separate from the residence shall be fully shielded.
- 3. Luminaires attached to residential buildings and located below the eave or parapet and less than 900 total initial lumens are not required to be shielded, however, each lot shall have an allowance of 5000 initial lamp lumens from unshielded luminaires..
- 4. All spot or flood lights shall be fully shielded to prevent glare and light trespass beyond the property boundary, and the lamps shall be aimed at least forty five (45) degrees below horizontal.
- 5. Security lights installed at a one or two family dwelling lot shall not be required to be fully shielded and shall not count against the unshielded lumen allowance if they comply with all of the following:
  - a. one or two flood lamps or spot lamps of less than 2800 lumens each
  - b. lamps are aimed at least forty five (45) degrees below horizontal when the source is visible from any adjacent property
  - c. are controlled by a motion-sensor switch
  - d. do not remain on longer than 10 to 12 minutes after activation

This section may be enforced on the basis of a formal complaint filed in writing with the Codes Department.

**Sec. 39-28. Non-permitted lighting.**

- A. Lighting which produces illumination in excess of fifty (50) foot candles of illuminance.
- B. Lighting which adversely affects the safe vision of pedestrians, cyclists, or vehicle operators on public or private streets, driveways, or parking areas.
- C. Lighting which mimics or interferes with the effectiveness of any official sign, signal, or device.
- D. Building/structure attached lighting that exceeds the total initial lumens per luminaire and mounting height as shown in Table 39-21.

Table 39-31

| Mounting Height                            | ground-mounted to 8 feet | 8-12 feet    | 12-16 feet    | 16 feet and higher |
|--|--------------------------|--------------|---------------|--------------------|
| Maximum Total Initial Lumens per Luminaire | 4,000 lumens             | 6,300 lumens | 10,500 lumens | 16,000 lumens      |

**Sec. 39-29. Exemptions and exceptions.**

- A. Temporary electric power and lighting installations shall be permitted for a period not to exceed 90 days for holiday decorative lighting and similar purposes. However they shall comply with 39-21.
- B. Specialized lighting necessary for safety, such as navigational or runway lighting of airports, or temporary lighting associated with emergency operations, road hazard warnings, etc. Lighting for temporary construction shall comply with OSHA requirements and recommendations.
- C. Lighting of sports facilities or stadiums prior to 11:00 p.m. Illumination after 11:00 p.m. is also permitted if it is necessary in order to conclude a recreational, sporting, or other scheduled activity which has been in progress prior to that time.
- D. Internally illuminated signs. Internally illuminated signs must be constructed so that the top of the sign is constructed of metal or of other suitable material that does not allow light penetration vertically, so as to ensure that light is not emitted directly towards the sky.
- E. Other special situations approved by the Building Official for temporary or periodic events (e.g. fairs, fiestas, carnivals, night time construction). Illumination for special events or situations shall comply with 39-21.
- F. Neon is exempt when used for sign lighting only.
- G. United States and State of New Mexico flags are exempt from the provisions of this Ordinance except as noted in Sec. 39-21 regarding safe vision and shielding. Narrow beam spotlights mounted above eye level are suggested. All other outdoor lighted flags, such as, but not limited to, decorative and commercial flags shall conform to the provisions of this Ordinance.

**Sec. 39-30. Grandfathering.**

- A. Legally installed luminaires existing as of the date of this ordinance are exempt from the provisions of this ordinance except that replacement fixtures must be fully compliant.
- B. Legally installed luminaires existing as of the date of this ordinance with swiveled mounting hardware shall be adjusted within ninety (90) days of the adoption date of this ordinance to comply as closely as possible with the provisions of this ordinance.
- C. A lot with a single tenant or use shall come into compliance with the provisions of this ordinance when any of the following occur:
  - Ceases operations or is unoccupied for more than (12) months, or
  - Where work is done that meets the definition of level 2 or level 3 as defined in the International Existing Building Code (IEBC), as adopted by the City of Las Cruces, or
  - Addition, or
  - Relocated building, or
  - Change of occupancy (as defined in the IEBC), or
  - Where 25% or more of the existing outdoor lighting is added, modified, or replaced.
- D. A single tenant or user of a lot that contains two or more tenant spaces or uses shall come into compliance with the provisions of this ordinance for that tenant space when any of the following occur:
  - Ceases operations or is unoccupied for more than (12) months, or
  - Where work is done that meets the definition of level 2 or level 3 (as defined in the IEBC), or

- Addition, or
- Relocated building, or
- Change of occupancy (as defined in the IEBC), or
- Where 25% or more of the existing outdoor lighting is added, modified, or replaced.

- E. A lot that contains two or more tenant spaces or uses shall come into compliance with the provisions of this ordinance when any of the following occur whether single or cumulative:
- An addition or modification (work meeting definition of level 2 or level 3 as defined in the IEBC), or change of occupancy to 25% or more gross floor area or
  - Where 25% or more of the existing outdoor lighting is added, modified, or replaced.

### **Sec. 39-31. Variance Procedure**

Variations defined as other exemptions from the requirement of this chapter, shall not be permitted unless specifically authorized by the planning and zoning commission, subject to appeal to the city council in accordance with section 38-10 of the Las Cruces Municipal Code.

Procedural requirements for variance requests shall be in compliance with section 38-10 (I), variations of the Las Cruces Municipal Code.

### **Sec. 39-32. Enforcement**

This Ordinance shall be enforced when a Codes Enforcement Officer determines a violation has occurred or when any citizen complains in writing to the Codes Enforcement Department and the complaint is determined to be legitimate within the spirit of this Ordinance. The Codes Enforcement Officer will contact the owner, tenant, agent, or person in charge of any premises or any other person who violates any of the provisions of this Ordinance.

A. For the first offense, the offender may be issued a warning with 30 days to correct the offense.

#### **B. Penalties for Commercial and Multi-Family Residential Lighting Violations**

1. Any further violations of the provisions of this Ordinance shall constitute a petty misdemeanor, and upon conviction thereof, shall be punishable by a fine not to exceed one hundred dollars (\$100.00) for the first violation; three hundred dollars (\$300.00) for the second violation; and five hundred dollars (\$500.00) for the third violation.

#### **C. Penalties for Residential Violations**

1. Any further violations of the provisions of this Ordinance shall constitute a petty misdemeanor, and upon conviction thereof, shall be punishable by a fine not to exceed twenty-five dollars (\$25.00) for the first violation; seventy-five dollars (\$75.00) for the second violation; and one hundred twenty-five dollars (\$125.00) for the third violation.

D. Unless otherwise specified, each day that a prohibited condition exists shall constitute a separate offense.

**Secs. 39-33 through 39-40 are reserved**

1 **Outdoor Lighting Ordinance Update Meeting**  
2 **City Council Chambers, 200 S Church St., Las Cruces. NM 88001**  
3 **July 29, 2009 at 5:00 pm**  
4

5 Councillor Sharon Thomas, CLC  
6 Councillor Dolores Connor, CLC  
7 Councillor Dolores Archuleta, CLC  
8 Robert Garza, Asst. City Manager, CLC  
9 Robert Kyle, Building Official, CLC  
10 Barry Cole, Electrical Inspector, CLC

11  
12 5:02 pm  
13

14 Kyle: Good evening, ladies and gentlemen. As it is just now just past five o'clock  
15 I'd like to go ahead and get started if we may. Welcome to the public input  
16 meeting regarding the proposed revisions to the City's Outdoor Lighting  
17 Ordinance. My name is Robert Kyle. I'm the Building Official with the City  
18 of Las Cruces. I'd also like to introduce Barry Cole. He's an Electrical  
19 Inspector with the City of Las Cruces. And also with us is City Councillor  
20 Sharon Thomas and City Councillor Dolores Archuleta.

21 The purpose of tonight's meeting is to solicit public comment on a  
22 proposed draft of the Outdoor Lighting Ordinance that has been out for  
23 review now for just over a month. We are not prepared tonight to debate  
24 the Ordinance, to debate any specific provisions of the Ordinance. We  
25 simply wish to collect as broad a spectrum of public comment as we can  
26 related to the revisions. I'd also like to introduce Councillor Connor, who  
27 just walked in. As such, I'd ask you to limit your discussion to that, to  
28 comments related to the Ordinance.

29 After this evening and we've received a significant amount of  
30 comment via e-mail, letters, etcetera, we will review those comments, any  
31 public input we have and all that will be forwarded to the City Council in a  
32 work session setting. Tentatively that is scheduled for some time in  
33 September. I don't think we have a specific date yet. So for this evening,  
34 again; public input, we have a brief presentation on some of the major  
35 provisions, I guess, of the Ordinance and the changes that Barry will go  
36 through for you then we will open it up to your comment and we certainly  
37 welcome any and all. We want to solicit, again, as broad a spectrum of  
38 comment and viewpoints on this Ordinance. So with that that, I'll turn it  
39 over to Barry Cole and, again, thank you for your attendance.  
40

41 Cole: Well, it's good to see all of you here this evening. Again, to reiterate what  
42 Mr. Kyle said, we will take your comments this evening, we will take all of  
43 those forward. We've already received some excellent comments based  
44 on the proposal that we've put forth and some of them look like they really  
45 need to be incorporated into what our proposal is. But, nevertheless, we'll

1 take all of them forward and bring them to that City Council work session.  
2 They then will give us direction on which way to go.

3 What brings us to this point: it's estimated that there are about  
4 17,400 gigawatt hours per year of electricity wasted in lighting that goes  
5 up, that doesn't do anything. It's not directed at anything. It's not on a  
6 building. It's not lighting a parking lot. It's just outside lighting that goes up.  
7 Now if you assigned a value of ten cents per kilowatt hour then you can do  
8 the math and it's a little over a billion dollars of electricity wasted a year.  
9 There's also some issued with regard to the environment and, specifically  
10 with human health. Newer studies in the last five years have indicated that  
11 there's some disruption to the circadian rhythm and the mammals,  
12 especially us as humans, excessive outdoor lighting at night contributes to  
13 sleep disorders and they're also finding some links to some different  
14 cancers.

15 So with all of that some years ago our City Council armed with  
16 information like this map and, specifically us here in Las Cruces. We're  
17 right above El Paso-Juarez, and armed with some photos like this which  
18 demonstrate how glare can sometimes be an issue as far as driving  
19 safety.

20 They adopted, August 7, 2000, our City Council did, an Outdoor  
21 Lighting Ordinance. We've been working that Ordinance since then and it  
22 appears time to maybe take a step forward. One of the reasons that we  
23 might want to take a step forward is we have some advances in  
24 technology that some people look at and say, "This needs to have  
25 something done to it."

26 So LED billboards are one of those advances in technology that we  
27 might look at including or folding into the Outdoor Lighting Ordinance. But  
28 some other things as we approach the Outdoor Lighting Ordinance with a  
29 view to making some changes in it, some of the other things that we... oh,  
30 one other thing that I want to mention about LED billboards, as far as the  
31 Outdoor Lighting Ordinance, really all it will do is limit the light output. Now  
32 everything else to do with LED billboards like how often it changes and  
33 whether or not it has animation on it, what kind of colors it uses, all of that  
34 is addressed in the Sign Code and they're making some revisions to that  
35 to take care of that as well.

36 But some other things that we looked at as far as making  
37 adjustments in the Las Cruces Outdoor Lighting Ordinance are moving  
38 from "full cutoff" to "fully shielded." And although it sounds like just a  
39 matter of semantics what that will do is allow... the "full cutoff" is exact  
40 engineering definition. But "fully shielded," we can assign it this definition  
41 within our Ordinance that allows us to have lights that are,... essentially,  
42 they don't emit any light above the horizontal plane, which is what we  
43 want. We don't want light going up. We want it directed down where it can  
44 do some good. But would allow us to do that kind of thing with, perhaps,  
45 part of the building canopy with architectural elements of a building and

1 enable us to maybe have some latitude as far as design. So that's one  
2 area that we looked at adjusting a little bit.

3 We also looked at adjusting some residential concerns. Currently  
4 our Ordinance allows any residential fixture of 1800 lumens or  
5 approximately what a 100 watt incandescent bulb is, as many of them as  
6 you want. So considering the density of some of our neighborhoods we  
7 looked at on houses we could take a... you can see on this house there  
8 are two fixtures, one on each side of the garage door, that are unshielded  
9 and that the light comes directly out of them. There's no shielding to keep  
10 it from going up into the atmosphere, And in allowing lights of that sort, as  
11 long as the wattage or the light output was a little bit less on the order of  
12 900 lumens or approximately a 60-65 watt incandescent bulb and then  
13 limiting that to about five of those or say 5,000 lumens per house, per lot.  
14 Any other lighting that you wanted, if you wanted brighter lights or more  
15 lights you would shield them much as this contractor did with the light at  
16 the front door which is not visible from here because it's tucked up into the  
17 ceiling and then the architectural "whatever you call that" that runs around  
18 the top there shields that light. The light is emitted above the horizontal.

19 Carrying that concept over to a multi-family dwelling the proposal  
20 would allow up to two lights per dwelling unit, which basically is one at the  
21 front door and one at the back door, if you had a back door, that would be  
22 allowed to be unshielded. But again dropping the lumen output to...and  
23 we'll probably have to adjust this in the final draft to say that "800 or the  
24 900" will make that reconcile with the single family dwellings. And you'd  
25 have two per dwelling unit. Other lighting, such as you see right above the  
26 stairs, area lighting, security lighting, parking lot lighting, all of that would  
27 be shielded for a multi-family project.

28 Now as far as commercial, in following with several other  
29 Ordinances that are available both in the Southwest and then across the  
30 United States, but particularly looking at things that are available here in  
31 the Southwest, those that are available in New Mexico, Colorado, and  
32 Arizona we looked at, as far as reducing sky glow, turning off area lighting;  
33 that is light that isn't lighting for security, it's not lighting for a walkway but  
34 it's just general area lighting that could be turned off, say, at 11:00 pm or  
35 close of business. Some suggestions have been made to say thirty  
36 minutes after close of business or something on that order to allow  
37 employees to exit safely, while allowing security lighting to remain on. If  
38 you have a very large area then security lighting might be, say, a third of  
39 normal lighting or some such... we'd have to determine a figure. A third is  
40 what was started at. We would allow that to remain on all night. But by  
41 turning off the lights that are not being used then sky glow could be  
42 reduced or the amount of excessive light. Also by dropping the amount of  
43 light that is put out... and as far as commercial lighting the Ordinance that  
44 we adopted in 2000 and we continued that metric of measuring lighting for  
45 commercial is to measure the light output at ground level not the light  
46 output of each individual fixture but if you take a light meter and measure it

1 at ground level how many foot candles do you have or lumens per square  
2 foot, dropping that from 70 to 50. That sounds like, "Oh, that's really bad.  
3 We're going to lose a lot of light." But consider this: the tests and studies  
4 that have been done for campus security lighting, and they have a real  
5 interest in security for their young people there, they have come up with a  
6 figure of 3 foot candles, if it's applied intelligently and uniformly allows  
7 them the proper security. Other Ordinances in our area have adopted a  
8 very restrictive 20 foot candles maximum of light under service station  
9 canopies. We've gone from 70 to 50 so that's still quite a bit of light. In  
10 looking at... I don't know if there are any... perhaps, Mark, you can correct  
11 me but I don't know if... maybe one or two gas station canopies in the  
12 whole city of Las Cruces that would exceed that now. So most of them  
13 that we are familiar with right now are right at or well within the limit.

14 Now this is one that bears some talking about, the Grandfathering  
15 Clause. In both Ordinances, the one's that existing right now and the one  
16 that we're proposing, all light fixtures, outdoor light fixtures that are legally  
17 installed but non-conforming are allowed to remain... until..

18 In the current Ordinance you can keep that light fixture, that legal  
19 but non-conforming light fixture, until you do an alteration or a remodel on  
20 that particular property with a project valuation of \$25,000.00 or more.  
21 Now occasionally some large properties go in and they will do a carpet,  
22 paint and a spruce-up kind of project and they'll spend in excess of  
23 \$25,000.00 which kicks in the requirements for the Outdoor Lighting  
24 Ordinance for them. Also, under the current Ordinance all non-conforming  
25 fixtures must comply, be brought into compliance, by August of 2010,  
26 about a year from now. That ten-year date was put into the original  
27 Ordinance when it was adopted in August of 2000.

28 The proposal is to base the compliance on the level of alteration,  
29 tying that to some existing Standards that we have in the Code that we've  
30 adopted as the International Existing Building Code, and there they define  
31 alterations, remodels, and so forth into three levels: Level 1, 2 and 3. A  
32 Level 1 is something that would do with repair and maintenance would not  
33 trigger the Outdoor Lighting Ordinance. A Level 2, once you start to alter  
34 the structure, adding doors, taking away doors, things like that, and then  
35 greater projects would then trigger the Outdoor Lighting Ordinance. But if  
36 you're a tenant in a strip mall it would only trigger it for you. So if you're  
37 doing your small tenant improvement then the one or two lights that are on  
38 your part of that building would be affected. Once we get to a certain  
39 percentage of the entire property, then the entire property would be  
40 affected. If you don't do anything then you can keep your legal but non-  
41 conformed light for as long as it works.

42 Well, those are some of the basics, the real high points. There are  
43 some other things that might affect you individually, if you'd please read  
44 through the Ordinance and become well acquainted with it as far as the  
45 proposal. No we'd like to hear from you what you would like from an  
46 Ordinance, what you find distasteful about the proposal. We have this

1 proposal. It's a pretty good framework to start with but we definitely need  
2 your comments, your input. So if you would it's your time. We'll allow you  
3 to use either that podium or we have this microphone and please speak  
4 clearly and start with your name.  
5  
6 Roewe: Hi, my name's Dave Roewe. Just for clarification, what initiated this  
7 change?  
8  
9 Cole: We received direction to look at developing an Ordinance...  
10 Roewe: Direction from...  
11  
12 Cole: From our boss.  
13  
14 Roewe: And who's your boss? (pointing at Robert Kyle) Just to do it?  
15  
16 Cole: Based on the new ... there was public comment from concerned citizens.  
17  
18 Roewe: And when was that?  
19  
20 Kyle: Staff was directed by City Administration to look at amendments to the  
21 existing Outdoor Lighting Ordinance based on several contacts made by  
22 various interest groups in the City, some pro-lighting, some pro-business  
23 related to provisions of the existing Ordinance.  
24  
25 Roewe: Can you tell me who those were? I'm not aware of any public hearing  
26 regarding lighting so maybe it was six months or more ago.  
27  
28 Kyle: We've not had any other public hearings related to lighting. These were  
29 comments that have been sent to us, comments that went to the City  
30 Manager's Office or went to a specific City Councillor in which interest was  
31 generated to look at the existing Ordinance that we have and consider  
32 potential changes. There was also concern with the upcoming 2010 date  
33 for everything to come into full compliance to take a comprehensive look  
34 at the Ordinance.  
35  
36 Roewe: Okay. Thank you. The comments that were made about 17,400 gigawatts  
37 wasted, is that in Las Cruces? Can you clarify where that is? World wide,  
38 do you have any data locally how much is being wasted or how much sky  
39 glow comes out of the Las Cruces area?  
40  
41 Kyle: As I indicated at the start of this we want to solicit comment, not debate  
42 specific points so we would appreciate it if you would stick to providing  
43 comments based on the Ordinance we have.  
44  
45 Roewe: Well, my comments are based on information that you've been putting up  
46 on the board. I'm just trying to get clarification on this. Is there a need for

1 this and where is the sky glow? If somebody's complaining about the sky  
2 glow that initiated this, and I'm just trying to understand, is there really a  
3 good reason for this other than that somebody doesn't want light to go up  
4 into the atmosphere. I don't understand that because it's going to cost  
5 significantly, a lot of dollars to households and to commercial and  
6 industrial buildings and I don't see that the end result is going to be  
7 something that is going to be beneficial to the City of Las Cruces. So I'm just  
8 trying to understand where this whole thing came from and some  
9 explanation about why it's being presented.

10  
11 Kyle: It's being presented because Staff was directed to write or provide a  
12 revised Ordinance take in account various issues that have been brought  
13 up by citizens of the City of Las Cruces and others related to, amongst  
14 other things, digital billboards, digital signs that have crept up over the last  
15 five years or so which were not previously addressed within the existing  
16 Ordinance that we have. They were brought up by interest groups,  
17 astronomy groups, etcetera, who are concerned about sky glow, poor  
18 lighting practices and, again, by the fact that we have a deadline quickly  
19 approaching that will affect everybody.

20  
21 Roewe: Well, and that's why I asked. I represent and I'm very clearly about who I  
22 represent, and when you say other interest groups I'd like to know who  
23 they were that started this process but if we can't get those questions  
24 answered that's all the questions I have...

25  
26 Allen: My name is Bonnie Allen. I'm a local citizen. My husband is a member of  
27 the local astronomy club however astronomy is not a hobby of mine  
28 personally. But because he does have an interest in that I have gone with  
29 him during this past summer to some of the national parks in the country.  
30 He was working with astronomy at Cedar Breaks, Utah. At the national  
31 monument there we also attended Zion National Park, Bryce Canyon  
32 National Park and Mesa Verde National Park.

33 At those national parks I was at ranger talks that go on at national  
34 parks and during those ranger talks I started hearing a lot about light  
35 pollution. Up to that point I knew that that was an annoyance for  
36 astronomers but I didn't have any idea of the realm of what light pollution  
37 is and the reasons that we need to be concerned about it. Once I began  
38 hearing the comments from the rangers I made notes. I came home. I got  
39 on the internet. I started doing my own personal research and have  
40 become quite concerned about needing to have certain light ordinances  
41 because of that. So I commend the City Council for that. I have forwarded  
42 a copy of the web sites that I used to your e-mail address so that you can  
43 use them during your research.

44 One of the things that I found is that, first of all the night sky is an  
45 endangered resource. You know as public we go to great lengths to  
46 maintain endangered resources in the national parks, whether it's water,

1 whether it's animals, whether it's plant life, we go to great lengths to do  
2 that. I just found out that now the night sky is becoming an endangered  
3 resource and what that means is that my great-grandchildren will not ever  
4 see the Milky Way if nothing is changed. They may not even be able to  
5 see the Big Dipper. At this point many city dwellers need to go out in the  
6 country somewhere so that they can see those kinds of things. As a  
7 matter of fact what the national parks here are in the process of doing a  
8 large study where they are going out and measuring light across the  
9 country and they're predicting that within the next twenty years most  
10 people will not be able to see from where they live any stars in the night  
11 sky, any kind of constellation or anything like that. Well, that would be a  
12 shame for us to lose that resource, but beyond that one of the things that  
13 we, as was pointed out, the inefficiency of our lighting is draining our  
14 national budget. I know he said it was world wide but what I found was  
15 that nationally it's costing us billions of dollars in coal and oil to waste the  
16 light that's going up in the air that's not doing anyone any good.

17 The other thing that light pollution does is that it's a danger to our  
18 state biology here in New Mexico because the bats from Carlsbad, the  
19 migrating birds that go to Bosque del Apache, insects, we have reptiles  
20 and rodents. They have a natural cycle in their being that has them follow  
21 light or dark. If we continue the pattern that we are the bats will leave  
22 Carlsbad Caverns. The rodents move closer to the light so they will move  
23 into town and when the insects move into town then the rodents and the  
24 snakes and those other things that are normally out in the prairie will also  
25 move into town and we will have a city-wide expense of trying to control  
26 the insects and the animals.

27 The other thing is that light pollution is a danger to our safety. In  
28 1998 to the year 2000 the Illinois State did a study to see whether more  
29 light would be a deterrent to crime. What they found was that the more  
30 light they had,, they had two similar communities, they increased the  
31 lighting in one of those communities, double so that they could see if that  
32 would increase or decrease the crime. What they found was that crime  
33 increased 77% for the lighted city. For one thing a criminal can see who  
34 their target is much better when the lighting is better. The other this is that  
35 when we have the glare of all of the light and our pupils are dilated we  
36 can't see what's lurking in the dark so it's easier for them to hide in the  
37 dark. It's easier for them to see their target. And the net result of that was  
38 a 77% increase in crime.

39 Earlier this month, as a matter of fact, on July 14<sup>th</sup> and 15<sup>th</sup> a report  
40 was made to Congress concerning light pollution from the American  
41 Medical Association. As you indicated earlier it has come to the medical  
42 attention that the increased light in our communities, coming through our  
43 windows and even the LED night lights that we have telling us what time it  
44 is, is affecting our melatonin, it's affecting some of the other systems that  
45 we have and, therefore, causing some decrease in our immune systems  
46 because of the lighting as well as it has a direct correlation to breast

1 cancer for more lighted areas. That's according to the American Medical  
2 Association and I'll be glad to give you that web site. But the American  
3 Medical Association is now saying that they're finding that breast cancer is  
4 increased in lighted communities that have more light than not. It also  
5 causes vision impairment in especially older citizens, which causes an  
6 increase in traffic accidents. The American Medical Association said that  
7 light pollution is being compared to second hand smoke with people  
8 scoffing at it like they did in the 70s and now thirty years later coming to  
9 the realization that that was true in fact.

10 It also could be a danger to the New Mexico economy because of,  
11 like I said earlier, the biology in places like Carlsbad and Bosque del  
12 Apache, and right now, New Mexico is considered a space frontier partly  
13 because of our dark skies and we could lose that opportunity. So these  
14 are just things that I, really just as a citizen, had no clue to. As I told you I  
15 heard this from national park rangers. I did my own research and found  
16 that it was substantiated and, therefore, led me to be concerned about  
17 light pollution in Las Cruces.

18  
19 Gaber: Hi, my name is Jerry Gaber and I'm the current president of the  
20 Astronomical Society of Las Cruces so I do have a vested interest in the  
21 night sky and the ability to continue to be able to see the night sky.

22 First of all I'd like to commend you on the job that you've done with  
23 this Ordinance. I think for the most part you've put a lot of thought into it  
24 and you've put a lot of work into it. That is going to do a lot of good for  
25 anything that gets done in the future.

26 However, in doing this I believe you have taken all teeth out of the  
27 Ordinance that is currently in place. As it stands right now, as you  
28 presented the current Ordinance says you must comply by August of  
29 2010. This current Ordinance has completely pulled the teeth of that  
30 Ordinance and said, "You no longer have to comply with anything as long  
31 as you were out of compliance before this gets approved." So if my  
32 neighbor puts security lights in his back yard and shines them into my  
33 bedroom at night as long he puts them in there before this Ordinance goes  
34 into effect there's absolutely nothing I can do about it. And I don't think  
35 that was the intent of this but that is the way I read it and that's what I see.

36 I understand that there's some economical issues with being able  
37 to meet the 2010 requirements of the previous Ordinance. They've only  
38 had ten years to comply with it and they haven't done that so we change  
39 the law to allow them to continue to be out of compliance with it forever as  
40 long as they don't do any major changes to their property. And I think  
41 you've just totally pulled the teeth out of this Ordinance in that respect.  
42 Other than that if anything new gets built I think it'll comply very nicely with  
43 the night sky requirements but I'd expect there to be a huge amount of  
44 night lighting put in place before this gets put into effect so that they can  
45 continue to avert that.

1 The one other area that I see that is not at all addressed in here  
2 and is a major problem for the sky glow of the city is the upward pointing  
3 billboard lighting. You know that may covered in the Sign Ordinance but I  
4 noticed you put the billboard lighting for LED billboards in here but there's  
5 nothing in here about the upward shining billboard lights and I thought that  
6 was in the old Ordinance, which they would have to have complied with by  
7 August of this year. I may be wrong. It may not be in the old Ordinance. I  
8 was told it was but I haven't had the opportunity to see that. So if that was  
9 in the old Ordinance and it was removed I think that's a tragedy and it  
10 needs to be fixed. Thank you.

11  
12 Chavez: I'm Isaac Chavez with the Association of Realtors. I find it ironic because  
13 one of the biggest selling points and compliments that we get when people  
14 choose to move here from other parts of the country is our lack of light  
15 pollution, our lack of noise pollution. We get complimented all the time,  
16 "My goodness, I can see the sky or the stars from anywhere in this town  
17 that I buy a home at. I love it. It's nothing like the East Coast. It's nothing  
18 like California. I love the fact that there's not a bunch of noise. There's not  
19 a bunch of industry. There's not a lot of pollution." We're already there.  
20 Our current Light Ordinance is just fine. People do not complain. You do  
21 not see Sound Off's. You do not see people rising up about a lack of  
22 vision. We have view sheds that other communities in this country would  
23 die for. I mean, it's unbelievable. You can go outside your house and you  
24 can see the Organ Mountains. You can go outside your house and you  
25 can see the stars. Now, maybe you can't see Jupiter or the farthest (sic)  
26 star in the middle of the galaxy but you're not going to get that anywhere  
27 unless you have a high-powered telescope.

28 So anyway I think the Ordinance as it stands now is sufficient and  
29 we would be vey conducive to maybe working on the current Ordinance a  
30 little bit, tweaking it here and there, but a wholesale change is a little bit of  
31 an overreach and uncalled for at this point. Thank you.

32  
33 Camunez: Good evening. My name is Ron Camunez. I'm disturbed at the fact that so  
34 many restrictions are being placed on us as individuals in this community.  
35 I think that our rights are being eroded every single day and I think it's also  
36 a shame that Council is wasting its time and effort on these small, petty  
37 projects when we have buildings of importance, like public safety  
38 buildings, like our 911 center falling down and no one is talking about that  
39 but talking about bike paths, talking about these issues which are so out of  
40 the realm. Let me ask you this question. Did you know that chilie  
41 consumption is bad for your health? How many of your knew that? Are we  
42 going to then restrict our chilie growers in this community to not be able to  
43 produce because it produces these medical conditions? How ridiculous!  
44 It's time that the citizens of Las Cruces wake up and hold our elected  
45 officials accountable for what they're elected to do, to serve the citizens,  
46 the entire citizens of their districts and their city; not a handful of people. I

1 think that we need to leave the Ordinance as is and that we need to move  
2 on, on bigger and more important things in this community. Thank you.  
3

4 Wooten: Good evening. My name is Karen Wooten. I'm an attorney with the Carrillo  
5 Law Firm and I'm here this evening on behalf of Pic Quik Stores,  
6 Incorporated and the owner, Oscar Andrade, is also here and I believe  
7 will, at some point will make some comments. I understand that you all  
8 have materials already. I do have a copy of a letter that I submitted earlier  
9 that I could also submit here today and I have some additional signature  
10 pages and additional letters; one from a vendor in support of Pic Quik's  
11 current lighting and one from one of the employees also in support of that  
12 lighting.

13 The main concern that we have about the Ordinance revisions have  
14 to do with a failure to really clearly balance safety concerns with all other  
15 concerns about lighting and a lack of clarity in the Ordinance. There is no  
16 certainty under the Ordinance as it's proposed to be rewritten. A particular  
17 business can invest, for example, \$50,000.00 in lighting that is fully  
18 compliant in shielding and in every other way and then have the lumens  
19 measure too high and not be in compliance and have violated the  
20 Ordinance. There's no way for a business to invest in a design and in  
21 lighting fixtures and be sure that they're going to comply even though  
22 they've made every effort to do so. We've had similar kinds of issues in  
23 the past. It's been determined that Pic Quik has been compliant but there  
24 are still people who complain and cause reevaluation and reevaluation.

25 We're very concerned that these proposed changes aggravate that  
26 kind of problem where you just can't know if you're going to comply. Part  
27 of the problem is when you look at the Ordinance and how it's written and  
28 then you talk about measuring and how the measurements are is that  
29 there's not a clear tie between the proposed goal or purported goal and  
30 the actual regulation. So if you have lighting under a canopy that exceeds  
31 the maximum, the fact that it does not escape above that canopy is  
32 irrelevant. We don't see how that protects the night sky. In terms of some  
33 of the information that was presented initially and by a member of the  
34 public, I think that we would like to see the Council be very careful and  
35 take their time and review that information and make sure that anything  
36 that they're doing is tied to Las Cruces.

37 I don't think it's particularly useful to look at a global waste problem  
38 and then turn and say, "This supports regulations." I see that a lot in the  
39 liquor industry. We can all agree that there are all kinds of alcohol abuses  
40 that cause all kinds of secondary effect problems but if you look at the actual  
41 Ordinances and Regulations, the Laws and Regulations on them, many of  
42 those have absolutely no impact on those. They're just restrictive but they  
43 don't actually have an impact on what the goals are.

44 Even in this Ordinance the stated purpose is just general health,  
45 safety and welfare. Well, government can't do anything unless it promotes  
46 health, safety and welfare. So when you say that a particular Ordinance

1 has that goal you're basically saying it has the goal of being minimally  
2 legal. I really don't think that's useful or helpful to anyone. I think that the  
3 Ordinance throughout, including in the purpose, need to clearly state that  
4 you're balancing things; that you're balancing night sky protection with  
5 public safety. These safety provisions are extremely generic. They say it  
6 has to be safe. They do absolutely nothing to attempt to talk about what  
7 kinds of considerations go into what is a safety need? What is lighting that  
8 needs to be saved? Is the lighting on campus for people to be able to walk  
9 on pathways the same as the lighting that you want when you're pumping  
10 gas, you know? Is it the same? There's nothing in there so you have  
11 particular regulations that are intended to provide protection that to my  
12 mind they don't clearly provide and you have them balanced against the  
13 word "safety" and nothing else. That's just not helpful for a business, going  
14 in and trying to evaluate what can I do and what is an appropriate  
15 balance? Pic Quik, for example, Mr. Andrade many years ago was  
16 involved in the process that helped get the current Ordinance and the  
17 lights that he selects are extremely expensive. He has much cheaper  
18 options but they are the best balance that he's been able to find between  
19 night sky protection and limiting waste. He doesn't like to be wasteful, no  
20 business does, and making sure it's safe and energy efficient. One of the  
21 problems with the Ordinance as it's written it talks about dimming lights.  
22 Well, good fluorescents that are energy efficient can't be dimmed. You can  
23 get florescent lighting that is dimmable but that lighting at its full maximum  
24 is not energy efficient. So again, there's nothing in here that talks about  
25 those kinds of competing interests that are always at stake when you  
26 regulate.

27 We're concerned about the time frames for this. I realize it's been  
28 under discussion at some level for quite some time. This is the first formal  
29 public input and from what I'm hearing you're talking about September as  
30 a time line. I'd like to see something like this get some input then it should  
31 go back for review and everybody should have a chance to look at it again  
32 and give input again. That takes some time and I'm not sure that  
33 September is a very reasonable time frame for that considering the  
34 potential impact of these changes. Those are really all of the comments I  
35 think I need to add. Like I said I did a detail in a letter lots of specific  
36 provisions, in particular some ambiguities that I think are just  
37 unconstitutional. I really don't have a concern at this point that that is not  
38 going to be addressed because they're so blatant to my mind. My guess is  
39 that the Legal Department has not reviewed this. I'm certainly hopeful  
40 since I included them on the comments that they would and if they did it  
41 would be clear that if, as written, it were passed it would just be blatantly  
42 unconstitutional on it's base and in several aspects. So those are all the  
43 comments that I personally have. Thank you.

44  
45 Kyle: Thank you. Before we move on, real quick, based on what you just  
46 brought up I would like to clarify. The intent is following this to go forward

1 to a City Council work session in September, not action, of course, and  
2 given comments, etcetera, City Council direction could be just that, "Go  
3 back. Do it again and don't do anything. Bring it forward." But I do want to  
4 clarify: It's not being proposed to go to Council for action or adoption in  
5 September at all.

6  
7 Woman's voice from audience... (inaudible)

8  
9 Mattiace: Thank you. Bill Mattiace, Chamber of Commerce, Governmental Affairs.  
10 Again I just want to state the fact that the Chamber of Commerce, its  
11 members, its thousand members, anywhere from 12,000 to 15,000  
12 employees of these businesses as well as the home builders and the  
13 realtors, we're looking at quite a force of the business sector that does  
14 want quality of life features and benefits to be part of the City of Las  
15 Cruces.

16 We're not opposing quality of life benefits. I just want that on that on  
17 the record. My three concerns: in looking at the Ordinance I was  
18 concerned that, being a former mayor, that sometimes enforcement, if it's  
19 not specificity, for example in Section 39.28, Item B you have "lighting that  
20 adversely affects safe vision for pedestrians and cyclists, etcetera." The  
21 specificity of that, again, it needs better clarity. You could have someone  
22 passing a business, my business, Adventure Travel, or any business, a  
23 residential area and that cyclist might find that it an endangerment to their  
24 vision. They would have to make a call to the City of Las Cruces, I believe  
25 it would be Codes, probably, so now what you're doing is you're putting on  
26 a financial burden, you're increased financial cost into a municipality at a  
27 time right now, when deficits and resources are probably... deficits are so  
28 high and resources are low. That's just a concern that I have with the City  
29 coffers. And that would cost the City money to have such enforcement  
30 when the law and Ordinance is not very clear so I think that needs to be  
31 looked at.

32 My third statement to the home builders, to the realtors and to the  
33 Chamber of Commerce: remember, go to your charter. It's very important  
34 to go on-line and realize that Article 8, page 22 of your charter, any  
35 initiative referendum or recall provision can be made. If you're unhappy  
36 with your Councillors or your Mayor it only takes 10% of the voters in that  
37 particular district so if there's 12,000 voters in District 6 or District 5 it only  
38 takes 1200 voters to recall or bring back a petition and an ordinance so  
39 the power of business is very important. I'll just end it by quoting  
40 something by someone that we all are very proud of today. I still believe  
41 that the business of America is business. Barak Obama. He said that to  
42 the Fortune Magazine people. I still believe that the business of America is  
43 business. Thank you.

44  
45 Tindal: My name is Gerry Tindal and I've been a resident of Las Cruces for 42  
46 years. As being a resident that long you see a lot of changes and a lot of

1 things taking place. A lot of them you don't agree with. Some you do and  
2 things change. People move in. People that have lived here a long time  
3 may not want other people moving in. It happens. Business happens. Wal-  
4 marts happen. Things happen. And I think a lot of times some of the  
5 issues that are brought up are... you can nit and you can pick and you can  
6 choose each and every thing about any aspect of life and how we're to live  
7 each day, I happen to love the sky. I love the stars. I'm proud to live in Las  
8 Cruces but I've seen a lot of changes, a lot of modern things. And  
9 sometimes it does bother me at the way things are approached, taken out  
10 of context, blown up. And just an everyday person who work and has a  
11 business and going along and I really think overall looking at these  
12 businesses that everything that has to be complied with, I think that a lot of  
13 the business members here in Las Cruces, they have lived here and their  
14 roots are here as well. And it's not always just a money issue. It's not  
15 always just expansion and a lot of the business people here have deep  
16 roots and they love this town. They love it. They've been here a long time.  
17 So one thing that needs to be I think needs to be looked at as well is it's  
18 not always a money issue. Business owners come in and want to expand  
19 and comply. They have kids. They have grandkids as well. I can tell you,  
20 honestly, I have a son who's 18 years old and when he goes to wash his  
21 car or goes to a place of business safety is big issue with me. Safety is a  
22 very important thing here because I love my son. And the fact that a  
23 rodent in Tucumcari may have his eyesight damaged is nothing compared  
24 to my son's safety. When I approach a business one of the first things I  
25 think of when I get out of a business and I'm looking around; I'm always  
26 looking behind me and I feel safer in a well-lit area, I do. Maybe it's just  
27 me. Maybe I'm different or something. I would certainly like to look at the  
28 statistics of crime and I would venture to say that there's probably more  
29 crime committed after the sun goes down than during the day time. And I  
30 haven't looked it up and never thought about it but as you start to see  
31 where a previous comment made that there was more crime committed in  
32 lighted areas, at least in the Las Cruces area I would venture to say that  
33 there's more crime committed at night than during the day and, for the  
34 most part, I would think the criminal coming out, someone anticipating a  
35 purse-snatching, some kind of crime, would certainly not want lights  
36 pointing down and be advertised as he's doing it. That's just a... safety  
37 issue is a big thing. Another issue is I think a lot of the business sites that I  
38 have seen, the newer ones, the older ones have done their very utmost to  
39 light up the areas, have it safe but yet the project the lighting in certain  
40 areas, very distinct areas. I noticed when a new store goes up, a new  
41 bank goes up, places you go – it's odd that that even around the ATMs  
42 you go to most of the time they're well lit. Not that I certainly wouldn't like  
43 businesses coming in and projecting lights and having flashing things and  
44 being obnoxious but these people have to have a business. That's what  
45 they chose in life to do. And in order to conduct that business they have a  
46 certain responsibility to the public to have their business, I think, well lit. I

1 don't know lumens. I don't know electricity but I do know, again, the  
2 businesses I've seen have done their utmost to project and be very  
3 distinct in their lighting. Some of the places you may go and it's a well lit  
4 area and what's odd is that, and I have noticed it, it's very well lit. You  
5 walk across the street in an empty lot and it's dark. Can you look up at the  
6 sky and you see stars? I can. Whether I can see the Milky Way and  
7 certain stars I have no idea but, again, I guess my main point of this  
8 comment is a safety thing. My wife goes to the store to shop. Someone  
9 goes to wash their car, to do something that we have to do in life. We  
10 have to do things to function and I think you'll find that a large percentage  
11 of consumers tend to believe and feel more comfortable being around well  
12 lit areas. And I think the businesses in this town have done – bent over  
13 backwards and I think they've done a good job doing it. I think the current  
14 Ordinance is ample enough to cover the direction that Las Cruces is  
15 going. It's a struggle. It's a tough thing because you want to observe the  
16 sky and you want to observe the stars at night and you want to preserve  
17 the reason you moved here. But as the town grows, again, things change,  
18 development happens. The best thing you can hope for is that you're  
19 blessed with people that have businesses that are rooted I this town that  
20 care about astronomy. They care about the night sky and are doing  
21 everything they can, a lot of times outside the boundaries of what they  
22 need to do, what they are required to do, spending money that just doesn't  
23 need to be spent.

24 So, again, my name's Jerry Tindal. I've lived here 42 years. I just  
25 want to make that comment. I just think they've done a very good thing a  
26 job, all the stores that I've seen, especially the newer ones and older ones  
27 have really adapted and done a very good job. Thanks.

28  
29 N. Allen: Hello. My name is Niles Allen. I am a resident here also and I am an  
30 astronomer. I've heard a lot of these things and I've read debates on line  
31 for many years. I have three generations of my family been living here  
32 quite a while also. I'm very concerned about many of the same things you  
33 brought up. However, in all the studies I've done and in looking at the  
34 statistics that are available there has not been a scientific correlation  
35 between increased lighting beyond certain limits that provides more  
36 safety. I want my kids and grandkids and great-grandkids to be very safe  
37 also. But it's just not been shown that lighting couldn't be improved,  
38 redirected and controlled and be better for everybody.

39 My own personal insight on seeing some of this is I've talked to  
40 literally thousand of people in this city. I personally have probably gone to  
41 over a hundred elementary schools and mid-schools and done star parties  
42 for kids there. It's kind of my thing. I try to show youngsters that there is  
43 something up there that most of them haven't really seen. The problem is  
44 it's very hard to do here. Since I've started doing this, at least in the last 10  
45 years, sky quality has degraded quite a bit. So there's a balance there just

1 like you were saying. I've talked to thousands of parents who agree that  
2 things could be done better, business owners and employees to boot.

3 Everybody wants things to be better but nobody really wants to give  
4 up anything. I just think we need to be really careful in assessing what  
5 makes you safe may not be what makes you be safe. We should really  
6 look at statistics so there's many forward-thinking cities in this country that  
7 I've visited that are moving forward and really controlling their lighting.  
8 Statistics should be available as to if the crime's gone up or whatever, I  
9 mean, they really reduce their stray lighting.

10 Anyway, I just feel for those kids because I would really like to be  
11 able to, in the next 10 or 20 years when I go to all these schools - the thing  
12 is you can't get these kids to go 30 miles out of town where the  
13 astronomers go. You get one out of a thousand that will ever go out there  
14 and see things. So the issue is you got to be concerned about lights in the  
15 city because that's where most anybody under 20 years old is ever going  
16 to look at the night sky. So it's an important thing. I don't necessarily  
17 expect the kids to see a supernova remnant in a far off galaxy like I do at  
18 all but if you can't show them the basic structure of our universe and  
19 what's going on up there then they're missing something and they're  
20 losing something. And that's something that cannot be quantified in dollars  
21 or business economics. It's a very real thing. And there's quite a  
22 movement in our nation to improve these things and, especially in our  
23 national parks and other places to change something that's gotten a little  
24 out of control and we need to go in a different direction. Thank you.

25  
26 Newby: My name is Steve Newby, local architect. I'd like to say that what Robert  
27 and Barry are doing comes under the heading of "no good deed goes  
28 unpunished." Some of them have said a lot about how we all like to live in  
29 Las Cruces because we all love the mountains. We love the river. We love  
30 the agriculture. I think we can all agree on that. I love the night sky. I live in  
31 Picacho Hills. There is no street lighting in Picacho Hills. I can't see the  
32 Milky Way. If I want to see the Milky Way I drive a little farther out by the  
33 Doña Anas.

34 So first I have a couple of questions. Barry, on your presentation in  
35 your slide about changing from 70 to 50 foot candles is that the rating at  
36 ground level over the entire site? Okay. I didn't see that in the Ordinance  
37 itself. Did I miss that? Okay. Also you had a slide about the Grandfather  
38 Clause if you exceed \$25,000.00 on a remodel on an existing site; again, I  
39 must have missed the \$25,000.00 in the Ordinance. That's the current  
40 Ordinance? Would that be true in this Ordinance or is that to be replaced  
41 with the 25%? Okay.

42 Also, a general comment on a lot of what we're dealing with here is  
43 both architectural lighting as well as security lighting. I do a lot of litigation  
44 support for attorneys. I have a number of lawsuits on insufficient lighting in  
45 parking lots where there's slip and fall. There was a rape at the Holiday  
46 Inn years ago. That case hinged complete around the claim that that there

1 was insufficient lighting in the parking lot. One of the things we have to be  
2 careful here is being so proscriptive about what we, as designers, can do  
3 and our determination or our owners' determination what is sufficient  
4 lighting. To one owner at 2 foot candles might be different from another  
5 owner who has been sued and he wants 10 foot candles in his parking lot.  
6 We need to be very careful to understand the market has different forces  
7 other than just protecting the night sky. I think there needs to be a balance  
8 there to give some ability to be able to come and say this particular client,  
9 this particular use, needs, perhaps, more security lighting that, perhaps,  
10 an office building does.

11 In your definitions on page 2, 39-8 you have in a number of cases  
12 throughout the draft Ordinance the words "architectural lighting," the word  
13 "security lighting," yet those are never defined. As an architect I determine  
14 everything is architectural lighting. My client might say every single light  
15 fixture he has on the exterior is security lighting. So who determines what  
16 is architectural lighting and what is security light? I think definitions would  
17 help. And quite honestly I can't give you any guidance because I don't  
18 know how you define that because everyone is going to define it a  
19 different way.

20 On page 3 under your definition of "fully shielded" one of the  
21 options that you give that I appreciate that you can have a photometric  
22 test by a design professional. This is in 3-B. If you could give a little more  
23 description of exactly what you're thinking there. A photometric test  
24 typically is a lot more than just taking your light meter out there and  
25 holding it at the ground. Photometric tests indicate the plot by computer on  
26 the ground showing the elux curves as you go further and further out. And  
27 so I don't know if you truly mean a photo metric test by a designed  
28 professional. Also, a design professional it would be good to know what  
29 that means. Some drafters in town consider themselves to be a design  
30 professional. What is the threshold there for that self determination?

31 Also in the definition of initial lumens you're always talking about  
32 the lumen in a new light fixture. As most of you technical folks are aware, I  
33 see Jim Tester smiling, all light fixtures and light bulbs degrade, some very  
34 quickly, to anywhere from 20 to 40% of initial lumens so if I have a 2,000  
35 lumen light bulb in some fixtures and in some light sources that might  
36 degrade in as little as 30 days to 60% of those lumens. So I think you  
37 need to decide it's initial lumens, which is my interpretation because it  
38 talks about initial installation, or to look at the reality of what lighting  
39 science is about and talk about degraded lumens because every light  
40 source degrades. Some degrades at a much slower rate.

41 LEDs, for instance, degrade over many years. HID sources, in  
42 some cases, degrade in a very short amount of time. When we design  
43 lighting systems, especially exterior systems, we always design to the  
44 degraded lumens because I might have initial lumens that light my parking  
45 lot at 4 foot candles. A month from now that might be 2 foot candles  
46 because of degradation so I have to design to the degraded lumens not

1 the initial lumens. In your definition about Light Emitting Diodes, LEDs, it  
2 appears you are assuming that all LEDs are white. With the great  
3 technology coming with LED lighting, which I predict will take over  
4 essentially all light sources in the next five years, there's great science on  
5 different colors and wave lengths of LED lights because you can get red,  
6 green, blue. In the diodes it provides a tremendous opportunity for us as  
7 designers to still light a building but do it in shorter wave lengths, which  
8 again protects the night sky. But in your definitions and in later sections  
9 here you're just assuming that all LEDs are white. I'd like to see something  
10 in there that gives credit if you do use a color that has a shorter wave  
11 length perhaps the lumens can change.

12 Again, in the definitions on page 4 under Outdoor Luminaire, you  
13 mention twice signs and signs are billboard and I'll just make one  
14 comment because you also have a lot of information on signage. Is this  
15 same information going to be amended in the Sign Code? (inaudible) My  
16 guess is all the sign folks that would normally would have been here  
17 understanding that you're going to regulate their signs probably didn't  
18 come tonight because it's about Outdoor Lighting, not about signage light.  
19 And there are some tremendous changes for the current Sign Code and  
20 Lighting Code that I think are going to dramatically affect and I'd suggest  
21 the next public meeting you be sure and advertise that this is also about  
22 sign lighting. You might get some additional comments.

23 Also, in your definitions there under Outdoor Luminaire you include  
24 landscape lighting. Again, there was no definition of landscape lighting  
25 and a landscape architect might say a little MR16 bulb at 9 watts is a  
26 landscape light. I might have a 150 watt fixture in a very large tree that I  
27 consider landscape lighting. So we need a little therapy there.

28 On page 5 under Plan Submittals where you're talking about the  
29 Outdoor Lighting Plan, in Item 1 there you talk about that you have to  
30 show existing outdoor lighting. Let me give you a hypothetical: there's a  
31 70,000 square foot office building and I'm doing a 2,000 square foot  
32 (inaudible) improvement. On that set of plans do I have to show every  
33 single existing outdoor light fixture and make a determination, even if I  
34 didn't do that original building, whether it complies or not? That's the way  
35 this ordinance reads. That would be very, very difficult and expensive to  
36 do.

37 Also in that same area under Plan Submittals in B you talk about a  
38 description of luminaires and basically cut sheets, manufacturer's cut  
39 sheets to be submitted. It says, "...be in the field." It's hard sometimes to  
40 even find a set of plans in the field and I'm wondering why it's submitted  
41 only to be had in the field and not submitted with the permit.

42 The next item is Item C under 39-9 where you're asking for the  
43 registered engineer or architect to certify that this plan complies with the  
44 Outdoor Lighting Ordinance. I have two real issues with that. Number one,  
45 as a licensed professional I do not have to put on my plans that "I hereby  
46 certify that these plans comply with the International Building Code or the

1 International Mechanical Code, Electrical Code or the Americans with  
2 Disabilities Act.” So why is it so important that you want me, as a  
3 professional, to assume more liability by certifying that this plan does  
4 comply? A professional seal infers that the professional does exactly what  
5 you say to do and this would be the only certification that we have to put  
6 on plans. So why is it so special that as professionals we have to put a  
7 certification on the plans but we do not have to put a similar certification  
8 per Codes that are much more difficult and much more important than  
9 this?

10 The second piece of that is liability. Your certification says that I  
11 certify ... enforce the City of Las Cruces Lighting Ordinance. I might truly  
12 believe it does but what happens, and this is insidious in City Staff, they’ll  
13 change things. They change things constantly and never advise us and  
14 the only way we find out is when we submit it for a building permit and we  
15 find out something’s changed. But if I certify this and I haven’t caught the  
16 last change that City Staff has done, with no public hearings I might add,  
17 and then it turns out to be wrong I have now accepted too much liability.  
18 That is what is called an uninsurable clause by my liability insurer. I would  
19 just recommend you get rid of the certification. I need to certify that this  
20 complies with the Outdoor Lighting Ordinance. Then I had better start  
21 certifying, Robert, that I also certify that it applies to every Building Code.

22 Page 6, Article II, Item 39-22, you want to introduce levels again.  
23 You talk about architectural lighting and security lighting, that one has to  
24 turn off at 11:00 pm. Read what your thinking is on the difference between  
25 architectural lighting and security lighting. There’s also going to be a  
26 financial penalty paid. Most of the outdoor lighting that we do is on time  
27 clocks or photo cells that are tied together on the same circuit. If we have  
28 to start separating circuits become of our light fixtures have to be turned  
29 off at a certain time, some of them can stay on longer for security lighting,  
30 the building owner is going to pay a certain amount of money to run  
31 separate circuits and separate time clocks.

32 Item B there where you talk about “the lighting has to be reduced.  
33 The security light is no more than one-third of normal lighting levels.” What  
34 is the definition of “normal?” And who determines what that lighting level  
35 is?

36 Item 39-23, same thing, you talk about architectural lighting. You  
37 also in the second sentence “provided that the total initial lumens are less  
38 than 5,400.” Again, that initial lumens is not what we design to. We have  
39 to design to degraded lumens. I’ll state it again... lumens. So we’re  
40 already being pushed down in the number of lumens we can have and  
41 then if I have to then further degrade that because my light bulb is going to  
42 not be as white later, we are getting a double penalty here.

43 Also on 39-23 and, Barry, I’ve asked this many times, at 5,400  
44 initial lumens per lot. I’ve never understood that. If I had a one-third acre  
45 lot I get 5,400 lumens of leakage. If I have a million-acre lot I get 5,400  
46 lumens of leakage. I can’t fathom that. There is nothing in any other Code

1 that I know that gives you the exact same requirement no matter what size  
2 facility you have. And I've never had anybody explain that to me.

3 39-24, again, on the LED where you talk about "...It must have a  
4 semi-opaque or frosted shielding." So much of the LED technology is  
5 based not only on the brightness of the diode but also on extraordinarily  
6 efficient reflector technology. If you have to put in the semi-opaque or  
7 frosted shielding, again, it is going to degrade the number of lumens  
8 coming through. Most of the light fixtures, including a lot of the street lights  
9 that the City was proposing to use in their Rand application would not  
10 have had frosted surfaces. They would have had a clear surface because,  
11 again, the reflector technology that goes, say in replacing a 400 watt  
12 sodium head now can be done with a 100 watt equivalent of LED but it  
13 does not have a frosted shield. So I think you need to be careful there  
14 demanding things. Now I understand your concern is glare because LEDs  
15 can be quite bright but I think you need to give the design professional  
16 enough latitude if we can show that it does not produce glare by some of  
17 this reflector technology and you do not need to degrade lumens further.

18 In Item 2 under 39-24 there's a bunch of "Xs" before the 20,000  
19 lumens per lot. I don't know what the "Xs" are. And then also the same  
20 comment "same number of lumens per lot" no matter if I'm designing a  
21 200 square foot building or a 200,000 square foot building. I might add the  
22 Current Convention center that I've done a little bit of work on would not  
23 comply with this Ordinance.

24 39-25 Sign Code, you said that would be referenced in the Sign  
25 Code? That they would have to comply with this or this would be repeated  
26 in the Sign Code? Okay.

27  
28 Kyle: (Inaudible)

29  
30 Newby: Okay. Regulated it...the size... I'm almost done.

31 On page 7 down at the bottom, the table and Item B references  
32 Table 39-21, which I couldn't find. 39-31 is right below that so I presume  
33 that's a typo. The problem I have is this entire table here is again it's  
34 ignoring the incredible advances in reflector technology. If I am limited, for  
35 instance, to a 12-foot pole height 6,300 lumens we have 12-foot poles at  
36 the Convention Center that exceed that by three times by lumens. The  
37 reason is that the reflector technology allows me to take 18,000 lumens  
38 and spread them over such a huge area now that again, the foot candles  
39 on the ground are very small. But what is happening here in this table you  
40 are ignoring the technology and you're penalizing the designers by saying,  
41 "We don't care what your efficiency is, in your light fixture. If it's 12-feet it  
42 can only be this. If it's 18-feet it can only be this." And I think this table is  
43 hitting it in the wrong way. I don't think it should be a lumens  
44 determination. You should be doing the formula based on the lamp  
45 efficiency and the total efficiency of the luminaire because, you know, the  
46 mirror technology that we used for so many years, it's almost not made

1 any more. Reflector technology is incredible to get our lumens down and  
2 spread them out over a much wider area for a much better effect.

3 On 39-29, one exception that I'd recommend, we're required now to  
4 have emergency egress lighting beyond our exterior doors. I think that  
5 should be one of the exclusions from this.

6 In the Grandfathering area in item E "...a lot that contains two or  
7 more tenant spaces or use shall come under client's..." you know, when  
8 one of these following things is done. If I do a tenant improvement plan,  
9 my tenant, my client does not own the facility but because, say, he's going  
10 to combine three spaces into a furniture store. According to this then  
11 someone then would have to bring the entire exterior lighting up to current  
12 Code, which means the owner, I guess, of the facility. But I'm not working  
13 for the owner of the facility. What this is requiring me as the designer to do  
14 is to do calculations on the entire facility, even if I didn't do it I have to now  
15 to out and count lamps, I've got to find out what they are, what the  
16 reflectors are, what the foot candles are, make a huge determination. Let's  
17 assume it's, again, it's a five-acre site and 100,000 square foot building.  
18 Under these requirements here you are making me as the designer go out  
19 and determine whether my tenant improvement is going to affect the entire  
20 facility. And that puts a tremendous burden on us because I might not  
21 have any relationship with the building owner. The building owner might  
22 not be willing to do that. But as a professional you are asking me to certify  
23 that it either complies or if it doesn't to have someone then redesign the  
24 exterior lighting, an unfair burden.

25 And then lastly, the timing on this I feel like this is a little like our  
26 Stimulus Bill and our Cap in Trade Bill and Health Care Bill, I think  
27 September is way too early. This is the first public hearing you've had. I  
28 think you're getting a lot of good input from both sides. I know it's going to  
29 take you at least a day or two to consider all this. I presume there will be a  
30 second public hearing and, if not, it'll be a Council work session. Is the  
31 current Ordinance about to expire or something? Okay. If there's no date  
32 driving this I think thoughtful consideration and good compromise is the  
33 rule of the day. I would certainly like to see a little more time added to the  
34 schedule unless Council is just hammering you on the head to get it in  
35 front of them. All that said, thank you very much.

36  
37 Hadley: I get to follow that. Okay. I'm going to be more technical. I'm John Hadley.  
38 I'm a builder, a realtor, and most importantly, I'm a parent to a six-year-  
39 old. I think a lot of things we've been fighting or arguing back and forth on  
40 the last few months here is we want to save our children's future for this,  
41 for that. We want our children to learn things that we learned as children  
42 and we want to do it in the convenience of our own backyard. You don't  
43 believe me? Many of us were here a few weeks ago when we were  
44 fighting for chickens in the back yard. Okay? Why? I heard because we  
45 want to teach our children how to raise eggs and chickens in our own back  
46 yard instead of taking them out to the farms. And that's what I'm hearing

1 tonight. My daughter, we go out, "look at the moon, Daddy," And we go on  
2 out, sometimes get in the car and we drive out to behind "A" Mountain.  
3 The one gentleman said that twenty-year-olds never go out, never go into  
4 the dark. Trust me; twenty-year-olds in every town across America are out  
5 in the dark. I think it's one of convenience. I'd love to be able to go back to  
6 the 50s and 60s and walk out into the back yard with a telescope and look  
7 up there. I do take my daughter out and show her the night sky and it's  
8 great. We moved here from New Jersey six years ago. Trust me; you've  
9 got beautiful night skies here. I couldn't see the Milky Way 30 miles out of  
10 the smallest city in New Jersey.

11 Anyway, the other thing I want to say is: one of the things, and I  
12 was a big proponent for the Space Port. We went to all the presentations,  
13 knocked on doors, and got out the vote. Again, something for my  
14 daughter, because of money that's going to go into the school systems  
15 from some of the taxes off that for her education, okay, but again, in all  
16 those presentations we saw the same thing. Why New Mexico? Why not  
17 Florida? Why were they moving here? Light pollution there, no pollution  
18 here and we saw those overheads of the light pollution on a national basis  
19 for our area. So I wonder why the Space Port people aren't fighting over  
20 here as well. I think they know pretty well we're set for many years for the  
21 light pollution not to be there for quite some time. That's all I'd like to say.  
22 Thanks.

23  
24 Berry: Hello, I'm Jim Berry, CEO of the Chamber of Commerce and I'm growing  
25 more and more concerned about the lack of sensitivity from the City  
26 Council and from the City Staff about business and about the cost of doing  
27 business in our community. Believe it or not, business owners and  
28 employees are citizens also and there's a real need for fiscal impact  
29 considerations on the part of any decisions that are made by the City  
30 Council and promulgated by the City Staff. Please don't just ask for things  
31 without giving some consideration and some study as to the cost that this  
32 passes on to the business. It's kind of easy to...there's a concept called  
33 "somebody else's money," SEM. It's pretty easy to decide things and to  
34 ask for things as long as it's somebody else's money. So I would just ask  
35 the City Staff to consider the fiscal impact on business. I haven't heard  
36 any comments or sensitivity about that and also ask the City Council to  
37 show some sensitivity about the cost of some of the things that they're  
38 suggesting. Thank you.

39  
40 Andrade: My name is Oscar Andrade and I own the Pic Quik Stores here in town  
41 and live here, do business here. Pic Quik's been in business since 1958.  
42 Franklin McKinney was a pioneer in the convenience store industry. I've  
43 been in the business since I was 18 years of age working at a 7/11 store  
44 and graveyard on Dyer Street and if you're familiar with El Paso it's a  
45 military area and very insecure. My mom asked me why in world I would  
46 go work at a convenience store and many people still do.

1 One of the things that we have done over the years is as I've  
2 designed these buildings and designed, with Steve Newby's help and  
3 other architects, is to design a building that I would want to use as a store  
4 clerk. You see, I was a store clerk and I was robbed many times at  
5 gunpoint and, again, they couldn't find the assailants because it was dark  
6 outside or no cameras, etcetera.

7 My concern is we've built four stores in the last two years. We've  
8 built two here in Las Cruces, in the City of Las Cruces. We've built one in  
9 Doña Ana County on South Main in Tortugas. We've built one in Anthony,  
10 New Mexico, not Texas, and they're very, very happy to have us in New  
11 Mexico. We've also built a store in Hatch, New Mexico. And in every case  
12 the public and the County has opened their arms and said, "Thank you for  
13 coming. We appreciate your business. We appreciate you employing  
14 people. We appreciate you securing our customers." And the two stores in  
15 Las Cruces we had a battle this last six months or last year getting these  
16 built, to get these to comply.

17 The irony is ten years ago when the Dark Skies Act came into  
18 conception the Pic Quik Store on Del Rey and Highway 70 was used as a  
19 prototype of what a convenience store should look like. We use high  
20 compact florescent bulbs. We've been green before green was the new  
21 term. People always say to me, "Well, you waste electricity," and  
22 somebody mentioned the billions of dollars of light. As a business owner I  
23 do not intentionally waste money on utilities. I have to manage my  
24 business. El Paso Electric wants a check every month. So we have, as a  
25 chain made national news throughout the country. People from other parts  
26 of Dallas, San Antonio, Phoenix, California have come to look at our  
27 stores and use our lighting and our canopies, inside of our stores. We use  
28 high compact. We're going to LED lighting like Mr. Newby talked about for  
29 the coolers.

30 And so the irony behind all of this is that the idea ten years ago was  
31 to eliminate light emitting into the sky. We have complied with that. We  
32 have done so for two reasons: one is we believe that there is an issue with  
33 that and we have created designed stores to comply with that.

34 Now the disagreement seems to be in the safety and I have many  
35 letters, a few that were turned in today, but I have well over 4,000  
36 signatures from customers of Pic Quik Stores who would probably come  
37 to a meeting if I asked them to, to tell you how safe they feel in our stores.  
38 I get calls from people 11:00 at night that say, "You know what? It's a 110  
39 degrees out there today but it's nice to be able to wash my car and not  
40 burn up and use a facility that's well lit to secure so that I can throw my  
41 trash out, that I can vacuum my vehicle." These are all issues that we  
42 designed in our stores. Again, they're not used to intentionally waste  
43 electricity or to emit light into the skies. They're used because customers  
44 expect and want a safe place to do business. Again, as a clerk at a 7/11  
45 store, my utmost safety concern is for my employees. My employees, I  
46 have almost 300 employees in Las Cruces. I have many parents who...

1 we have Subways now, we have Caliches' now and we have a lot of  
2 minors that work in our stores and their parents are very concerned for  
3 their safety.

4 For somebody to say that now there's a direct correlation between  
5 lighting and darkness and, I hate to tell you, but it's completely wrong. The  
6 assumption is because... about two or three days ago... I meant to bring  
7 the article, but there was an article in the Sun News that talked about the  
8 fact that there's a lot of break-ins into homes recently. There's a lot of  
9 break-ins into vehicles that are parked on the street. Guess what the first  
10 recommendation was from the City of Las Cruces Police Department?  
11 Was to park and illuminate your vehicle and your home to improve that.  
12 They didn't say anything about darkening or taking out your light bulbs is  
13 going to deter theft. They said go out there and improve the lighting of  
14 where you park if you're parking lot at a business or at the mall or at a Pic  
15 Quik Store or anywhere else or if you're home improve the lighting at your  
16 home. Now I agree with the obnoxious lighting that you talk about where  
17 people have spot lights that are flashing into your eyes or they're  
18 triggering off an alarm. But every light fixture in my stores is full cut off.  
19 And yet the issue now has been that to get full cut off and to get the same  
20 lumens in the parking lot and to get the same kind of lighting we have to  
21 raise our light fixtures as the City has done. The City's done the same  
22 thing with their streets, etcetera.

23 So now with the safety issue if somebody's looking at a light bulb  
24 somebody commented that it takes a senior citizen eight seconds for their  
25 eyes to adjust when leaving my canopy, well, I talked to my doctor,  
26 optometrist, and he said, "Well, Oscar, if it takes somebody's eyes eight  
27 seconds to adjust from a parking lot light to a street light they shouldn't be  
28 driving." And so it takes maybe eight microseconds for your eye. The  
29 human body's an amazing thing and if your eyes take eight seconds to  
30 adjust from your parking lot lighting to street lighting, again, you should not  
31 be driving.

32 So again, my concerns are with all of this. Mr. Newby did a  
33 commendable job on that but if you look at security and for those who  
34 live... well, I have a store in Hatch, New Mexico which I frequent on a  
35 regular basis. Anybody who's been by the checkpoint recently, they just  
36 added five new canopies and that place... they are in complete violation of  
37 the dark skies but they're exempt because they're a government entity  
38 and, as is the City and as the parks, etcetera. But if you go by that border  
39 checkpoint they have thousand watt metal highlight fixtures, not LEDs, not  
40 fluorescents, so they're not conserving any energy at the taxpayers'  
41 expense and you can see this thing glowing from miles away on both  
42 distances. And if safety is not a concern then why does the Border Patrol  
43 need all that lighting? I mean there's an obvious reason for lighting tied  
44 into safety.

45 So, again, the argument seems to be that... the argument before  
46 used to be no light emitted into the sky. We got past that. We complied

1 with that. We've worked with that. City and I worked this summer and got  
2 our stores approved and built. Customers love our stores. Now the issue's  
3 gone even further now and they're trying to stop... somebody said to me,  
4 "Well, if I stare at a light bulb for ten seconds I can go blind." Well, if you  
5 stare at the sun for ten seconds you're going to go blind also. It's not  
6 something that's smart to do.

7 Again, I ask the City... and there's something else I considered. If I  
8 were a builder and, which I am, I build stores and I do construction, what  
9 is incentive for me to take an old building or an old Pic Quik Store, an old  
10 Welcome Inn, and old facility and upgrade it because I can't spend  
11 \$25,000.00 or more and then I have to come into compliances with all of  
12 the other buildings. If I was a builder or remodeler what is the expense  
13 going to be or loss of business to the industry because people are going to  
14 say, "You know what? The \$25,000.00 I can afford to spend to remodel  
15 my kitchen or redo my back yard, etcetera, put a swimming pool in, now  
16 because it exceeds \$25,000.00 here comes the City Police and they're  
17 going to the and Light Police and they're going to make me redo my lights  
18 on my building, my whole lights, etcetera, I mean, so if I were in the  
19 building industry I would be very concerned with this Ordinance because  
20 it's going to affect the livelihoods of many... The construction business in  
21 Las Cruces is down. Remodeling business is up. Anybody I talk to that in  
22 the industry is right now people remodeling their homes and this is my  
23 concern was that the building industry, is that if they really knew about this  
24 Ordinance they would be here today stating, "You know, you're going to  
25 put me out of business by requiring all the upgrades that, as Mr. Newby  
26 alluded to..." What is the definition of the lumens, the outputs, etcetera,  
27 the size of the property?

28 I also live in Picacho Hills now and I love the fact that it is dark out  
29 there but I would tell you I killed two rattlesnakes in the last couple of  
30 weeks, almost stepped on one and it's because I don't have enough light  
31 in my front yard. So I'm going to put more light in my front yard and if  
32 they're going to put me in jail and fine me, well, that's a different story. But,  
33 you know, I'm not going to jeopardize... I have a grandchild now who's in  
34 the back yard or my dogs who may get bit by a rattlesnake and people  
35 who think that lighting doesn't prevent... and, again, law enforcement  
36 throughout the nation, it's in the Sun News, law enforcement... nobody's  
37 here from law enforcement today. But I would challenge the City to get...  
38 we've had three cases that we have helped solve in the recent last six  
39 months with the help of our... I spend \$50,000 to \$100,000 per store on  
40 security. And we have been able to identify vehicles in the parking lots,  
41 vehicles who were in my gasoline pumps, vehicles who were in my car  
42 washes because of the lighting and the cameras will not work with low  
43 lighting. So the Police have been very, very appreciative. In Anthony, for  
44 example, when they were having the drive-by shootings, they arrested a  
45 kid because... you know, kids should be in jail for something, but they  
46 arrested the kid because they figured he was the one who did this drive-by

1 shooting. The Police, because of my lighting in Anthony, were able to get  
2 the license plate, the vehicle description and were able to find the actual  
3 perpetrator and arrest the right person, saving this person from going to  
4 unjust expenses and being prosecuted and the person who actually  
5 committed the crime was loose in the streets. Recently with the person  
6 who was raped on Picacho and the river, Police also again were able to  
7 identify the vehicle in my parking lot, take that video tape. So again, law  
8 enforcement appreciates our stores and the lighting that we have in our  
9 stores.

10 And, again, we do currently comply with the dark skies, which  
11 you've asked us to do now with all these changes is, how do I build a  
12 store, how do I get my architect to sign off on these drawings and how do I  
13 keep my employees safe? It just virtually seems impossible to me. You  
14 asked us to dim fluorescent lights; fluorescent lights cannot be dimmed.  
15 You ask that we reduce lighting by a third. My store is a 24 hour store,  
16 some are not. We offer fuel sales 24 hours a day. We have Red Box DVD  
17 rentals. This is a 24 hour town whether people like it or not. We have  
18 students that come to our stores to rent video tapes and they want to be a  
19 nice bright... The reason Red Box picked our stores to go to is because of  
20 the fact that our stores were the best lit stores and secure stores, in their  
21 opinion, and the high traffic didn't hurt at all either. So, again, national  
22 companies are looking for that and so when they hear all these studies  
23 and all these speculations and all, again,... I want my grandchildren to  
24 also have energy.

25 Nobody has mentioned the fact that we might not even have fuel in  
26 20 years so we could be in the dark in 20 years whether we have a choice  
27 or not.

28 But I just ask that the City Council and all the folks that are writing  
29 these rules and regulations understand the impact on the business person  
30 and the security of my staff. I mean, I don't want to be the person who tells  
31 a mother that their daughter got raped on the way to their vehicle because  
32 she couldn't see someone hiding there in the park. So I've heard people  
33 say, "Get over your fears of lighting. It's a fear of something that's in your  
34 mind." Well, it's not I your mind. It's reality. And law enforcement says  
35 lighting does help, you know, I think that's probably the best source of  
36 information we can have so I would ask that you maybe get the City of Las  
37 Cruces involved and the Police Department and get their opinions and  
38 studies on that. Thank you.

39  
40 Isler: My name is Mark Isler. I was part of the committee that drafted the current  
41 Lighting Ordinance ten years ago and parts of I like and parts of it I didn't,  
42 of course. It was all a compromise.

43 As of the current proposed Ordinance there are some things I like  
44 about and some things I don't. Some things that I like are that you're going  
45 from full cut off to fully shielded, which I think is a great improvement. It  
46 simplifies the measurement aspect of it. It gives more flexibility to builders

1 and designers. I think we need to take that attitude, that perspective, over  
2 the entire Ordinance and try to simplify the entire Ordinance instead of  
3 going from 9 pages to 18 pages, I think we need to go from 9 pages to 2  
4 pages. I think we can take this Ordinance and apply fully shielded exterior  
5 lighting to all commercial applications. That'll cut down on all the glare, all  
6 the safety issues, cut down on sky pollution and get away from  
7 measurement of lumens in any way because you can take a 400 watt  
8 light, put it in a canopy over asphalt and it's going to be darker than a 400  
9 watt light over concrete just because of the difference in ground surfaces.  
10 So I think it would be better to more fully implicate it if we could just  
11 simplify it. Everybody could understand what's needed, the purpose of it, if  
12 we could just simplify it, get away from the measurement, fully shield our  
13 lights and that way the businesses know what they're putting in.

14 And then on to the Grandfathering, I like that you've grandfathered  
15 everything in; however, I think some of the triggers that would cause you  
16 to have to replace a perfectly good light fixture is putting the burden on  
17 businesses that, and even homeowners, that I don't think is warranted  
18 given that the light fixture was put in legally at the time. I think that the only  
19 reason a light fixture should have to be replaced with a fully shielded  
20 fixture is if that fixture was being replaced or maybe a substantial part of  
21 the outdoor lighting was being replaced, not the carpeting, not the  
22 windows, but something that actually has to do with the outdoor lighting. I  
23 think that just makes common sense. And that way there'd be uniform  
24 lighting on the property after they replaced... if they only replace two or  
25 three if them then you can come with a percentage, 25-50% then they'd  
26 have to replace everything. I think most businesses would agree with that.  
27 It's going to cost a little bit more money but in the long run it's going to  
28 provide better overall lighting coverage and it'll look better and be more  
29 effective. To me, even just changing the occupancy would trigger having  
30 to change out all of the outdoor lighting fixtures. If the home stays  
31 unoccupied for a year, and in this market most of them are, then you'd  
32 have to change out all of your outdoor light fixtures that don't comply. I just  
33 think that's a hardship that the homeowners, businesses shouldn't have to  
34 bear.

35 So I think if we could simplify the Ordinance, and I think we can do  
36 it reasonably by fully shielding everything. I think residential should be  
37 exempt because we're talking, you know, 60 watt light bulbs versus...  
38 what's a 60 watt bulb? 900 lumens? ...or a 100 watt light bulb, which you  
39 can easily interchange in the same fixture. We're talking 1500 lumens  
40 versus a 400 watt metal halide which is 30,000 lumens. So I think they're  
41 apples and oranges.

42 I think the residential side really shouldn't be addressed because  
43 it's not a safety hazard. There are some nuisances out there, I think, with  
44 the directional, the aiming of security lights on residential applications...  
45 maybe include that. But I think the light bulb on your front porch you  
46 should be allowed a 100 watt bulb in there if you want to and not be

1 limited to a 60 watt just because it's... it just doesn't play into the picture  
2 as far as safety and security. With that that's all I have to say. I just wish  
3 we could simplify it so that everybody here could actually understand what  
4 they're reading and be able to apply it to their home or business.  
5

6 Morales: Hello everybody. I'm Paul Morales, President of (inaudible) Company, I  
7 have 11 locations in Pic Quik Foods Incorporated, 10 in Las Cruces, 1 in  
8 Hatch. Safety is an issue. I have a lot of teenage kids that work for me. I  
9 have a lot of gals that work for me, 60% of my work force is female. We  
10 have 24 hour stores. We have the first Anthony grill that is open 24 hours  
11 that's located on Belrose and one of our newest stores and people just  
12 love that store. They can come in at 3:00 in the morning, get delicious  
13 food, fresh coffee and feel safe. They can use the ATM machine but they  
14 also get a video. A lot of the kids, the hospital, Memorial Medical Center...

15 Now if we dim the lights it's pretty dark in the back part of the  
16 store...and like you say, safety is big. We don't want none of the young  
17 kids or none of the gals to get hurt like what happened at McDonald's not  
18 too long ago. They didn't have proper lighting, in my opinion. A guy snuck  
19 up behind that gal, took her, extorted money from her from the ATM  
20 machine and took advantage of her. So safety is big with us...like I say, I  
21 have over 60 employees located inside the Pic Quik Stores. Also, I often  
22 here, customers come to me and say, "We just love coming to your  
23 (inaudible) stores because they're so friendly, everything's lit, everything's  
24 so clean." Pic Quik Convenience Stores, we are the Cadillac of  
25 convenience stores in the community and, you know, quality is (inaudible)  
26 safety, like Mr. Andrade said, it is the number one priority for our  
27 customers and patrons. Thank you very much.  
28

29 Kyle: Is there anybody else that has anything they'd like to add? (not at  
30 microphone)  
31

32 (Mr. Roewe from audience and no microphone – mostly inaudible)... reconvene the  
33 original committee who put the original Ordinance together...  
34

35 Kyle: I believe that is a possibility that certainly can be looked at. I will say that  
36 we have heard, speaking for Barry and myself, this is what we wanted to  
37 hear tonight. We've heard some exceptionally good suggestions and good  
38 ideas and that's the purpose for putting this out for public input and I truly  
39 appreciate you all coming and taking the time to sit here for almost two  
40 hours and share those thoughts with us. (inaudible) your guidance that we  
41 wanted in trying to put together a baseline draft Ordinance. I think given  
42 some of the comments we've gotten and certainly some excellent  
43 technical issues to look at and consider the professional liability, etcetera.  
44 I will seek permission, direction to at a bare minimum chew all this stuff  
45 over and come back for additional public input before proceeding to a City  
46 Council-type setting. And if that direction is provided and, absolutely, that's

1 where we would go and that's where I would like to go following this  
2 evening's input. In addition to your comment, Mr. Roewe, about  
3 reconvening or creating a new task force, etcetera, we have City  
4 Administration in the room tonight.

5 We also have City Council and certainly City Councillors in the  
6 room tonight and perhaps that is direction that we can receive as well.  
7 Maybe that's the approach that we should proceed in that. The direction  
8 that we were given is to draft an Ordinance that we felt... that Staff could  
9 put together... that we felt was reasonable and enforceable and use that  
10 as a starting point or a baseline then in which to proceed with the revision.  
11 Again, this is the first opportunity in a group setting to obtain that input. As  
12 I mentioned over the month we have received numerous e-mails from  
13 various groups and individuals, as well, and have shared some really good  
14 ideas. Staff wanted to wait until we have this opportunity to come together,  
15 collect all of this in a one-point setting, sit down and take a look at it and at  
16 that point, advise Administration and Council, "This is what we're hearing.  
17 This is the direction or some of the predominant issues," and then seek  
18 further direction at that point.

19  
20 (man's voice from the audience – inaudible)

21  
22 Kyle: If I may, we have not been directed by...Staff has not been directed by  
23 City Council as a Body to revise this. City Administration...

24  
25 (man's voice from the audience – inaudible)

26  
27 Kyle: City Administration directed us to look at revising the Ordinance based on  
28 comments that have been received through Administration and through  
29 various City Councillors to look at the Code, again, we do have a few  
30 issues that were coming up that were causing some concerns... look at  
31 the Code and see what we could do to revise it, perhaps provide  
32 additional flexibility, which I believe we've actually done in many regards,  
33 and look at how we can address some of those issues that have been  
34 brought up; because some of those things, for instance the LED, that  
35 didn't exist 10 years ago is widely used. That's a technology that's not  
36 addressed in this Code and because it's not addressed in this Code it's  
37 wide open to do whatever you want with it.

38  
39 (man's voice from the audience – inaudible)

40  
41 Kyle: I will go on. I know there's a few more people that want to make  
42 comments. If we have not heard from you I would like to hear from you  
43 first and then we can go back and talk to others but if you are going to talk  
44 please approach one of the mics so that we can pick those comments up.  
45

1 Eichelberger: My name is Michael Eichelberger. I've Vice-President of L-E Electric in  
2 Las Cruces. I'm an Electrical Engineer. I've been dealing with this Lighting  
3 Ordinance from its conception. Like the gentleman here I also was on the  
4 committee that helped to draft this Ordinance and along with him there  
5 were many compromises made with special interest groups, some that I  
6 agreed with, some that I didn't but the vote goes the way the vote goes.

7 I would like to address what this gentleman brought up; there are  
8 numerous technologies that cannot be taken advantage of under the  
9 current Ordinance, especially from an energy conservation standpoint.  
10 There are light fixtures now available, as you so correctly brought out, that  
11 were not basically available at the time that this original Ordinance was  
12 drafted and of, course, those need to be addressed in some way. There  
13 are, for instance, I agree with Mr. Newby, if the sign people knew that this  
14 was going to impact their signs they would be up in arms, I'm sure, but all  
15 of us have seen that there are nuisance issues, night sky protection  
16 issues, glare issues with many of these signs that need to be at least  
17 discussed and talked about.

18 But we don't want to penalize legitimate business owners,  
19 conscience business owners, like Mr. Andrade, for example, in not being  
20 able to take advantage of current technologies that: one, do not pollute the  
21 sky because of their specific design, and; two, allow him to provide  
22 adequate secure lighting, as we've seen many people talk about tonight,  
23 without wasting energy. We've gone through working with Oscar for years,  
24 we've gone to great lengths to look at and to try and provide the most  
25 efficient light and balance energy conservation with personnel security  
26 with being a good civic citizen; a good citizen of Las Cruces as well as  
27 New Mexico, the country, the world, because we all need to do what we  
28 can.

29 I understand the gentleman's comment, you know, if we could  
30 educate people and allow them to apply common sense that seems like  
31 the best thing and that would be good if the world were not as... has been  
32 commented, common sense ain't so common. It's very difficult for people  
33 to apply common sense. It seems to be more of a rare commodity as the  
34 years go on and, if you are too vague in the things that you write, as far as  
35 the Ordinance goes then you will find that there are a contingent or a  
36 percentage of people who will take advantage of that and exploit  
37 loopholes.

38 Of course, we don't want to do that. I do like the comment... the  
39 gentleman that served on the committee with me... I can't remember his  
40 name right off the top of my head... I do like simplicity but I don't think that  
41 we should sacrifice clarity for simplicity. I think that the Ordinance needs to  
42 be clear. There is going to have to be a measure of technical information  
43 there for design professionals, persons like myself who that is my life:  
44 electricity, lighting, that's what I do all day every day and I need to be able  
45 to quantify and be able to design a store for Pic Quik and say conclusively  
46 according to the Ordinance, according to the law, "Yes, this is going to

1 comply and you shouldn't have any problems with that." If we just say,  
2 "Well, you know we leave it up to..." as some of the language  
3 unfortunately is now there's a perception problem, you know, a "perceived  
4 glare." Well, I can't design to "perceived glare." It's impossible. My  
5 perception of glare and someone else's perception of glare is completely  
6 different. If I, Lord willing, get to be ninety my perception of glare is going  
7 to change. But we need to be able to balance and provide a good product,  
8 if you're going to call it that, as far as an Ordinance for all citizens of Las  
9 Cruces and not simply the ones who yell the loudest or who possibly have  
10 time to e-mail you the most. We need to be able to have... and if the  
11 committee needs to reconvene or we need to reconvene another  
12 committee to allow representation from different facets of the community  
13 then I think that might need to be looked at.  
14

15 Woodward: I'm Maddie Woodward and I just wanted to say that I want to be an  
16 astronomer when I grow up and I want to be able to sit in my back yard in  
17 a regular neighborhood and see the stars.  
18

19 Kyle: Anybody else? Any other comments? Use the mic...  
20

21 Hadley: I think there's a lot of ... what we're all talking about is it's not one side  
22 winning or the other side winning. It is compromise and when you guys  
23 were on that committee that formed this ten years ago saying that you did  
24 have to give up some things...no we won or they won. So I'd just like to  
25 see a compromise all the way instead of having it one way or the other.  
26 It's my two cents.  
27

28 Garza: Good evening, everybody. For those who don't know me my name is  
29 Robert Garza. I'm the Assistant City Manager. Thank you all for being  
30 here. Robert handed me the microphone so I think he wants me to say  
31 thank you and all the rest. But he also put me up here because he doesn't  
32 know what Admin's going to ask him to do or direct him to do. Sometimes  
33 we have these hearings, we have these meetings, we invite the public out  
34 to talk about things that are important to our community and nobody  
35 shows up.

36 So I just want to start by thanking every one of you for being here  
37 and sharing your thoughts no matter what they are, are they're valuable  
38 and we have to listen. That's what we're here for, to listen. This is the  
39 beginning of the process, certainly not the end. Ultimately we're going to  
40 move this process forward. We need to deal with our lighting issue.  
41 Obviously there are issues or we wouldn't be here having these  
42 discussions and these debates.

43 We will have additional public input sessions. We will have a work  
44 session with our Mayor and Council where decisions will be made and  
45 then we'll have the first reading of an Ordinance and final reading of an  
46 Ordinance. Before we even take it into that arena, which controls the

1 amount of input and the time that you all have to contribute, we're going to  
2 take as much time as we need to take to make sure that all the issues, all  
3 the questions, all the great ideas and thoughts that have been shared  
4 have been fully thought through and we want, as somebody just said very  
5 well, there's going to be compromises even on our part.

6 Thank you for being here. We're going to have some discussion  
7 about all the good things we've heard, put together a plan and you will all  
8 hear from us in the future. Thank you.

9  
10 Kyle: I would also like to add real quick, if I may, please, if you have further  
11 thoughts, suggestions, etcetera, please forward them to me. The link will  
12 be up on the Community Development's web page. My e-mail address is  
13 available there.

14  
15 (man's voice from the audience – inaudible)

16  
17 Kyle: There's not one at this point. We wanted to get as much as we could prior  
18 to this date but it's open-ended, sir.

19  
20 END OF MEETING 6:57 pm



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April 27, 2010

Care of Robert Kyle, via electronic mail: rkyle@las-cruces.org

Mayor Ken Miyagashima  
Councilor Miguel Silva  
Councilor Dolores Connor  
Councilor Olga Pedroza  
Councilor Nathan P. Small  
Councilor Gil Sorg  
Councilor Sharon Thomas

Re: Proposed Amendments to Sign and Outdoor Lighting Ordinance Provisions

Dear Mr. Mayor and members of the Las Cruces City Council:

On behalf of Pic Quik Stores, Inc. and President Oscar Andrade, I am again writing to provide input on the outdoor lighting ordinance amendment under consideration, and to add concerns about the proposed amendments to sign ordinance provisions. We have noted that the proposed amendment for outdoor lighting includes no revisions to address any of the detailed concerns expressed through the earlier meetings on this same draft, and that the input of the business community has been characterized as: "no change". We recognize that the input of the "design community" and the "citizens at large" were also simplified into two-word phrases, but nonetheless find this summary inaccurate, and inadequate. Pic Quik can see the need for clarification of issues (such as replacing "full cut off" with "fully shielded", and does not object to changes in the substantive technical standards for outdoor lighting, so long as they are reasonable, in terms of functionality, practicality, cost, and providing an objective standard that can be relied upon in investing in growing a business in this community.

## Signs

Most of this letter essentially reincorporates my earlier letter (dated July 24, 2009), given that none of the specific issues raised have been addressed in any way. That letter did not address the proposed amendments to the sign ordinance, which also concern Pic Quik. We have two primary concerns about this proposed amendment: 1) the general

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justifications are unclear – whether they intend to address traffic safety concerns, or aesthetic preferences; and 2) why the size of lots and in particular the frontage are not taken into account in the regulations. The amendment would have an eight second minimum for messages, and would prohibit a “transition between messages”; at the hearing on this amendment, we hope to hear the bases for these regulations. Pic Quik has no intention of opposing a regulation that reasonably addresses a material public safety concern, but no such purpose is obvious to us. As to the number of signs, regardless of the purpose of these regulations, safety or aesthetics, it does not seem reasonable to make the regulations applicable “per lot”, regardless of the size of the lot, and in particular the frontage. Similarly, a corner lot, with frontage on two streets, signage should be allowed for each frontage. We cannot see the distinction in impact, either safety or aesthetic, between a row of 10 lots with 100’ frontage each, and one lot with 1000’ of frontage, yet for the 10 lots 10 signs would be allowed verses 1 for the single lot of the same total size.

As to the lumen output of LED signs, lumens is not an appropriate measurement for this type of lighting. Lumens measure constant light output, whereas the term “LED” is an acronym for “Light Emitting Diode”; these devices work by alternating “on” and “off” so quickly that it produces a bright appearance without emitting a constant light. The brightness (given that lumens is not a proper term) on these devices cannot be reduced, at least not on the signs Pic Quik has purchased, and each LED sign purchased by Pic Quik represents an investment of approximately \$30,000. These lights appear to be bright in part because they are typically mounted above canopy lighting, or on pole lighting away from other light sources, and therefore contrast more dramatically with the surrounding darkness. The appearance of brightness should not be confused with “light pollution”, especially given that these fixtures are always mounted vertically; any horizontal “spill” beyond the frame of the light, any interference with the night sky, is necessarily negligible. Any safety concerns about cartoons or other movements within an LED sign appear to be speculative; we are aware of no evidence to suggest that they present a safety hazard. In fact it would seem that requiring quick changes and prohibiting transition times could present a danger. We understand that some people don’t like LED signs aesthetically, but in commercial districts reasonable use of technology for advertising should be allowed in the absence of safety concerns.

### **Outdoor Lighting**

As stated in my previous letter, Pic Quik fully supports the goal of minimizing light pollution, and other negative effects associated with lighting. Pic Quik is also extremely attuned to the need to ensure that lighting is sufficient to ensure safety, and that all government regulation is clear, and capable of uniform application to all residents, including in the business community. We must be able to rely on the ordinance provisions in making investment decisions, including the choice of lighting fixtures and installation designs.

To summarize the concerns further detailed below as to the proposed outdoor lighting amendment, the proposed revisions do not adequately balance the need for safe and comfortable lighting for commercial uses serving this community against the need to

minimize negative effects of lighting. The proposed regulations do not establish clear, reasonable standards that business owners can rely on in making decisions about lighting purchases and design, which are critical to a business use such as Pic Quik. Many public buildings and uses do not comply with the current ordinance, and would not comply with the regulations as proposed for revision. While we understand that public uses sometimes have special needs, in terms of lighting for safety, security, and aesthetic reasons, we see no basis for any distinctions. This appears to be an instance where the local governing authority is considering implementing regulations for businesses that are inconsistent with the balance between competing public interests implemented by various government agencies, including the City of Las Cruces, for street lighting, security lighting, and architectural lighting for public facilities. Finally, certain provisions of the proposed regulations are, in my opinion, patently unconstitutional, and will invite litigation.

■ *The purpose statement is vague.*

Again as previously noted, the “purpose” statement is extremely general. I continue to strongly believe that a specific purpose statement can be extremely helpful in shaping the expectations of those involved in the regulation process, from enactment through implementation, and to those looking to the ordinance to understand their rights, obligations, and remedies. In this instance, the phrase “health, safety, and welfare” merely recites the constitutional basis for government entities to exercise any police powers. The purpose statement should acknowledge that in regulating outdoor lighting, the City of Las Cruces must necessarily balance protection of the night sky and minimizing other negative effects associated with lighting, against the need to ensure sufficient lighting for the safe and comfortable use of commercial facilities, as well as residential properties. In my experience it is extremely helpful in keeping public discourse about controversial issues civil and productive for the local governing authority members and staff to explicitly acknowledge the realities of competing public interests, and a purpose statement can provide an excellent framework to support such a practice.

■ *Some of the regulations are unreasonably broad.*

The substantive provisions of the proposed regulations lack this balance, as they do little to materially and usefully address the need for safe and comfortable lighting. For instance, “lighting” is limited to fifty foot candles of illuminance under § 39-28(A). This provision is vague, but considering the regulations as a whole, it appears to apply per lot. As written, the limit applies regardless of the acreage of the lot, building size, or zoning or actual use, and whether or not the illuminance is fully shielded and otherwise contained within the property boundaries. Subsection 39-28(D) similarly limits heights and lumens for attached lighting, without regard to any other factors. Typically a small office building should require minimal outdoor lighting, and a Pic Quik store designed for 24-hour use will require substantially more to ensure that customers are safe, and feel safe and comfortable, yet all uses are treated identically under these regulations. The zoning for different uses varies, as do minimum and maximum lot and building sizes, parking areas, etc., and the process for determining the zoning for various properties

should have considered the impact of factors like the necessary lighting associated with the uses on surrounding properties and uses. While night sky protection requires that some standards be applicable in all use categories, limiting total illuminance seems irrelevant to night sky protection as to fully shielded luminaires; yet this regulation does not distinguish between illuminance under a canopy, for example, and illuminance in an uncovered parking area.

This problem is aggravated by § 39-10, regarding "measurement". Illuminance is to be measured "at ground level with the meter oriented horizontally". Illuminance in excess of fifty foot candles, even though fully shielded under a fuel canopy, would violate § 39-28(A), even though all luminaires used and installation are fully compliant. There seems to be no purpose in regulating the illuminance under these conditions, and yet competing safety interests are not even referenced. One of Pic Quik's concerns about lighting regulation in general and these provisions in particular is the impact of cement on illuminance measurements. Pic Quik uses cement for all fuel and parking areas, instead of asphalt, as typically allowed and used. Although initially more expensive, cement is far more durable than asphalt, particularly for significant heavy vehicle traffic. The reflectivity of cement reduces temperatures at the facility, and cement is easier to clean, and looks more attractive. It also increases the illuminance of the site, and therefore the safety of the facility, and customers feel safer and more comfortable using the facilities at night in part *because* of the illuminosity and cleanliness of the cement.

If all luminaires are fully shielded as defined in the ordinance, and yet the illuminance exceeds the standard, the lighting would have to be completely replaced. This type of lighting cannot be "dimmed" or otherwise reduced. Fluorescent light fixtures that can be dimmed are available, but they are dramatically less energy efficient, and of course we believe that "dimmer" lighting is inappropriate for use by Pic Quik as it compromises customer and employee safety and comfort, and would be inconsistent with OSHA standards that require adequate lighting whenever employees are present. Outdoor lighting for a typical canopy area at a typical Pic Quik store costs approximately \$50,000. Pic Quik and other businesses need to be able to rely on clear and reasonable regulations in making decisions about lighting purchases, designs, and installations; it is a matter of economic reality, as well as constitutional minimums. The process would be uncertain under the regulations as proposed, although it is probable that Pic Quik could not comply as to future construction, and have safe and comfortable lighting.

■ *Some proposed standards are unconstitutionally vague.*

Other provisions of the proposed regulations are unconstitutionally vague. Under § 39-21(C), "Outdoor Lighting shall be installed and maintained to provide effective shielding." This seems to attempt to create an ambiguous penumbra of regulation beyond the specific requirements in § 39-21(A), including the definition of "Fully Shielded" in § 39-8. There are several ambiguous definitions in the regulations, and the ordinance provisions do not solve the problems. "Light Pollution means any adverse effect of manmade light", a completely subjective standard. The term is used in § 39-21(F) of the "General Provisions", which only says "Outdoor Lighting shall minimize or eliminate

upward lighting and light pollution.” Similarly “*Light Trespass* means light falling where it is not wanted or needed, typically across property boundaries”, another ambiguous and subjective definition. This defined term is used in § 39-21(D) of the “General Provisions”, which only says that “Outdoor Lighting shall be located aimed and/or shielded to minimize light trespass.” Neither the definitions nor the regulations save each other from unconstitutional ambiguity; regulations must inform a reasonable person as to what is and what is not allowed, and these provisions do not.

■ *Safety standards are inadequate.*

Safety seems to be given minimal weight throughout the proposed regulations. The “General Provisions” of § 39-21(E) merely state that outdoor lighting “shall provide adequate lighting levels for security (if provided or applicable).” There are no regulations to establish the circumstances under which security lighting is appropriate, no regulations to quantify safe lighting levels for particular uses, and no regulations to ensure that lighting necessary for safe use of facilities is even legally allowed. Adequate lighting to ensure the safety of convenience store employees is mandated by OSHA. N.M.C.A. §11.5.6.8 states: “The employer shall provide and maintain exterior lighting during all evening and nighttime operating hours that ensures clear visibility of the parking areas, walkways, building entrances and exits, and gasoline pump areas.” These regulations do not attempt to quantify what is adequate, and neither does the proposed amendment to the ordinance. Within the context of the restrictions included, this statement in support of security lighting is inadequate.

Twice the ordinance prohibits lighting that “adversely affect[s] the safe vision of pedestrians, cyclists, or vehicle operators” (§ 39-21(B) and § 39-28(B)) without attempting in any way to define or quantify or even describe the types of hazards intended to be addressed. These provisions are unconstitutionally vague. From past discussions with City staff about complaints from some residents, we understand that the “adversely affects” language in the proposed regulations is intended to redress the impact of an individual looking directly into a light. As the City acknowledged by raising the height of street lights, in order to provide safe lighting that is fully shielded, it is necessary to either raise the height from which the lighting is emitted to sufficiently “spread” the light, or to install so many lighting fixtures that it would be cost prohibitive, and present significant design problems for any facility, including due to aesthetic considerations. Lights in Pic Quik parking areas are at 30’, the same height as City street lights for arterials. It seems these regulations attempt to redress this problem by requiring businesses to accomplish two things that are essentially mutually exclusive. The regulations need to establish the point of compromise between the competing goals involved, and the point of compromise needs to be reasonable, and articulated clearly enough to support good business decisions.

■ *Late night restrictions are unreasonable as written.*

Under § 39-22, “[a]rea lighting” is to be turned off at 11:00 pm or close of business whichever is later except that security lighting may remain on provided it is no more than

one-third normal lighting levels.” One problem with this provision is that “area lighting” is undefined, and I personally do not understand what it is intended to mean in the context of these regulations. Also, for a retail use, “close of business” may be an inappropriate time for lighting to be extinguished, since often employees need to remain on the premises well after closing time to clean, stock, etc. I would suggest this language be revised so that it applies at “11 p.m., close of business, or when the last employee leaves the business, whichever is later.” Also, what are “normal lighting levels” for a business that operates primarily during the day time, but needs to have some outdoor security lighting at night? Any lighting would violate this provision as written, and it should be clear that at least what is minimally required for security purposes will be lawful, if it complies with the other provisions of the regulations. Finally as to this provision, “close of business” should be further defined so that if any services are available to customers, the business is not “closed”. For example, some Pic Quik stores close, but fueling services via credit card purchase remain available to customers. These customers need the same lighting despite the fact that the actual store is closed. This would also apply to a business with some “vending” type services being available at all times, such as movie rental machines, when other business services are “closed”.

■ *The delegation of authority to the Building Official is unconstitutional.*

In addition to all of these concerns, the ordinance includes an unconstitutional delegation of authority. In § 39-5, the Building Official is authorized to impose “greater requirements to ensure the promotion of health, safety and welfare of the citizens of the city.” I cannot conceive of a reasonable argument in support of the constitutional validity of this provision. See *ie. Smith v. Bd of County Commissioners of Bernalillo County*, 2005 NMSC 12, ¶ 36, 137 NM 280; *State Park and Recreation Commission v. New Mexico State Authority*, 76 N.M. 1, 411, P.2d 984 (1966); and *Sofeico v. Heffernan*, 41 N.M. 219, 67 P.2d 240 (1936).

■ *Enforcement provisions are unreasonable.*

The enforcement provisions in § 39-32 are burdensome in establishing each day as a separate violation since this type of violation could be extremely expensive and logistically difficult and time consuming to correct. This is of course aggravated by the ambiguities in the ordinance, and the daily penalties provision should at least be limited to a situation where a violation was willful and without a good faith belief as to a valid defense, and where immediate correction was practicable.

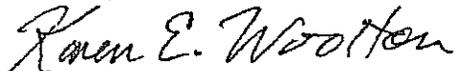
■ *The amendment includes minor irregularities.*

Finally, I suggest some minor corrections and stylistic changes. Following general statutory interpretation rules, headers should be for informational purposes only, and the provisions of the regulations should stand alone. Several sections do not follow this principle, and do not use complete sentences. See § 39-28, paragraphs (A), (B), (C), and (D); and § 39-29, paragraphs (B) and (C). In the definition of “Fully Shielded” in § 39-8, part (1), “manufacturers” should be “manufacturer’s”. In § 39-9, the phrase “one and two

family dwellings on a single lot” could be replaced with the term “Residential”, defined in § 39-8. In § 39-9(A)(1), I believe it would be clearer if the end of the sentence read “for new outdoor lighting, and for existing outdoor lighting if compliance is required under § 39-30.” I suggest adding the phrase “excluding for signs as provided for in § 39-29(F)” to the end of §39-24(2), as a clarifying cross-reference. I also question why some provisions use letters for subparagraphs, and others use numbers; perhaps there is a pattern but I do not see it. Finally, in § 39-30(E), I believe that the phrase “single or cumulative” should be “singly or cumulatively”(adverbs instead of adjectives), since both modify the verb “occur”.

We appreciate your careful consideration of these comments. Enclosed are statements in support of Pic Quik’s current lighting signed by Pic Quik customers and vendors, collected last year when the draft was circulated, for your further consideration.

Cordially,

  
Karen E. Wootton

c: Oscar Andrade, President, Pic Quik Stores, Inc.

July 28, 2009

To Whom It May Concern:

We are a local distributor and we have been a vendor of Pic Quik for many years. Our delivery team begins their day as early as 4:00 a.m. and the fact that Pic Quik has well lit stores and parking lots helps ensure the safety of our employees as well as Pic Quik customers and provides added security against the theft of our product during the delivery process. It is necessary for us to begin our workday deliveries very early so as not to cause congestion situations with Pic Quik customers that could delay their day and possibly cause unsafe conditions for Pic Quik customers in a crowded situation during our deliveries.

Reducing the lighting at the Pic Quik store(s) could jeopardize our employees' and Pic Quik customers' safety and the security of our product. I ask that you not require Pic Quik to reduce their store or parking lot lighting.

Sincerely;



Rick Velarde  
General Manager

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July 21 09

To whom it may concern

This letter is in regards to revisions currently pending on outdoor lighting.

As a store manager at a local Pic DICK, I am concerned that dimming our lights at night may cause some safety issues with our clerks at night and with customers, as well as myself. Customers and employees often tell us that they feel safe in our stores due to our excellent lighting inside and outside.

Thank you

Monica Sanchez

July 24, 2009

To whom it may concern:

I am a concerned citizen about the light ordinance outside of a business. I go to work before the sun rises. I depend on outside lighting as a safety precaution and will not get out of my car if I notice other cars or people in the parking lot. The outside lighting helps me physically see who is coming into or is around the business before and during my shift.

The outside lighting also informs my customers that we are open for business and helps them feel safe when coming in during the early morning or late night hours. The outside lighting at the store that I am employed makes me feel safe and is good for business.

*Gina Mata*

Gina Mata  
Manager Pic Quik #7  
2240 E Missouri  
Las Cruces, NM 88001  
(575) 522-0727

KEEP SAFE LIGHTING

On Wednesday, July 29, 2009, beginning at 5 p.m., the Las Cruces City Council will consider revisions to outdoor lighting regulations. Recently Pic Quik has been targeted by some members of the community who believe our stores create light pollution and other lighting hazards. Although Pic Quik's lighting complies with the current ordinance, the proposed revisions would allow City staff to apply different requirements on a case by case basis. Pic Quik uses the best available lighting to ensure safe visibility for our customers while minimizing light pollution, and wants to be able to continue to use this lighting.

Customers often tell us they feel safe at Pic Quik stores in part because of the excellent lighting; if you agree, please tell the City Council by signing this statement.

STEVEN DE LA ROSA 3815 S. MAIN #57 915 999 2606  
Name Address Phone No.

Peter X. Peralta 635 Lopez Rd 575 647 9448  
Name Address Phone No.

Edward Rodriguez 2230 DONO ANA RD 575-805-1612  
Name Address Phone No.

Eustacio Hernandez 3115 El Camino Real #8 523-5009  
Name Address Phone No.

Arthur Henry 530 E PICACHO 705-6277  
Name Address Phone No.

Chris Sanchez 2600 DONA ANA RD LOT 571-1282  
Name Address Phone No.

Rolph Hernandez 13123 Redondo Vista #293  
Name Address Phone No.

Ann Gomez 7245 N Mesilla 88005 5248617  
Name Address Phone No.

Roberto Wilborn 1700 JAMES LEE 640-4285  
Name Address Phone No.

[Signature] 7105 525-6762  
Name Address Phone No.

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|                          |                                |                       |
|--------------------------|--------------------------------|-----------------------|
| <u>LUIS VALDEZ</u>       | <u>3115 EL CAMINO REAL #95</u> | <u>571-6427</u>       |
| Name                     | Address                        | Phone No.             |
| <u>Sandy McDonald</u>    | <u>4212 San Ysidro</u>         | <u>312-5838</u>       |
| Name                     | Address                        | Phone No.             |
| <u>Henry Ogas</u>        | <u>881 D Beaus</u>             | <u>639 0972</u>       |
| Name                     | Address                        | Phone No.             |
| <u>Jens Jacobs</u>       | <u>602 W CLURE</u>             | <u>993-9800</u>       |
| Name                     | Address                        | Phone No.             |
| <u>Charles Ontivero</u>  |                                | <u>650-7881</u>       |
| Name                     | Address                        | Phone No.             |
| <u>Corina Rivera</u>     | <u>2230 Dona Ana</u>           | <u>680-6154</u>       |
| Name                     | Address                        | Phone No.             |
| <u>[Signature]</u>       | <u>3761 Lucky Lindy Lane</u>   | <u>649-8506</u>       |
| Name                     | Address                        | Phone No.             |
| <u>Octavio Valles</u>    | <u>6837 Flourite</u>           | <u>636-48-41</u>      |
| Name                     | Address                        | Phone No.             |
| <u>Adriana Rodriguez</u> | <u>2100 Dona Ana rd #24</u>    | <u>(575) 202-6738</u> |
| Name                     | Address                        | Phone No.             |
| <u>Alma Hall</u>         | <u>2301 El Camino Real</u>     | <u>(575) 541-7464</u> |
| Name                     | Address                        | Phone No.             |

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Ray D Hall 2301 El Camino Real (505) 541-7466  
Name Address Phone No.

Erola Mendoza 2600 Donnanard #22 (505) 649-3825  
Name Address Phone No.

Brenda Soria 618 Thorpe Rd #19 386-2196  
Name Address Phone No.

Larry Bleimeyer 845 Motel Blvd 525/911  
Name Address Phone No.

Bonnie Castana 2705 Donna Ave Rd 496-6616  
Name Address Phone No.

Edward Vigil 434 Highland 639-3022  
Name Address Phone No.

Lopez 2230 Wagon Wheel Road #79   
Name Address Phone No.

Rapaz  644 9614  
Name Address Phone No.

Alfonso Via  805-4418  
Name Address Phone No.

[Signature] 2135 Lady Street 617 9480  
Name Address Phone No.

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|                |                         |               |
|----------------|-------------------------|---------------|
| MARK A. CHAVEZ | 2230 DOMINIQUE          | 575-885-8825  |
| Name           | Address                 | Phone No.     |
| Patleyva       | 2620 El Camino Real #57 | 575-642-0811  |
| Name           | Address                 | Phone No.     |
| Maria Inez     | 4015 San Ysidro         | 526-1909      |
| Name           | Address                 | Phone No.     |
| Martinez       | 2498 Via De Villa       | 523-0544      |
| Name           | Address                 | Phone No.     |
| Carla          | 4909 Ortega             | 522-5150      |
| Name           | Address                 | Phone No.     |
| Loobke         | 3175 DOMINIQUE          | 640 1256      |
| Name           | Address                 | Phone No.     |
| Fuckoff        | Call OBAMA              | 1800 not shut |
| Name           | Address                 | Phone No.     |
| Amy Lopez      | 4224 San Ysidro         | 496-1552      |
| Name           | Address                 | Phone No.     |
| Bob Gallegos   | P.O. Box 97             | 644-1694      |
| Name           | Address                 | Phone No.     |
| Jeremy Manda   | 4020 San Ysidro         | 915 5912      |
| Name           | Address                 | Phone No.     |

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|                 |                              |                |
|-----------------|------------------------------|----------------|
| LISA Williamson | 405 OLD MILL RD LC, NM 88007 | 526-9174       |
| Name            | Address                      | Phone No.      |
| JOE L PEREZ     | 310 FOSSIL UTIQUARD          | 5259664        |
| Name            | Address                      | Phone No.      |
| JOHN E DOE      | 9565 Hereford                | 644-0971       |
| Name            | Address                      | Phone No.      |
| RANDALL GOMEZ   | 849 Hemmingbird Dr.          | 650-8098       |
| Name            | Address                      | Phone No.      |
| Matt Tolon      | 105 Navajo Rd LC             | 640-4955       |
| Name            | Address                      | Phone No.      |
| Debbie Seavey   | 294 DIAZ RD LC               | unlisted       |
| Name            | Address                      | Phone No.      |
| JAMIE DURAN     |                              | 621-2662       |
| Name            | Address                      | Phone No.      |
| Marta Rodriguez | 037128, Fairacres            | 526 5158       |
| Name            | Address                      | Phone No.      |
| Lita Deaete     | 124 cones Deaete             | 202-3446       |
| Name            | Address                      | Phone No.      |
| Leilani Reed    | 3115 Camino Real #145        | (575) 386-1417 |
| Name            | Address                      | Phone No.      |

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William Kelley 3529 Omaha ct. LC, NM 88005 N/A  
Name Address Phone No.

Vonda Lenger 4926 Beryl L.C.N.M. 88012 352-3771  
Name Address Phone No.

David Udero 4812 Agave Place 88001 575-525-8714  
Name Address Phone No.

Erin McClanahan 1021 Mandate Loop 88005 575-527-2292  
Name Address Phone No.

Norma Harvey 12129 N Valley 575-523-5320  
Name Address Phone No.

Ben Abeyta 3625 SPITZ 647-3041  
Name Address Phone No.

Patrick Inarez 6396 Jesito Place 373-9129  
Name Address Phone No.

Marcelino Torres 5491 Valle San Rosa  
Name Address Phone No.

Lina Abeyta 3625 Spitz  
Name Address Phone No.

Nick Cabrera 1940 Prosadale 575-526-5352  
Name Address Phone No.

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Tony 9410 Hwy 4028 312-1651  
Name Address Phone No.

Karen 823 W. Taylor  
Name Address Phone No.

Heather Hunt 4102 Calle Unidos  
Name Address Phone No.

Sarah Welby 1065 Mirabres Ct 509 4326890  
Name Address Phone No.

Samantha Pozzirella 850 Nelly 647-5074  
Name Address Phone No.

Vivian Galvez 1365 Pines St. 8055006  
Name Address Phone No.

Precious Zamora 5045 Calle Provenza (575)-524-1499  
Name Address Phone No.

Larry Crofts 402 Jasper Dr LC Nm (575) 799-5439  
Name Address Phone No.

ROBERT NARVAEZ 4098 Calle Unidos 575-525-081  
Name Address Phone No.

JOSEPH Ybarran 912 Antelope Trail 647-579  
Name Address Phone No.

KEEP SAFE LIGHTING

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Pete Hernandez 1244 Southridge 575-577-1801  
Name Address Phone No.

JAMES Holguin 2623 FAIRWAY # " "  
Name Address Phone No.

Chanel Zoccoli 4041 Winters 575-202-8455  
Name Address Phone No.

Stacey Padilla 1030 Lantana 694-4541  
Name Address Phone No.

Richard Spring 2981 Topley 525-0059  
Name Address Phone No.

Kim Zoccoli 4041 Winters 202-1397  
Name Address Phone No.

Donna Serra 2059 Reina Dr 1021-5692  
Name Address Phone No.

Amelia Brosius 4201 Lavender 524-1149  
Name Address Phone No.

Wanda Jones 1625 ALOHA ST RB.  
Name Address Phone No.

Dean Michael's 1010 Glendale  
Name Address Phone No.

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Carl      4214 Trillium dr      575 1649-9669  
Name      Address      Phone No.

MMAIA      2047 Sney Brook Circle      575-635-9960  
Name      Address      Phone No.

Mona      122 Mohavee      575-523-2935  
Name      Address      Phone No.

Bryan      850 Holly B72      575-647-8264  
Name      Address      Phone No.

Nereyda      1004 Avondale DR-      575 312 6105  
Name      Address      Phone No.

IVAN GONZA      4627 MESA CENTRAL DR.      (575) 382-0591  
Name      Address      Phone No.

JASEN GIBSON      7985 AMBER DR      (575) 649-3542  
Name      Address      Phone No.

MARCOS      GUTIERREZ      (575) 382-7712  
Name      Address      Phone No.

Mando      RIVERIA      (575) 496-9924  
Name      Address      Phone No.

Baylor Sprague      1007 ELLENDALE      (575) 650-6056  
Name      Address      Phone No.

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|                 |                        |              |
|-----------------|------------------------|--------------|
| Rosie Johnson   | 4034 Hwy 85            | 5261426      |
| Name            | Address                | Phone No.    |
| Thomas Jackson  | 4005 Lilac             | 541-8243     |
| Name            | Address                | Phone No.    |
| Leesa Madman    | 2055 Corley Dr         | 525-9098     |
| Name            | Address                | Phone No.    |
| Valerie Ramirez | 1108 Kilbourne Hlde DR | 575 915 2085 |
| Name            | Address                | Phone No.    |
| John Ramirez    | 1108 Kilbourne Hlde Dr | 526-2877     |
| Name            | Address                | Phone No.    |
| Angel Barrio    | 1108 Kilbourne Hlde    | 386 1166     |
| Name            | Address                | Phone No.    |
| Roger Vally     | 850 Holly dr           |              |
| Name            | Address                | Phone No.    |
| Cesar Vally     | 850 Holly dr           |              |
| Name            | Address                | Phone No.    |
| Sandra Heath    | 684 Creed Ave. h.r.    | 524-7521     |
| Name            | Address                | Phone No.    |
|                 | 4250 Mozart            |              |
| Dean Rodriguez  | <del>4250 Mozart</del> | 523-0579     |
| Name            | Address                | Phone No.    |

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|                 |                                   |                |
|-----------------|-----------------------------------|----------------|
| Chris Com       | 972 Rio Bravo                     | 649-2582       |
| Name            | Address                           | Phone No.      |
| John R Danna    | 999 Rio Bravo Way                 | 642-8899       |
| Name            | Address                           | Phone No.      |
| Stephen Bratten | 401 Valley View                   | 690-3359       |
| Name            | Address                           | Phone No.      |
| Willie T. M     | Holmview                          | 640-6642       |
| Name            | Address                           | Phone No.      |
| MARY ANN TORREZ | 1100 Heather Ave Apt C Las Cruces | (575) 915-5930 |
| Name            | Address                           | Phone No.      |
| Neva Carrasco   | 3519 Ottawa Ct                    | 526-7189       |
| Name            | Address                           | Phone No.      |
| George Moby     | 1089 Front Dr                     | 642-7142       |
| Name            | Address                           | Phone No.      |
| DADIO VAN WART  |                                   | 636-3886       |
| Name            | Address                           | Phone No.      |
| Bertha Garcia   | 1061 Kennedy Rd.                  | 805-9582       |
| Name            | Address                           | Phone No.      |
| LeShawn Gray    | 1017 Devedale                     | 527-5174       |
| Name            | Address                           | Phone No.      |

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Daniel Alexander 5250 Saddle Mountain 575 650 9900  
Name Address Phone No.

Rose Pardo 2200 Holiday Ave #360 (575) 386-1063  
Name Address Phone No.

John Ruelas 2200 Holiday Ave #360 (575) 386-1063  
Name Address Phone No.

M<sup>rs</sup> Anna 1701 calle de Mercado Mesilla —  
Name Address Phone No.

Rosella Sosa 4208 Broadview (575) 805 2388  
Name Address Phone No.

KC SCHLOTTERBECK 3366 PARKRIDGE 575 524-8229  
Name Address Phone No.

LUCY PABK 286 DON ANO NW  
Name Address Phone No.

Josephine Marrugo 525-6765  
Name Address Phone No.

Jakasha Hawkins 850 Holly 805-3847  
Name Address Phone No.

Philly 1008 Fran Drive 524-0943  
Name Address Phone No.

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Darren Henry 4608 EIKs Dr. 405-4230  
Name Address Phone No.

Masmine McGee 3512 EIKs. 915 740-9688  
Name Address Phone No.

Ron Albenette 575 640-2214  
Name Address Phone No.

Doug Cyle 382-9585  
Name Address Phone No.

MICHAEL Jordan 993-8270  
Name Address Phone No.

Donald Coates 524-1898  
Name Address Phone No.

Carol Martinez 708 Mountain 680 0552  
Name Address Phone No.

M. Rodriguez 5610 Bravo  
Name Address Phone No.

Oscar Madero 454 AMPER RD 649 1676  
Name Address Phone No.

Tyler Hopkins 4057 Winters 649-9270  
Name Address Phone No.

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Petra Herd 4545 moreno ct 521-9908  
Name Address Phone No.

John Shye 4545 moreno ct 521-9908  
Name Address Phone No.

Tomás MARQUEZ Calle Americana 805-7477  
Name Address Phone No.

Edward Ruiz 5025 Meadow Circl 575-541-5505  
Name Address Phone No.

Rutherd Medina 1613 Elkendch 575-373-8739  
Name Address Phone No.

Wanda Rodine  
Name Address Phone No.

Kelly Brown 1330 W. Arameda 636-4662  
Name Address Phone No.

Cristina Urban 1203 Mages St 526-5024  
Name Address Phone No.

Patrick Urban 1203 Mages St 526-5024  
Name Address Phone No.

Celia Urban 1203 Mages St 649-7466  
Name Address Phone No.

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JAMES LUPEZ (575) 635-3687  
Name Address Phone No.

Kim Ocasio (575) 642-3762  
Name Address Phone No.

Annette Garcia 571-7385  
Name Address Phone No.

Mike Koenig 649-1403  
Name Address Phone No.

CARL RICHTER 575-649-9669  
Name Address Phone No.

JAMES CHINOOK 621 8176  
Name Address Phone No.

Bernth Guerrero 642-6898  
Name Address Phone No.

James P. Auler 541-5504  
Name Address Phone No.

Alan Kuy 2063 Reina Dr. 496-8012  
Name Address Phone No.

Nathalea Garcia 1254 Parkway 88005 680 6898  
Name Address Phone No.

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David Flores 1816 Anita 993-9154  
Name Address Phone No.

Okoff City 312 6202  
Name Address Phone No.

Lara Urdala 3428 Eastridge 636-4252  
Name Address Phone No.

[Signature] 3200 Red Key 244-4198  
Name Address Phone No.

Sandra Emanuel City 993-0525  
Name Address Phone No.

Edward Boyer 1428 Hamel 575-642-8851  
Name Address Phone No.

Jimmy R. Nantz 924 SUMMIT 575-636-4991  
Name Address Phone No.

Robert Packer 990 9th CC. A.M.   
Name Address Phone No.

Name Address Phone No.

Alexis Mushorski 4102 Calle Lindos   
Name Address Phone No.

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Suei Lee Del Rio 525-9600  
Name Address Phone No.

[Signature] LC, NM 9153731099  
Name Address Phone No.

P. COOPER LC, NM 528-1063  
Name Address Phone No.

Jim Bradley LC 5235960  
Name Address Phone No.

[Signature] 205 Brodie Ln Ct. 541162  
Name Address Phone No.

Amanda Durazo 521-5180  
Name Address Phone No.

Jessica Tutor 1327 Magoffin LC, NM 521-2608  
Name Address Phone No.

KATY McCracken 245 Troguois LC NM 571-1113  
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Emmett G. McCohan 245 Troguois LC, NM 6505028  
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Patricia Garcia 115 Mohawk 556-4582  
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steven@carrillolaw.org

July 24, 2009

Via Hand-Delivery

Mayor Ken Miyagashima  
Councilor Miguel Silva  
Councilor Dolores Connor  
Councilor Dolores C. Archuleta  
Councilor Nathan P. Small  
Councilor Gil Jones  
Councilor Sharon Thomas

Re: Outdoor Lighting Ordinance Provisions

Dear Mr. Mayor and members of the Las Cruces City Council:

On behalf of Pic Quik Stores, Inc. and President Oscar Andrade, I am writing to provide input on the revised outdoor lighting ordinance provisions under consideration. Pic Quik fully supports the goal of minimizing light pollution, and other negative effects associated with lighting. Pic Quik is also extremely attuned to the need to ensure that lighting is sufficient to ensure safety, and that all government regulation is clear, and capable of uniform application to all residents, including in the business community. We must be able to rely on the ordinance provisions in making investment decisions, including the choice of lighting fixtures and installation designs.

To summarize the concerns further detailed below, the proposed revisions to the outdoor lighting regulations do not appropriately balance the need for safe and comfortable lighting for commercial uses serving this community against the need to minimize negative effects of lighting. The proposed regulations do not establish clear, reasonable standards that business owners can rely on in making decisions about lighting purchases and design, which are critical to a business use such as Pic Quik. Many public buildings and uses do not comply with the current ordinance, and would not comply with the regulations as proposed for revision. While we understand that public uses sometimes have special needs, in terms of lighting for safety, security, and aesthetic reasons, we see no basis for any distinctions. This appears to be an instance where the local governing authority is considering implementing regulations for businesses that are inconsistent with the balance between competing public interests implemented by various government agencies, including the City of Las Cruces, for street lighting, security lighting, and architectural lighting for public facilities. Finally, certain

provisions of the proposed regulations are, in my opinion, patently unconstitutional, and will invite litigation.

Initially, I note that the "purpose" statement is extremely general. I strongly believe that a specific purpose statement can be extremely helpful in shaping the expectations of those involved in the regulation process, from enactment through implementation, and to those looking to the ordinance to understand their rights, obligations, and remedies. In this instance, the phrase "health, safety, and welfare" merely recites the constitutional basis for government entities to exercise any police powers. The purpose statement should acknowledge that in regulating outdoor lighting, the City of Las Cruces must necessarily balance protection of the night sky and minimizing other negative effects associated with lighting, against the need to ensure sufficient lighting for the safe and comfortable use of commercial facilities, as well as residential properties. In my experience it is extremely helpful in keeping public discourse about controversial issues civil and productive for the local governing authority members and staff to explicitly acknowledge the realities of competing public interests, and a purpose statement can provide an excellent framework to support such a practice.

The substantive provisions of the proposed regulations lack this balance, as they do little to materially and usefully address the need for safe and comfortable lighting. For instance, "lighting" is limited to fifty foot candles of illuminance under § 39-28(A). This provision is vague, but considering the regulations as a whole, it appears to apply per lot. As written, the limit applies regardless of the acreage of the lot, building size, or zoning or actual use, and whether or not the illuminance is fully shielded and otherwise contained within the property boundaries. Subsection 39-28(D) similarly limits heights and lumens for attached lighting, without regard to any other factors. Typically a small office building should require minimal outdoor lighting, and a Pic Quik store designed for 24-hour use will require substantially more to ensure that customers are safe, and feel safe and comfortable, yet all uses are treated identically under these regulations. The zoning for different uses varies, as do minimum and maximum lot and building sizes, parking areas, etc., and the process for determining the zoning for various properties should have considered the impact of factors like the necessary lighting associated with the uses on surrounding properties and uses. While night sky protection requires that some standards be applicable in all use categories, limiting total illuminance seems irrelevant to night sky protection as to fully shielded luminaires; yet this regulation does not distinguish between illuminance under a canopy, for example, and illuminance in an uncovered parking area.

This problem is aggravated by § 39-10, regarding "measurement". Illuminance is to be measured "at ground level with the meter oriented horizontally". Illuminance in excess of fifty foot candles, even though fully shielded under a fuel canopy, would violate § 39-28(A), even though all luminaires used and installation are fully compliant. There seems to be no purpose in regulating the illuminance under these conditions, and yet competing safety interests are not even referenced. One of Pic Quik's concerns about lighting regulation in general and these provisions in particular is the impact of cement on illuminance measurements. Pic Quik uses cement for all fuel and parking areas, instead of asphalt, as typically allowed and used. Although initially more

expensive, cement is far more durable than asphalt, particularly for significant heavy vehicle traffic. The reflectivity of cement reduces temperatures at the facility, and cement is easier to clean, and looks more attractive. It also increases the illuminance of the site, and therefore the safety of the facility, and customers feel safer and more comfortable using the facilities at night in part *because* of the illuminosity and cleanliness of the cement.

If all luminaires are fully shielded as defined in the ordinance, and yet the illuminance exceeds the standard, the lighting would have to be completely replaced. This type of lighting cannot be "dimmed" or otherwise reduced. Fluorescent light fixtures that can be dimmed are available, but they are dramatically less energy efficient, and of course we believe that "dimmer" lighting is inappropriate for use by Pic Quik as it compromises customer and employee safety and comfort, and would be inconsistent with OSHA standards that require adequate lighting whenever employees are present. Outdoor lighting for a typical canopy area at a typical Pic Quik store costs approximately \$50,000. Pic Quik and other businesses need to be able to rely on clear and reasonable regulations in making decisions about lighting purchases, designs, and installations; it is a matter of economic reality, as well as constitutional minimums. The process would be uncertain under the regulations as proposed, although it is probable that Pic Quik could not comply as to future construction, and have safe and comfortable lighting.

Other provisions of the proposed regulations are unconstitutionally vague. Under § 39-21(C), "Outdoor Lighting shall be installed and maintained to provide effective shielding." This seems to attempt to create an ambiguous penumbra of regulation beyond the specific requirements in § 39-21(A), including the definition of "Fully Shielded" in § 39-8. There are several ambiguous definitions in the regulations, and the ordinance provisions do not solve the problems. "*Light Pollution* means any adverse effect of manmade light", a completely subjective standard. The term is used in § 39-21(F) of the "General Provisions", which only says "Outdoor Lighting shall minimize or eliminate upward lighting and light pollution." Similarly "*Light Trespass* means light falling where it is not wanted or needed, typically across property boundaries", another ambiguous and subjective definition. This defined term is used in § 39-21(D) of the "General Provisions", which only says that "Outdoor Lighting shall be located aimed and/or shielded to minimize light trespass." Neither the definitions nor the regulations save each other from unconstitutional ambiguity; regulations must inform a reasonable person as to what is and what is not allowed, and these provisions do not.

Safety seems to be given minimal weight throughout the proposed regulations. The "General Provisions" of § 39-21(E) merely state that outdoor lighting "shall provide adequate lighting levels for security (if provided or applicable)." There are no regulations to establish the circumstances under which security lighting is appropriate, no regulations to quantify safe lighting levels for particular uses, and no regulations to ensure that lighting necessary for safe use of facilities is even legally allowed. Adequate lighting to ensure the safety of employees is mandated by OSHA, although these regulations do not attempt to quantify what is adequate for various uses. Twice the ordinance prohibits lighting that "adversely affect[s] the safe vision of pedestrians, cyclists, or vehicle operators" (§ 39-21(B) and § 39-28(B)) without attempting in

any way to define or quantify or even describe the types of hazards intended to be addressed. These provisions are unconstitutionally vague.

From past discussions with City staff about complaints from some residents, we understand that the “adversely affects” language in the proposed regulations is intended to redress the impact of an individual looking directly into a light. As the City acknowledged by raising the height of street lights, in order to provide safe lighting that is fully shielded, it is necessary to either raise the height from which the lighting is emitted to sufficiently “spread” the light, or to install so many lighting fixtures that it would be cost prohibitive, and present significant design problems for any facility, including due to aesthetic considerations. Lights in Pic Quik parking areas are at 30’, the same height as City street lights for arterials. It seems these regulations attempt to redress this problem by requiring businesses to accomplish two things that are essentially mutually exclusive. The regulations need to establish the point of compromise between the competing goals involved, and the point of compromise needs to be reasonable, and articulated clearly enough to support good business decisions.

Under § 39-22, “[a]rea lighting” is to be turned off at 11:00 pm or close of business whichever is later except that security lighting may remain on provided it is no more than one-third normal lighting levels.” One problem with this provision is that “area lighting” is undefined, and I personally do not understand what it is intended to mean in the context of these regulations. Also, for a retail use, “close of business” may be an inappropriate time for lighting to be extinguished, since often employees need to remain on the premises well after closing time to clean, stock, etc. I would suggest this language be revised so that it applies at “11 p.m., close of business, or when the last employee leaves the business, whichever is later.” Also, what are “normal lighting levels” for a business that operates primarily during the day time, but needs to have some outdoor security lighting at night? Any lighting would violate this provision as written, and it should be clear that at least what is minimally required for security purposes will be lawful, if it complies with the other provisions of the regulations. Finally as to this provision, “close of business” should be further defined so that if any services are available to customers, the business is not “closed”. For example, some Pic Quik stores close, but fueling services via credit card purchase remain available to customers. These customers need the same lighting despite the fact that the actual store is closed. This would also apply to a business with some “vending” type services being available at all times, such as movie rental machines, when other business services are “closed”.

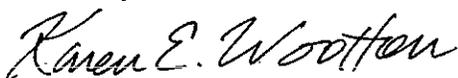
In addition to all of these concerns, the ordinance includes an unconstitutional delegation of authority. In § 39-5, the Building Official is authorized to impose “greater requirements to ensure the promotion of health, safety and welfare of the citizens of the city.” I cannot conceive of a reasonable argument in support of the constitutional validity of this provision. See *ie. Smith v. Bd of County Commissioners of Bernalillo County*, 2005 NMSC 12, ¶ 36, 137 NM 280; *State Park and Recreation Commission v. New Mexico State Authority*, 76 N.M. 1, 411, P.2d 984 (1966); and *Sofeico v. Heffernan*, 41 N.M. 219, 67 P.2d 240 (1936).

The enforcement provisions in § 39-32 are burdensome in establishing each day as a separate violation since this type of violation could be extremely expensive and logistically difficult and time consuming to correct. This is of course aggravated by the ambiguities in the ordinance, and the daily penalties provision should at least be limited to a situation where a violation was willful and without a good faith belief as to a valid defense, and where immediate correction was practicable.

Finally, I suggest some minor corrections and stylistic changes. Following general statutory interpretation rules, headers should be for informational purposes only, and the provisions of the regulations should stand alone. Several sections do not follow this principle, and do not use complete sentences. See § 39-28, paragraphs (A), (B), (C), and (D); and § 39-29, paragraphs (B) and (C). In the definition of "Fully Shielded" in § 39-8, part (1), "manufacturers" should be "manufacturer's". In § 39-9, the phrase "one and two family dwellings on a single lot" could be replaced with the term "Residential", defined in § 39-8. In § 39-9(A)(1), I believe it would be clearer if the end of the sentence read "for new outdoor lighting, and for existing outdoor lighting if compliance is required under § 39-30." I suggest adding the phrase "excluding for signs as provided for in § 39-29(F)" to the end of §39-24(2), as a clarifying cross-reference. I also question why some provisions use letters for subparagraphs, and others use numbers; perhaps there is a pattern but I do not see it. Finally, in § 39-30(E), I believe that the phrase "single or cumulative" should be "singly or cumulatively"(adverbs instead of adjectives), since both modify the verb "occur".

We appreciate your careful consideration of these comments. Enclosed are statements in support of Pic Quik's current lighting signed by Pic Quik customers, collected to date, for your further consideration.

Cordially,



Karen E. Wootton

- C: Terrence Moore, City Manager
- Fermin Rubio, City Attorney
- Pete Connelly, Deputy City Attorney
- David Weir, Community Development Director
- Robert Kyle, Building Official ✓
- Oscar Andrade, President, Pic Quik Stores, Inc.

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|                  |                           |              |
|------------------|---------------------------|--------------|
| Corey Baker      | 1812 Newton               |              |
| Name             | Address                   | Phone No.    |
| Margaret Salais  | 2115 Gladys St.           | 521-1342     |
| Name             | Address                   | Phone No.    |
| ROBERT DANIELS   | 1870 RENTFROW APT. D      | 805-7815     |
| Name             | Address                   | Phone No.    |
| Mark Olin        | 125 E. University Ave #4  | 805-1918     |
| Name             | Address                   | Phone No.    |
| Alex Gonzalez    | 1505 1/2 A Fonda APT #324 | 202-0519     |
| Name             | Address                   | Phone No.    |
| Jerry Rodot      | 1580 Asate                | 520 0031     |
| Name             | Address                   | Phone No.    |
| Julian MALENDAEZ |                           | LCNN         |
| Name             | Address                   | Phone No.    |
| MARY HANCOCK     | 435 MITTON AVE            | 685-9511     |
| Name             | Address                   | Phone No.    |
| Anthony Garcia   |                           | 575-642-2689 |
| Name             | Address                   | Phone No.    |
| Sandra Medina    | 2013 SITRUVIZ APT D1      | 575 805 0683 |
| Name             | Address                   | Phone No.    |

KEEP SAFE LIGHTING

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Janis Las Cruces (575) 373-7771  
Name Address Phone No.

Veronica Las Cruces (575) 805-9412  
Name Address Phone No.

Mike Samaniego 1850 Boston Dr. (575) 532-5306  
Name Address Phone No.

Joe Sam Las Cruces 575-644-7249  
Name Address Phone No.

Gen Casado Las Cruces 878-650-0056  
Name Address Phone No.

James W. Jackson Las Cruces 575-521-0146  
Name Address Phone No.

Michael Garcia Las Cruces 695 4051088  
Name Address Phone No.

Jose Arz L. C. 644-8455  
Name Address Phone No.

Julia Burlingham " 621-4621  
Name Address Phone No.

Hope Dixon Las Cruces 640-7711  
Name Address Phone No.

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Victor Baldonado 1208 N. Mesquite St. 640-0422  
Name Address Phone No.

Eddy Baldonado 1203 N. Mesquite  
Name Address Phone No.

Rogelio Montoya  
Name Address Phone No.

Cynthia Smith 575-805-6053  
Name Address Phone No.

Sylvia Garcia L.C.N.M.  
Name Address Phone No.

Roberto Garcia L.C.N.M. 805-1982  
Name Address Phone No.

A. Drott L.C.N.M.  
Name Address Phone No.

Jesse Scott L.C.N.M.  
Name Address Phone No.

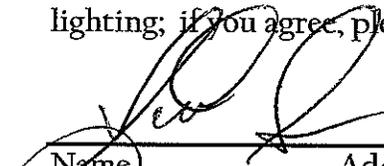
MARIA Gutierrez 649-0128  
Name Address Phone No.

M. Chaurin 1303 Bransoul L.C. 57-6859  
Name Address Phone No.

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|   |                          |                |
|---|--------------------------|----------------|
|  | 2250 Mission LA          | 575-571-0810   |
| Name  | Address                  | Phone No.      |
| Rebecca Medina  | 1505 Lafonela            | (575) 805-5782 |
| Name  | Address                  | Phone No.      |
| Ray Pivas   | 2204 El Caminito Ave, LC | 575-642-1420   |
| Name  | Address                  | Phone No.      |
| Ed Sroetz   | 2065 O'Connell Dr        | 575-521-4220   |
| Name  | Address                  | Phone No.      |
| Tom Torres  | _____                    | 575-636-8346   |
| Name  | Address                  | Phone No.      |
| Darius  | ?? Las Cruces            | (575) 556-4744 |
| Name  | Address                  | Phone No.      |
| Jordan Fernandez  | Las Cruces               | (575) 312-9622 |
| Name  | Address                  | Phone No.      |
| Martha Morales  | 1305 Thomas              | 640-7400       |
| Name  | Address                  | Phone No.      |
| Douglas Ingram  | 1760 Walden dr           | (510) 205-8066 |
| Name  | Address                  | Phone No.      |
| Richard Valenzuela  | 8115 S. Elmelago         | _____          |
| Name  | Address                  | Phone No.      |

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DONALD BARECA 1180 LA FONDA 575-905-5588  
Name Address Phone No.

Harvey 1620 Gladys Dr Apt 7 202 1468  
Name Address Phone No.

Sonja Solaz 2010 Missouri 650-51107  
Name Address Phone No.

Hugo Rodriguez 1558 Windmill Rd 520-9331  
Name Address Phone No.

OSCAR PENA LOZAN LCNM  
Name Address Phone No.

JESSE 526 S MEADOWS LITE 526-4696  
Name Address Phone No.

TORREY Las Cruces, NM 2982621  
Name Address Phone No.

RAUL Almodovar Las Cruces  
Name Address Phone No.

Michael Moore 1505 La Fonda #1114 Las Cruces 474-6171  
Name Address Phone No.

ADRIAN ORONA 1520 WHADCEY - 650-4568  
Name Address Phone No.

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Arda Jari Las Cruces NM  
Name Address Phone No.

Victor Roca LC NM  
Name Address Phone No.

Liah Stearn Las Cruces NM  
Name Address Phone No.

[Signature] 1705 Baldwin Las Cruces NM  
Name Address Phone No.

[Signature] 1705 Baldwin Las Cruces, NM  
Name Address Phone No.

Lin Bustillos 1013 Skull drive 805-5601  
Name Address Phone No.

Jan Dan 1421 Thomas Dr. 640-2416  
Name Address Phone No.

Edward 3131 Moonlight Ridge 575-522-5054  
Name Address Phone No.

[Signature] 1901 KLEIN 505 407 5759  
Name Address Phone No.

Samie Jimenez 1274 Monte Vista 915-471-2 F  
Name Address Phone No.

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|                       |                                      |           |
|-----------------------|--------------------------------------|-----------|
| CHRIS CALVERT         | 1750 CHAPARRAL ST LC                 | N/A       |
| Name                  | Address                              | Phone No. |
| Nicholas Santolucito  | 2216 Magdalena                       |           |
| Name                  | Address                              | Phone No. |
| John Lopez            | 2216 Magdalena                       |           |
| Name                  | Address                              | Phone No. |
| Cynthia P. Nunez      | 2200 Holiday Ave.                    |           |
| Name                  | Address                              | Phone No. |
| Art Jan               | 1912 BLADYS                          |           |
| Name                  | Address                              | Phone No. |
| STEVEN R. HETMANOWSKI | 2300 STERN DR APT #124 C.C. NM 88005 | 312-5585  |
| Name                  | Address                              | Phone No. |
| Max Obed              | 1306 TRUIT                           |           |
| Name                  | Address                              | Phone No. |
| Diego                 | 2250 Locust #7                       | 559.4868  |
| Name                  | Address                              | Phone No. |
| Joshua White          |                                      | 642-5480  |
| Name                  | Address                              | Phone No. |
| Herman Sanchez        | LC, NM                               |           |
| Name                  | Address                              | Phone No. |

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Jerry m. Smith 7744 Kissiah Dr. 574202/5978  
Name Address Phone No.

Stephen Stoby 1855 CORBETT  
Name Address Phone No.

DAVID C. BARELA 2209 Montano Ave  
Name Address Phone No.

Richard Reed 2049 TRUIZ DR APT 15 650-4899  
Name Address Phone No.

Jose Luis Villanueva 1007 Mondale  
Name Address Phone No.

Christina Villalobos 1925 Corbett  
Name Address Phone No.

Ryan Blake 1904 Bromilow St  
Name Address Phone No.

Derek 17410 Beldwin 642 4361  
Name Address Phone No.

MARTIN 2108 Oldman Dr.  
Name Address Phone No.

DB. Montoya 2049 TRUIZ APT E-1 LCNM  
Name Address Phone No.

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Sheryl Sykes 310 Clover Dr 527-9848  
Name Address Phone No.

Florence Sheram 5125 Mimosa 527-5433  
Name Address Phone No.

Efren Lopez NA →  
Name Address Phone No.

JUAN Rueda NH →  
Name Address Phone No.

Leyra David 3885 Brook Haven Ct 575-202-257  
Name Address Phone No.

Luis Galan 5885 Calle de Las Margaritas 575 650 7457  
Name Address Phone No.

Lourdes Acosta 4810 San Luis Rey 575-671-5891  
Name Address Phone No.

DAVID FORDS 4801 S. MAIN #12 575-202-3371  
Name Address Phone No.

Randy Limon 4777 S Hwy 28 5250296  
Name Address Phone No.

JOSE GOMEZ  
Name Address Phone No.

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SUBANIA ESPARADA 915-491-5489  
Name Address Phone No.

Elmabeth McNutt Leerosote 575-373-254  
Name Address Phone No.

Connie Wink 642-7092  
Name Address Phone No.

Louis Lee 523-5385  
Name Address Phone No.

Calvin 644-0829  
Name Address Phone No.

J.J. 575-882-2566  
Name Address Phone No.

Kathy Gonzalez 5800 Steen 575-373-5442  
Name Address Phone No.

Jose Perez 2432 Moon River 647 1298  
Name Address Phone No.

Rebecca Martinez 405 Townsend 805 3004  
Name Address Phone No.

110 Calle de Lucero San Miguel 8858 621-0438  
Name Address Phone No.

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[Signature] 3815 S main 556-8948  
Name Address Phone No.

[Signature] 380 W Opal rd Mesilla Park 541-5140  
Name Address Phone No.

Christine Bejarano 845 Watson Ln #50 805-2911  
Name Address Phone No.

Joel Bejarano 200 Wagon Lite 641-1532  
Name Address Phone No.

Tadd D 349 Jasper Dr. \_\_\_\_\_  
Name Address Phone No.

[Signature] 324 TERICY PL 644-~~\_\_\_\_\_~~ 0170  
Name Address Phone No.

[Signature] PO Box 52 649 8866  
Name Address Phone No.

Tony 4410 Hwy 498 805-5532  
Name Address Phone No.

Diana Joto 3555 Blackhawk 575 386-0098  
Name Address Phone No.

[Signature] 845 Watson Lane \_\_\_\_\_  
Name Address Phone No.

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RICHARD HERNANDEZ 3400 EUGENIO 523 1305  
Name Address Phone No.

JOE GUTIERREZ (DEPUTY) 825 A-THONG DR. A-THONG DR. 525-1911  
Name Address Phone No.

Jose Saldívar 234 Turquoise 205-4765  
Name Address Phone No.

Delia Vayas 1776 Salgado Lane 523-5946  
Name Address Phone No.

Anthony E. Morillo 575 932 9831  
Name Address Phone No.

Elmer 5810 Mariachi Place (575) 640 5082  
Name Address Phone No.

Salter M Lee 4085 Egyptian St (575) 644-5905  
Name Address Phone No.

Jaloni 845 WATSON LN # 35 496 575-4820  
Name Address Phone No.

Michael 8 P.O. Box 703 Mesquite Park 6353921  
Name Address Phone No.

Johnnie 3815 S. Main #7 386-1236  
Name Address Phone No.  
Contreras

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Carla Alvarado 840-6716  
Name Address Phone No.

MARK H DOMINQUEZ 640-7434  
Name Address Phone No.

[Signature] 552-4244  
Name Address Phone No.

Geo M... 3714 S Hwy 28 L.C. 526-6184  
Name Address Phone No.

Sam S... 2013 S FRUIT 642-7954  
Name Address Phone No.

David San Roman 1046 Heather Circle 405-0998  
Name Address Phone No.

Ramona Carron 2116 Carron Pl Apt. 575 541-5708  
Name Address Phone No.

[Signature] 1721 Brownlee 575 647-2811  
Name Address Phone No.

JESSIE NOWELL 1321 BROWNLEE AVE 650-9145  
Name Address Phone No.

John Paul PO Box 171 905-4715  
Name Address Phone No.

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John Lopez 705 Sanyas Rd 644-7154  
 Name Address Phone No.

Adam White 700 Watson Lane 649-0703  
 Name Address Phone No.

Carol White P.O. Box 866 523-5091  
 Name Address Phone No.

[Signature] P.O. Box 888 405-9381  
 Name Address Phone No.

[Signature] 54 Portella Rd 648-0215  
 Name Address Phone No.

Eve Bennett 6531 Phoenix Ln 405-8835  
 Name Address Phone No.

[Signature] 2033 DON BEE APTS 649-92  
 Name Address Phone No.

[Signature] 3300 Blackhawk 805-9690  
 Name Address Phone No.

[Signature] 505 smau 505-281-1027  
 Name Address Phone No.

Dennis Dun [Signature] 575 993-3411  
 Name Address Phone No.

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Pustin Ramsey 1305 Boston Dr. 575-644-4595  
Name Address Phone No.

Laura Ramsey 1305 Boston Dr 575-644-7089  
Name Address Phone No.

Maria Jaramilla 111 Ave Sky Lane (505) 963-0090  
Name Address Phone No.

Juan P. 3904 Tank Creek Ave 575-649-4969  
Name Address Phone No.

Paula 151 Mimosa 644-4439  
Name Address Phone No.

Andru 120 W Kan Ct 640-8587  
Name Address Phone No.

Debra Ybarro PO Box 6040 571-5508  
Name Address Phone No.

Janice McCravy 103 Turquoise Ave 649-2939  
Name Address Phone No.

Margarita R Apodaca 3750 Paroquia 528-4045  
Name Address Phone No.

Esther 5899 S. Main 647-9371  
Name Address Phone No.

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Rudy Zamora 3417 Jasper dr. 650-5974  
Name Address Phone No.

David Apodaca 1807 Calle de Alamos N/A  
Name Address Phone No.

Lorenzo T 620 Watson  
Name Address Phone No.

Martha Olier P.O. Box 740, Mesquite, NM N/A  
Name Address Phone No.

OSCAR E  
Name Address Phone No.

Thomas Hart N/A  
Name Address Phone No.

Casey Gerke 303 472 6060  
Name Address Phone No.

Leticia Ramirez  
Name Address Phone No.

George Aranda  
Name Address Phone No.

Claudia Escobedo (575) 650-5951  
Name Address Phone No.

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Ara P Escobedo 575 202 5121  
Name Address Phone No.

Helean Chavez 575 642-2289  
Name Address Phone No.

Connie Carr Yarni 505 350-4917  
Name Address Phone No.

Duane J. [unclear] 575-639-1945  
Name Address Phone No.

Sarah Grant 575-524-5888  
Name Address Phone No.

Paul Pashin 575-523-5847  
Name Address Phone No.

[unclear] 821 5558  
Name Address Phone No.

[unclear] 805-8222  
Name Address Phone No.

[unclear] 575-202-1309  
Name Address Phone No.

Dulce [unclear] 575-312-1646  
Name Address Phone No.

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|                                 |                           |                |
|---------------------------------|---------------------------|----------------|
| <del>Kevin R. [Signature]</del> |                           | 577-4098       |
| Name                            | Address                   | Phone No.      |
| [Signature]                     | 978 La Jada St            | 575-644-1684   |
| Name                            | Address                   | Phone No.      |
| Alfred Lopez                    | 925 Yucca                 | 575-541-0010   |
| Name                            | Address                   | Phone No.      |
| ZACH HARDISON                   |                           |                |
| Name                            | Address                   | Phone No.      |
| Chris Daugherty                 | 16855 San Rafael LC 88011 | 525-5638       |
| Name                            | Address                   | Phone No.      |
| FRANK CORREAS                   | 401 TRLT VEGAS DR.        | 649-4901       |
| Name                            | Address                   | Phone No.      |
| Cynthia [Signature]             |                           |                |
| Name                            | Address                   | Phone No.      |
| Porsha Howell                   | 1990 Wyoming              | 676 693 9832   |
| Name                            | Address                   | Phone No.      |
| Jim [Signature]                 | 840 Sunbloss              | (875) 850-1158 |
| Name                            | Address                   | Phone No.      |
| [Signature]                     | 1245 BURKE RD             | 575-805-3210   |
| Name                            | Address                   | Phone No.      |

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Michael Medina 1724 E Amador 575 621-0488  
Name Address Phone No.

Norge A. Ortiz 602 Marconi Place 575-647-9006  
Name Address Phone No.

Jalayne Alvarado 1000 LaFonda Apt. P (915) 241-3399  
Name Address Phone No.

Tyrel FRANZoy 2419 Columbia Ave 575 993-0031  
Name Address Phone No.

Mariana Ylana 2825 Fairway Dr. 575-521-1720  
Name Address Phone No.

John M. Cliff 3389 Hunaridge 523-2994  
Name Address Phone No.

Marilyn Evans 2706 Ridgeway Ct 522-5007  
Name Address Phone No.

DANIEL BUCHER 2255 SANDHILL RD 575 635-3119  
Name Address Phone No.

Benjamin Lopez 5850 Pinta rd 575-571-3175  
Name Address Phone No.

John Good 1445 TRAILS HILLS PL 575-526-3373  
Name Address Phone No.

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Ernesto Flores 1915 S Platinum 575-8051  
Name Address Phone No.

Stephanie Martinez 910 S Solano 386-0633  
Name Address Phone No.

Wyatt Kartchner 3956 Pineridge Run 382-0294  
Name Address Phone No.

Don Hays 2110 Juniper Cr. 515-2011  
Name Address Phone No.

San Madrid 3304 Neptune 373-8550  
Name Address Phone No.

Martin R. Moreno 1011 Ash Ave. 575-526-3249  
Name Address Phone No.

Lanette Gonzalez-Tomten 2190 Virginia Pine Pl 373-0490  
Name Address Phone No.

Rick Sarratino 1035 Circle Dr. 524-0167  
Name Address Phone No.

Ormani Haran El Paso 915-276-7862  
Name Address Phone No.

Khayd Howard 2016 Sunset 206-387-3856  
Name Address Phone No.

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Mari Lambert 3959 Galina CT 575-621-9667  
Name Address Phone No.

Roxanne Ramirez 107 Turquoise Ave (575) 386-0048  
Name Address Phone No.

WIL MOORE 2223 Missouri (575) 532-5723  
Name Address Phone No.

Stacy Redding 2595 Mavis Ave 575-805-6301  
Name Address Phone No.

Jose M. Madero 1520 N. Dexter (575) 571-6449  
Name Address Phone No.

Debora Strader 4733 Del Rey Blvd. 312-8741  
Name Address Phone No.

Heath 39 Vista del Rey, Vado NM 636-3926  
Name Address Phone No.

Sandra 3282 Highridge Ct. L.C. 575-323-2323  
Name Address Phone No.

Beto 9101 deton 526-1680  
Name Address Phone No.

Helen Perea 9012 Conogo Way 640-1300  
Name Address Phone No.

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Gary Tindal 3280 Doc Bar Ct. 639-4000  
Name Address Phone No.

Anthony Artino 309 Garden Grove El Paso TX 79912 915 407 2899  
Name Address Phone No.

Annun Ritter 5091 Apache Trail 805-4917  
Name Address Phone No.

Meggy McLean 370 E. Univ. Apt 333 575-313-7001  
Name Address Phone No.

Melissa McCormick 2614 Calle de Solid 88011 505-412-3017  
Name Address Phone No.

Jeffrey Sauer 930 EBantz Apt 701 88011 575 382 1838  
Name Address Phone No.

Tanya M Carrales 2126 Pine Needle Way Lc 88012 (575) 805-1617  
Name Address Phone No.

Larry Franklin 1235 Turkey Knob (807) 989-4106  
Name Address Phone No.

JUSTINE KESS 4076 Windridge Cir. 575-496-7716  
Name Address Phone No.  
L.C. 88012

Russell Vasquez 575-805-7839  
Name Address Phone No.

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John Wund 2000 CHARLYE Dr 526 2367 or 574 958  
Name Address Phone No.

Roberte Gomez 1946 Mahogany 312-1862  
Name Address Phone No.

Arnold Buxander, Jr 2530 ROLLING WILLOW LN 525-0517  
Name Address Phone No.

Debbie Ketcherside 1201 Utah Ave LCRNM 993-4452  
Name Address Phone No.

Bryan Hoover 5041 Starlite Ct 382-9157  
Name Address Phone No.

Wendy Breeden 1254 Lea Ranch Road 524-3514  
Name Address Phone No.

Shaun Breeden 1254 Lea Ranch Rd (915) 383-8566  
Name Address Phone No.

Jaclyn Snow 1805 Chilton 505 490 1366  
Name Address Phone No.

Lutz Hobbes  
Name Address Phone No.

Name Address Phone No.

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Monica Sanchez 5000 Dona Ana Rd #11 RC NM 296-1354  
Name Address Phone No.

Ches Curtis (575) 496-6086  
Name Address Phone No.

Robi [unclear] 439 Camino Real (575) 438-0110  
Name Address Phone No.

Beatriz [unclear] 12421 Tierra Marta (915) 630-9250  
Name Address Phone No.

Mary Rocha 907 Banegas Rd. 312-2525  
Name Address Phone No.

Toni Nelson 2440 Via de Ville 524-8114  
Name Address Phone No.

Cesar Ruiz 644 Snow Rd Las Cruces NM 89005 312-8563  
Name Address Phone No.

Blanca Sanchez 845 Watson Ln # 38 LC 88005 386-0009  
Name Address Phone No.

Wiliam [unclear] 401 Valley View 636-4458  
Name Address Phone No.

Juanita Vazquez 462 Calle de Oro 805-0761  
Name Address Phone No.

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|                          |                            |                     |
|--------------------------|----------------------------|---------------------|
| <u>Priscilla Madrazo</u> | <u>953 Calle Palomado</u>  | <u>—</u>            |
| Name                     | Address                    | Phone No.           |
| <u>Carolina Poon</u>     | <u>4111 Dona Ana Rd</u>    | <u>875-441-1111</u> |
| Name                     | Address                    | Phone No.           |
| <u>Jesus Espinoza</u>    | <u>2600 Dona Ana Rd</u>    | <u>575-993-9905</u> |
| Name                     | Address                    | Phone No.           |
| <u>Sam Vigil</u>         | <u>5934 MOON VIEW</u>      | <u>575-640-8007</u> |
| Name                     | Address                    | Phone No.           |
| <u>RC Rodriguez</u>      | <u>919 Bonegas Rd</u>      | <u>5237389</u>      |
| Name                     | Address                    | Phone No.           |
| <u>Robert Romero</u>     | <u>320 Terry Unit A</u>    | <u>526-1399</u>     |
| Name                     | Address                    | Phone No.           |
| <u>JOE D. FRANCO</u>     | <u>945 HORNER RD</u>       | <u>524-9470</u>     |
| Name                     | Address                    | Phone No.           |
| <u>Bobby Guerrero</u>    | <u>1409 STALL DR.</u>      | <u>642-6528</u>     |
| Name                     | Address                    | Phone No.           |
| <u>MIRE</u>              | <u>JAEVS 2821 Westwind</u> | <u>640-3139</u>     |
| Name                     | Address                    | Phone No.           |
| <u>Martha Lopez</u>      | <u>4635 Dona Ana Rd</u>    | <u>805-9062</u>     |
| Name                     | Address                    | Phone No.           |

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Tony Carriero 1330 Nostros Lane 993-4184  
Name Address Phone No.

Jesse Williams 2501 Walter Ln 649-3922  
Name Address Phone No.

Therese Pava 1346 Keiven 650-0594  
Name Address Phone No.

Charles Colwell 466 Calle de Oro 805-3991  
Name Address Phone No.

Israel Pava 2620 El Comero Real #80 805-6266  
Name Address Phone No.

Ben Dacia 2257 Cimarron Dr 805-1511  
Name Address Phone No.

John Rogers 2100 Dona Ana #16 805-9121  
Name Address Phone No.

Greg Hogg 1110 Dona Ana 640-1697  
Name Address Phone No.

Lazara Pava 1116 Dona Ana 640-4184  
Name Address Phone No.

Melissa Sandoval 530 E. Picocho 805-5824  
Name Address Phone No.

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|                 |                        |                |
|-----------------|------------------------|----------------|
| Jenny Sandover  | 2600 Dona Ana Rd.      |                |
| Name            | Address                | Phone No.      |
| Adrienne Combs  | 2501 El Camino Real 33 | 575 405 7547   |
| Name            | Address                | Phone No.      |
| Arden Z. Still  | 205 E Troops           | 523-8190       |
| Name            | Address                | Phone No.      |
| Roseanne Valade | 595 Runyon Rd          | 642-25-95      |
| Name            | Address                | Phone No.      |
| Juani Medina    | 2622 Navajo Rd         | 571-5435       |
| Name            | Address                | Phone No.      |
| Zubayr Gentry   | 3685 Hidden Ln         | 639 3088       |
| Name            | Address                | Phone No.      |
| Enke Purn       | 5707 Santa Fe Trails   | 312-3704       |
| Name            | Address                | Phone No.      |
| J. C.           | 380 Karen Ave #22      | (505) 712 7496 |
| Name            | Address                | Phone No.      |
| Jan Vanda       | 6024 N. Chaco          | 993 9800       |
| Name            | Address                | Phone No.      |
| Rebecca Olego   | 477 Calle de Ojo Le    | 647 3514       |
| Name            | Address                | Phone No.      |

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Scott B 4107 DA Rd 575-639-5294  
Name Address Phone No.

Adrian 2705 Og. Rd \_\_\_\_\_  
Name Address Phone No.

1/1 Monte 2705 Don An Rd #10 525-9168  
Name Address Phone No.

Crystal Ningo 2620 El Camino Real #84 805-1199  
Name Address Phone No.

Concha Gray 3625 N. Dona Ana Rd. 526-2110  
Name Address Phone No.

[Signature] 333 Armstrong (575) 809-6603  
Name Address Phone No.

Mario Serrato 305 TRECROSER 650-57-48  
Name Address Phone No.

Sergio Dolguin \_\_\_\_\_ 635-33-36  
Name Address Phone No.

Michelle 815 Trojan Loop Apt D 571-8180  
Name Address Phone No.

Briana 6345 Dona Ana #37 805-1095  
Name Address Phone No.

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|                |                      |           |
|----------------|----------------------|-----------|
| Jill Keitwort  | 2345 Janet Ann       | 644-9478  |
| Name           | Address              | Phone No. |
| Robert Stone   | 3775 Vaquero Pl      | 496-0418  |
| Name           | Address              | Phone No. |
| Ange McKinley  | 2501 El Camino Real  | 526-2033  |
| Name           | Address              | Phone No. |
| Grace Pass     | 1017 Sycamore Rd.    | 386-1447  |
| Name           | Address              | Phone No. |
| Dora Malaz     | 1345 Pinos St        | 636-7574  |
| Name           | Address              | Phone No. |
| Viviana Shaw   | 2200 Holiday Ave #36 | 621-9047  |
| Name           | Address              | Phone No. |
| John Humphreys | 3545 Dona Anita Rd   | 644-7369  |
| Name           | Address              | Phone No. |
| Toffer McCann  | 251 Roadrunner       | 209-1104  |
| Name           | Address              | Phone No. |
| Donald Holden  | 380 ARMSTRONG        | 526-8869  |
| Name           | Address              | Phone No. |
| Maria Potts    | 319 Richard St       | 905-6682  |
| Name           | Address              | Phone No. |

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LAWRENCE & LAYCOCK 2605 LA LUZ ST 527-1737  
Name Address Phone No.

Juan Madrid 380 Karen Av. 805-3748  
Name Address Phone No.

Robert Ceyman 3119 ECCMAN RD ST 805-5610  
Name Address Phone No.

Jane Corral 315 El Camip real 526-9543  
Name Address Phone No.

Ron Fina 959 Swartz Rd 649-2858  
Name Address Phone No.

Vicki Madrid PO Box 2442 526-6198  
Name Address Phone No.

John Tene 304 Terry 805-0325  
Name Address Phone No.

Matthew Williams 760 Kelli Cir 575/312-0000  
Name Address Phone No.

Sandra Cestelo Tulerosa Dr 635-8060  
Name Address Phone No.

RA Hough 4028 SAN YSIDRO RD #10 LC NM 88007 805-1326  
Name Address Phone No.

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Nick Conrja 477 Calle De Oro 527-6128  
Name Address Phone No.

H.V. 2600 Dona Ana 574 2718  
Name Address Phone No.

by Chad 2090 JANET ANN WARE 202-6969  
Name Address Phone No.

Orlando Zayas 215 Trojan Loop 993-1845  
Name Address Phone No.

Jan Chantle 2760 W. Hoes Creek. 520-1745  
Name Address Phone No.

Juan Galarraga Via de Valle 405 8133  
Name Address Phone No.

Carrie Castle 10073 Dona Ana Rd —  
Name Address Phone No.

Jorge Barr 606 King Edwards —  
Name Address Phone No.

Raula Montes 2605 N Valley Dr —  
Name Address Phone No.

Mark 315 E Comino Real #25 635 20026  
Name Address Phone No.

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|                    |                             |           |
|--------------------|-----------------------------|-----------|
| <i>Art Z...</i>    | PO Box 1991 LENM            | 526-1713  |
| Name               | Address                     | Phone No. |
| <i>Jim Flom</i>    | 653 Dalrymple St L.C.N.M.   | 649-1419  |
| Name               | Address                     | Phone No. |
| <i>Don Belling</i> | PO Box 45 POUER AAS         | 644-6119  |
| Name               | Address                     | Phone No. |
| <i>Paul...</i>     | 9285 W. S. Miller           | 640-2196  |
| Name               | Address                     | Phone No. |
| <i>P. L. P...</i>  | 700 E ARLEONA               | 621-5480  |
| Name               | Address                     | Phone No. |
| <i>Julius...</i>   | 22100 N Alameda #7          | 915-0263  |
| Name               | Address                     | Phone No. |
| <i>M. C. ...</i>   | POB 1186 Mesquite           | 642-3993  |
| Name               | Address                     | Phone No. |
| <i>Pat...</i>      | PO Box 482 Panama           | 202 7771  |
| Name               | Address                     | Phone No. |
| <i>M. J. ...</i>   | 5580 E. Betan Memorial #135 | 635-9598  |
| Name               | Address                     | Phone No. |
| <i>Clark...</i>    | 1809 Panama Dr.             | 532-0759  |
| Name               | Address                     | Phone No. |

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Melen Lucchini 2540 CALLE DE VISTA, P.E. 524-7062  
Name Address Phone No.

Paul S. Smith 2025 N. VALLEY RD (575) 915-0413  
Name Address Phone No.

Alfredo Rodriguez 831 Serrano 805-1133  
Name Address Phone No.

Felicity Spencer 2600 Dona Ana Rd (575) 571-1282  
Name Address Phone No.

Kevin White  523-9117  
Name Address Phone No.

Audrey Weber  528-6217  
Name Address Phone No.

Gregory L. Lutt  523-2726  
Name Address Phone No.

Dason Allen  956-3371  
Name Address Phone No.

Melanie Annan 310 Waring Rd 680-6333  
Name Address Phone No.

Blaine Reed 4300 San Isidro 291-2094  
Name Address Phone No.

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FRENCHACON 84115 MAIN 636-3357  
Name Address Phone No.

Osceola J mutancilloz 526-9282  
Name Address Phone No.

Willie Pierce 915-630-8380  
Name Address Phone No.

Jesus Silva 805-3376  
Name Address Phone No.

Charlie Singh 639-2445  
Name Address Phone No.

Jessica Webb 575-505-6508  
Name Address Phone No.

Debra Langala 575-571-7056  
Name Address Phone No.

Jesus Lugo 2616 Pico Lane CT 681-650-5594  
Name Address Phone No.

W F maez 929-4049 575-694-5850  
Name Address Phone No.

Michael Kettler 527 Second St. 621-2420  
Name Address Phone No.

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Cris Gutierrez 1834 Summer Ct 644-0467  
Name Address Phone No.

Olivia Medina 1834 Seldon 805-1176  
Name Address Phone No.

Roxann Reyes 805-9013  
Name Address Phone No.

Danny Trench 644-3927  
Name Address Phone No.

Olga Gonzalez 571-7577  
Name Address Phone No.

Oscar Peralta 571-7162  
Name Address Phone No.

Rafael Castro 527 5949  
Name Address Phone No.

Hector Palma 202-8004  
Name Address Phone No.

MANUEL HERRERA 527 50 34  
Name Address Phone No.

Eduardo Luna 650 0848  
Name Address Phone No.

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|                   |                   |               |
|-------------------|-------------------|---------------|
| Debra Damon       | 1617 Santa Monica | 805-3190      |
| Name              | Address           | Phone No.     |
| IVAN              | 1410 LAVVY RD     | (915)630 8561 |
| Name              | Address           | Phone No.     |
| Jesús             | 1002 LARRY RD     | (915)756 0169 |
| Name              | Address           | Phone No.     |
| Crystal           | 1700 W KADLECJ    | (575)392-3925 |
| Name              | Address           | Phone No.     |
| Ricardo           | 619 + 110 PERD    | 6575 312 9339 |
| Name              | Address           | Phone No.     |
| ADOLFO PEREZ      | 1317 S. ALMENDRA  | 649 2432      |
| Name              | Address           | Phone No.     |
| Orlando JUAN      | 5041 ELKS DE      | 805-0420      |
| Name              | Address           | Phone No.     |
| Osbaldo Hernandez |                   | 915.0460      |
| Name              | Address           | Phone No.     |
| Mark Lopez        |                   | (575)4967445  |
| Name              | Address           | Phone No.     |
| JUAN LOPEZ        | 347. THORPE       | 575-640-1800  |
| Name              | Address           | Phone No.     |

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Don Brown 127 Armstrong 650 2170  
Name Address Phone No.

Jose Hernandez 2609 Dona Ana Rd 956-739 8582  
Name Address Phone No.

Sandy Menke 230 Three Crosses #29  
Name Address Phone No.

Rudy Clark 5200 Greeng Ln.  
Name Address Phone No.

Tyrel Lilly 2250 Greener St.  
Name Address Phone No.

Kelly LAPE 717 Cityview  
Name Address Phone No.

Israel Garcia 5501 El Camino Real 526-2066  
Name Address Phone No.

Austethwood 2230 Dona Ana Rd #11 5050-5299  
Name Address Phone No.

Shirley P. Green 522 Adobe Lane (925) 586-4342 (Cell)  
Name Address Phone No.

Ed Sanchez 2000 Dona Ana Rd #11 496-0169  
Name Address Phone No.

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Denise Montoya 230 Three Crosses Sp 71 805-2238  
Name Address Phone No.  
mesilla

LAWRENCE McDONALD P.O. BOX 695 W.M. 88046 575-915-0331  
Name Address Phone No.

John Parra 575 805-4718  
Name Address Phone No.

Karen 825 W Taylor Rd.  
Name Address Phone No.

Antonio 905 Wiley Ave 649 9636  
Name Address Phone No.

Melissa Ramil 2905 Wilong Ave 649-7809  
Name Address Phone No.

MANNY BALSBRAND 1235 TAMONDY LN 541-8340  
Name Address Phone No.

Adolfo R Pery 1317 S. ALMENDRA 649 2430  
Name Address Phone No.

Leidy Robles 911 Alijah RD. 575-649-3552  
Name Address Phone No.

Perez  
Name Address Phone No.

KEEP SAFE LIGHTING

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JOSH LOZANO 4907 NORTHWIND 81650-4989  
Name Address Phone No.

Laurel White PO Box 597 Dona Ana, NM 88032 805-7785  
Name Address Phone No.

JOSE ESTRADA  
Name Address Phone No.

Ruby B Montoya 2842 Swartz Rd. LC 88007 526-9798  
Name Address Phone No.

Rebecca Ogil 434 Hoagland 88005 689-0211  
Name Address Phone No.

JASON ALLEN 622 King James Ave 88007 805 7044  
Name Address Phone No.

Rozanne Waks 908 English Rd LC, NM 88007 523-6983  
Name Address Phone No.

MICKEL HOLMES 302 SAN YACINTO 621-9815  
Name Address Phone No.

Daniel Roberts 660 S. Montano St 493-9897  
Name Address Phone No.

Stacy Parks 1707 Payne 915-526-1441  
Name Address Phone No.

Q

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|                           |                                     |                       |
|---------------------------|-------------------------------------|-----------------------|
| <u>P. Sanchez</u>         | <u>4112 Harrison</u>                | <u>575-644-1402</u>   |
| Name                      | Address                             | Phone No.             |
| <u>Chris Gutierrez</u>    | <u>1834 Summer Ct</u>               | <u>644-0467</u>       |
| Name                      | Address                             | Phone No.             |
| <u>Tammy Gutierrez</u>    | <u>1834 Summer Ct</u>               | <u>523-854</u>        |
| Name                      | Address                             | Phone No.             |
| <u>Shanna Bahr</u>        | <u>14104 W. Hwy 85</u>              | <u>805-1210</u>       |
| Name                      | Address                             | Phone No.             |
| <u>Carolyn Standridge</u> | <u>P.O. Box 25 Pecos Springs UN</u> | <u>649-3860</u>       |
| Name                      | Address                             | Phone No.             |
| <u>Brandy Betancourt</u>  | <u>872 Sunkenet Lane E</u>          | <u>(575) 993-1482</u> |
| Name                      | Address                             | Phone No.             |
| <u>Vince Mendola</u>      | <u>872 Sunkenet Lane</u>            | <u>(575) 650-6931</u> |
| Name                      | Address                             | Phone No.             |
| <u>Sandy Drona</u>        | <u>423 Drona Anna School Rd.</u>    | <u>(575) 993-1482</u> |
| Name                      | Address                             | Phone No.             |
| <u>Edward Drona</u>       | <u>Drona Anna Rd</u>                | <u>491-0169</u>       |
| Name                      | Address                             | Phone No.             |
| <u>Chris Lopez</u>        | <u>6345 Drona Ave</u>               |                       |
| Name                      | Address                             | Phone No.             |

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Maureen Copeland 715 Mimbres 575-805-2100  
Name Address Phone No.

Angela Jarline 1205 Monte Vista Ave Apt A 575 905 9280  
Name Address Phone No.

Phillip Dennis 2607 Hillrise Drive 575-639-7445  
Name Address Phone No.

Terry Sharp 5215 Sweetwater 915 821-2625  
Name Address Phone No.

Erin Sevens 1600 Southwood 915 503 4503  
Name Address Phone No.

Rajna Jeffries 1602 Southwood 915-503-4325  
Name Address Phone No.

Chris Tager 2501 El Camino Real 650 3580  
Name Address Phone No.

Vinton C. Perez 150 N. Hermon 575/621-9164  
Name Address Phone No.

Kelly Jensen 3817 Jack Nicklaus 575 639-2121  
Name Address Phone No.

Tim Conn 3970 Red Canyon 582-0153  
Name Address Phone No.

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|                        |                                |                       |
|------------------------|--------------------------------|-----------------------|
| <u>DAVID FRANK</u>     | <u>8880 Plymouth Lakes</u>     | <u>828-1388</u>       |
| Name                   | Address                        | Phone No.             |
| <u>DAVID CHAVEZ</u>    | <u>1210 PAYNE ST. L.L.N.M.</u> | <u>650-0595</u>       |
| Name                   | Address                        | Phone No.             |
| <u>Kerry Spadinger</u> | <u>1804 Whiting Ave</u>        | <u>502-2495</u>       |
| Name                   | Address                        | Phone No.             |
| <u>cl/Suzanne</u>      | <u>2200 CORLEY DR</u>          | <u>850-2991</u>       |
| Name                   | Address                        | Phone No.             |
| <u>Walt</u>            | <u>4230 Tallbrook</u>          | <u>993-9135</u>       |
| Name                   | Address                        | Phone No.             |
| <u>222</u>             | <u>120 HERWOOD</u>             | <u>505-977-9628</u>   |
| Name                   | Address                        | Phone No.             |
| <u>Rose Street</u>     |                                | <u>(575) 521-9721</u> |
| Name                   | Address                        | Phone No.             |
| <u>[Signature]</u>     | <u>2021 Desert Springs Ct</u>  | <u>(575) 521-1740</u> |
| Name                   | Address                        | Phone No.             |
| <u>Rosita Garcia</u>   | <u>1159 La Fonda Apt. 8</u>    | <u>(575) 805-1152</u> |
| Name                   | Address                        | Phone No.             |
| <u>See Carlson</u>     | <u>2338 Terrace Ct</u>         | <u>(575) 993-8869</u> |
| Name                   | Address                        | Phone No.             |

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- Sally Chung 404 S. UT Road Dexter, NM 88020 575-993-9926  
Name Address Phone No.
- Kathleen Cross 2330 Jasper Dr. LCNM 88001 575-993-4130  
Name Address Phone No.
- Sandra Hooper 15001 Balsam Dr. Huntsville, AL (575)405-8585  
Name Address Phone No.
- Miguel Cano 1617 Chastain Trail Las Cruces NM  
Name Address Phone No.
- RICHARD CASTLE 3560 MORNINGSTAR LAS CRUCES NM 575-644-9100  
Name Address Phone No.
- FYLER BEAR 5124 RUBY MINE RD 555-644-2412  
Name Address Phone No.
- THOMAS ADZ 3008 SUNDEN 575-8062  
Name Address Phone No.
- Ray Devison 3945 Saguaro Ct 575-522-7388  
Name Address Phone No.
- Pat Lopez 8911 Apache Plume L. CNM 522-1431  
Name Address Phone No.
- Ariel (915) 820-3627  
Name Address Phone No.

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Katiba Ulbricht 3245 E University 202-2332  
Name Address Phone No.

Jeresa Caleras 1313 Diana Maria Ln 805 1728  
Name Address Phone No.

Becca O'Brien 2109 Hillrise 805-1183  
Name Address Phone No.

Joshua Rosenmans 831 Raging Bull 527-2474  
Name Address Phone No.

Viviana Vargas 3948 Tiger Woods 640-4429  
Name Address Phone No.

DEREC HOMES 1115 MONTEVESTA #2 915-0337  
Name Address Phone No.

Vanessa Reed 1980 Bellamark 575-312-0895  
Name Address Phone No.

ALEXANDRO Sosa 8389 S MAIN 571-2823  
Name Address Phone No.

Patti Alarcón 3673 Burnite Ct 382-6866  
Name Address Phone No.

Mimi Hamilt 1235 E Poplar (575) 680-0141  
Name Address Phone No.

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Randy Clout Jr. 1000 La fonda apt R (505) 328-2511  
Name Address Phone No.

Ben Adams 2612 Crestview Dr. 575-526-1772  
Name Address Phone No.

Jorgi Habsa 3113 High St. 575-644-0655  
Name Address Phone No.

Dean Park 505 330 0310  
Name Address Phone No.

DEAN MABER (575) 373-5662  
Name Address Phone No.

Julia Narsim 833 E V. 575-302-1163  
Name Address Phone No.

Justin Cogdell 6634 Hawk Rd 575-647-0566  
Name Address Phone No.

Alex Lopez 3832 Marble View 575-740-4824  
Name Address Phone No.

Randy P 1824 Dale Douglas 915-590-0778  
Name Address Phone No.

Paul Colon 4052 06th 575-522-1885  
Name Address Phone No.

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Yvonne Garay 1141 Gausight 680-0489  
Name Address Phone No.

Michelle PO Box 1032 589-5740  
Name Address Phone No.

MATTHEW BURK 6680 RIO BLANCO DR. LAMAR, NM 641-7899  
Name Address Phone No.

GARY BRADLEY 2237 Westwind 526-2488  
Name Address Phone No.

Jeffrey Bradley 2237 Westwind 526-2488  
Name Address Phone No.

Barbara Reeves-Schaaf 2106 Pine Needle Way (505) 1015-1723  
Name Address Phone No.

Lawrence Conroy 5022 HIND MINE RD 373-1939  
Name Address Phone No.

[Signature] 409 N. Archuleta 526-3929  
Name Address Phone No.

[Signature] 2033 Rose Cro LC 639-0993  
Name Address Phone No.

[Signature] 905 Parkview Sp#4 635-2789  
Name Address Phone No.

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|                         |                                     |                      |
|-------------------------|-------------------------------------|----------------------|
| <u>David Ferris</u>     | <u>3995 S Main</u>                  | <u>527-8219</u>      |
| Name                    | Address                             | Phone No.            |
| <u>Mona Aragon</u>      | <u>5098 Cutamouat Dr.</u>           | <u>521-1833</u>      |
| Name                    | Address                             | Phone No.            |
| <u>Robert Hernandez</u> | <u>2250 Missouri</u>                | <u>480-244-2255</u>  |
| Name                    | Address                             | Phone No.            |
| <u>Dana Brown</u>       | <u>3016 Troybrook Rd</u>            | <u>(402)968-8350</u> |
| Name                    | Address                             | Phone No.            |
| <u>Ernest Carlson</u>   | <u>485 Sheryl Way</u>               | <u>575-405-9901</u>  |
| Name                    | Address                             | Phone No.            |
| <u>Candace Small</u>    | <u>6125 High Desert</u>             | <u>644-1042</u>      |
| Name                    | Address                             | Phone No.            |
| <u>Nicole Garcia</u>    | <u>10420 Chapel PINE</u>            | <u>219-0171</u>      |
| Name                    | Address                             | Phone No.            |
| <u>David Garcia</u>     | <u>4336 Camino by Vida</u>          | <u>635-1251</u>      |
| Name                    | Address                             | Phone No.            |
| <u>Dora Parra</u>       | <u>1111 SAN FELIPE</u>              | <u>640-5028</u>      |
| Name                    | Address                             | Phone No.            |
| <u>POMALKA NAWAU</u>    | <u>3819 CALLE DE LAS MARGARITAS</u> | <u>513-373-7511</u>  |
| Name                    | Address                             | Phone No.            |

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Kathryn Huson 1352 Desert View EP 915 313 5181  
Name Address Phone No.

Colleen Richardson 1717 Calle de Sueños (6 AM 88001)  
Name Address Phone No.

Marcos Medina 3125 Risner Pt. (C. N.M. 88011)  
Name Address Phone No.

Anthony Hlyun 4074 Ira Ave 89005  
Name Address Phone No.

JAMES SAVEDA 2842 Los Alamos Ct 89011  
Name Address Phone No.

Miriam 411 Camino Bonito (6 PM 89001)  
Name Address Phone No.

Kenneth Hovis 2108 Calle de Sueños  
Name Address Phone No.

Mansela Arroyo 3245 Univ.  
Name Address Phone No.

Al Myroff 3245 Univ  
Name Address Phone No.

Michelle Schnarr 2200 Corley Dr. Apt 36 575-915-5190  
Name Address Phone No.

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Donald Reyes 4805 Sage Rd. 556-1196  
Name Address Phone No.

Mark Shiley 2205 Fairway Dr 5320301  
Name Address Phone No.

Kevin Frenas 450 Palmer LC 523-0934  
Name Address Phone No.

Mark Legault 3010 Bienna Vida Circle 526-8262  
Name Address Phone No.

Carlos Gonzalez 2751 E Idaho C-40 (915) 760-0417  
Name Address Phone No.

Lopez Ortiz 3740 Mirada Pt 409-6086  
Name Address Phone No.

Brittany Fresquez 510 e. Colorado Apt. 7 571-6900  
Name Address Phone No.

Nvette Martinez 2116 Hagerly 650-4556  
Name Address Phone No.

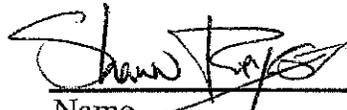
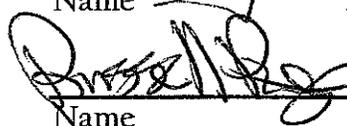
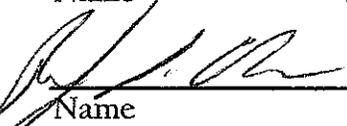
[Signature] 1785 Pecos 525 705 7075  
Name Address Phone No.

Paul Udell 1021 CAS Veros 916-496-6404  
Name Address Phone No.

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|   |                             |              |
|---|-----------------------------|--------------|
|    | #8 Crosbrite ct             | 575-621-1910 |
| Name  | Address                     | Phone No.    |
|    | 1316 Anthony                | 575 386 7631 |
| Name  | Address                     | Phone No.    |
|    | 2605 Ridgeway ct            | 575-639-0941 |
| Name  | Address                     | Phone No.    |
| Connie R. Welch   | 3245 E. University Ave #205 | 575-382-1008 |
| Name  | Address                     | Phone No.    |
| Glenn Ross  | 2250 E MISSOURI APT 8B      | 575-491-4828 |
| Name  | Address                     | Phone No.    |
| Angie Vega  | 2010 Enzie #2               | 575-312-4316 |
| Name  | Address                     | Phone No.    |
| Robert O'Brien  | 2709 Hillside Dr            | 575-312-8588 |
| Name  | Address                     | Phone No.    |
| Callie Coole  | 300 Hamise Ave              | 505-261-1377 |
| Name  | Address                     | Phone No.    |
| Vanessa S. [unclear]  | TOIC, NM                    | 575-244-9151 |
| Name  | Address                     | Phone No.    |
|  | 914 Locust                  | 635 2508     |
| Name  | Address                     | Phone No.    |

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Tammy 3245 E Univ LCNM 88011  
Name Address Phone No.

Jenny 2435 S. Telscher 88011  
Name Address Phone No.

Gerardo 656 Morton Lane  
Name Address Phone No.

Richard 2100 Anita DR LCNM 88001  
Name Address Phone No.

Jason 2100 Anita DR LCNM 88001  
Name Address Phone No.

Mike Sanchez 1304 Eucalyptus 642-8198  
Name Address Phone No.

Maria Bates 1117 Monte Vista #7 (505) 290-1564  
Name Address Phone No.

Fred I. Green 8063 Emerald 680-0001  
Name Address Phone No.

Jerry Baker 643 Calle Del Valle  
Name Address Phone No.

Christopher Espersen  
Name Address Phone No.

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|                   |                           |                       |
|-------------------|---------------------------|-----------------------|
| <u>Joseph</u>     | <u>591 BIANES St.</u>     | <u>(575) 202-6500</u> |
| Name              | Address                   | Phone No.             |
| <u>Jake</u>       | <u>1611 Sweet Ave</u>     | <u>575 645 9872.</u>  |
| Name              | Address                   | Phone No.             |
| <u>Ruth Ryan</u>  | <u>5405 Remington</u>     | <u>575 532 8225</u>   |
| Name              | Address                   | Phone No.             |
| <u>Juan Pardo</u> | <u>5405 Remington</u>     | <u>575-532-8225</u>   |
| Name              | Address                   | Phone No.             |
| <u>Wh</u>         | <u>3005. Warrnus</u>      | <u>575 541-0006</u>   |
| Name              | Address                   | Phone No.             |
| <u>Wesley</u>     | <u>2291 La Paloma</u>     | <u>505-550-2517</u>   |
| Name              | Address                   | Phone No.             |
| <u>Tyson</u>      | <u>172 patungue Ln</u>    | <u>928-386 1958</u>   |
| Name              | Address                   | Phone No.             |
| <u>Michael</u>    | <u>P.O. 3464</u>          | <u>575-644-8963</u>   |
| Name              | Address                   | Phone No.             |
| <u>Hillary</u>    | <u>4125 Sotol Dr.</u>     | <u>575-650-8680</u>   |
| Name              | Address                   | Phone No.             |
| <u>Gregory</u>    | <u>319-B W. Bell Ave.</u> | <u>(575) 640 9322</u> |
| Name              | Address                   | Phone No.             |

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Craig Alberson 42750 Ardis Ln 6490208  
Name Address Phone No.

Staci Stanbrough 575-491-2909  
Name Address Phone No.

Tony Steele  
Name Address Phone No.

Ane Young 522.2354  
Name Address Phone No.

Christina Judge 575-491-5675  
Name Address Phone No.

NATALIA Quiroz 715/210-9232  
Name Address Phone No.

Martin Armendariz (915) 490 3209  
Name Address Phone No.

Jesus Duarte (602) 573-6375  
Name Address Phone No.

Jeff Castle DUG  
Name Address Phone No.

Dalton Coates MA  
Name Address Phone No.

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Francine Simms 319 Vista Del Rey 575 680 6588  
Name Address Phone No.

Michael Taylor 4554 Hercules Apt 60 El Paso TX 79904 907 687-7914  
Name Address Phone No.

Erad Cooper & Lezaron Arch Co. NM 88005 575-649-1717  
Name Address Phone No.

Ron Tillis P.O. Box 6401 Las Cruces NM 88505 505 650 5527  
Name Address Phone No.

Carlos Saramillo P.O. Box 7521 Las Cruces 575 805 8804  
Name Address Phone No.

Laura Chavez 1810 Payne Apt 9 (575) 571-5051  
Name Address Phone No.

Vince Pate 1521 S. Glenburn Ct W Az 928-273-2082  
Name Address Phone No.

Alfredo Salgado 115 Hanks #2 (575) 805-2231  
Name Address Phone No.

Frank Pardo 4840 Quail Run LNM 88011 522 1930  
Name Address Phone No.

Stephanie Doyal 1001 Gayler 624-0233  
Name Address Phone No.

### KEEP SAFE LIGHTING

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|                  |                        |              |
|------------------|------------------------|--------------|
| Kevin Whalen     | 1995 S Telshor         | 575 6403860  |
| Name             | Address                | Phone No.    |
| Doug [unclear]   | 6037 Shadewalk         | 575 915-6474 |
| Name             | Address                | Phone No.    |
| Mick Aggios      | 4525 Fabosa Las Cruces | 80-614-4108  |
| Name             | Address                | Phone No.    |
| Stephanie Norman | 1203 Mission Nuevo     | 575-693-1400 |
| Name             | Address                | Phone No.    |
| Tim Gladen       | 5082 Black Quartz      | 644-0246     |
| Name             | Address                | Phone No.    |
| Famy [unclear]   | 1633 CAPITAN           |              |
| Name             | Address                | Phone No.    |
| Michael C.       | 2349 Santo Domingo     | 575-650-2210 |
| Name             | Address                | Phone No.    |
| Kristeen Pryor   | 3245 E University      | 915-2367     |
| Name             | Address                | Phone No.    |
| Carlos Valdez    | 300 S. Gold            | 575-5747932  |
| Name             | Address                | Phone No.    |
| Jason [unclear]  | 4206 Solano Ln         | 575-571-6872 |
| Name             | Address                | Phone No.    |

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Angie Ray 4506 Johnson CN (575) 621-6196  
Name Address Phone No.

MAURO ORTA BOX 2130 Mesilla PK (505) 527 0460  
Name Address Phone No.

Coner Hedges 2049 Travis #114 680-8704  
Name Address Phone No.

Stephanie West 2049 Travis #114 312-0803  
Name Address Phone No.

ADAN 8213 Krim Dr. NE ALB 505-350-6838  
Name Address Phone No.

JONATHAN 8213 Krim Dr. NE ALB 505 918 7119  
Name Address Phone No.

Jordan 820 E Union Ave 972 570 0193  
Name Address Phone No.

Trine S Roane 2346 Aguirre Ct 575-522-1901  
Name Address Phone No.

Tiffany Titus 3245 E. University #201 (575) 910-1477  
Name Address Phone No.

~~Desiree~~ Desiree Ruiz 1104 Los Nogales  
Name Address Phone No.  
LC NM 88001

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Sharmelle Sena 3245 E. University  
 Name Address Phone No.

Laure English 2000 Carlisle NE APO, NM  
 Name Address Phone No.

J 3776 Jade Court  
 Name Address Phone No.

William Stark 1125 Monte Vista #2  
 Name Address Phone No.

Rich Cross 1833 Las Tunas  
 Name Address Phone No.

Anne Tyler 3901 Sonoma Spring Ave 707-599-8371  
 Name Address Phone No.

Elma Lino 2809 E. Toledo L.C.  
 Name Address Phone No.

Debbie Bell 2920 Huntington LC 5329442  
 Name Address Phone No.

(CD Meek) 2920 Huntington LC 5329442  
 Name Address Phone No.

Don Di 5993 Las Alamos Ave. Las Cruces, NM 89001 505 636 3829  
 Name Address Phone No.

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SCOTT LIEBERWITZ 2199 VIRGINIA Pkwy 87012 632-0513  
Name Address Phone No.

Joel Motyl 6438 Serrano Dr. 88012  
Name Address Phone No.

NIGEL RAYNOR 251 N. Redrunner Pkwy 88011  
Name Address Phone No.

Tegóiero Morsl 215 FAX  
Name Address Phone No.

Justin Price Whitesands missile range 88002  
Name Address Phone No.

Laura Rios 190 Topaz Rd Lenox. 88001 405 7231  
Name Address Phone No.

Red yon 5800 Stem Dr. C-21 575 835 8018  
Name Address Phone No.

Amanda Gardner 7053 Don Rose 575 649-5098  
Name Address Phone No.

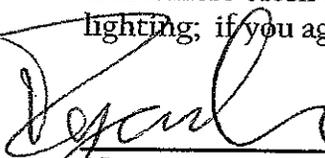
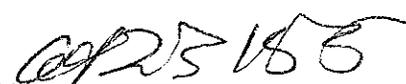
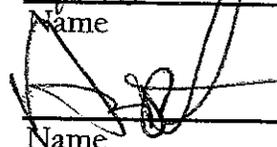
Anna Lopez 15 Leanon A.C 575 522-2047  
Name Address Phone No.

Watt Rios 555 Del Rey Blvd 524 2334  
Name Address Phone No.

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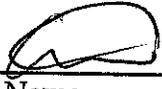
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|   |                          |   |
|---|--------------------------|---|
|     | _____                    |  |
| Name  | Address                  | Phone No.   |
|     | _____                    | 702-344-7088  |
| Name  | Address                  | Phone No.   |
|    | 2203 S. ...              | 644-0863  |
| Name  | Address                  | Phone No.   |
| M. A. Quiñeros  | 2132 Desert Greens Drive | 521-0433  |
| Name  | Address                  | Phone No.   |
| DAN SAZAR   | 2000 Boile Dr            | 523-4239  |
| Name  | Address                  | Phone No.   |
| Jennifer Baylon   | 230 Moonlight Rd         | 233-3155  |
| Name  | Address                  | Phone No.   |
| Kristi Granados   | 5025 Real del Norte      | 644-3406  |
| Name  | Address                  | Phone No.   |
| Todd Spive  | 4474 Hillshoro Loop      | 575-644-0749  |
| Name  | Address                  | Phone No.   |
|  | P.O. Box 1121            | 588-649-9307  |
| Name  | Address                  | Phone No.   |
|  | 628 Ave                  | 575-496-7093  |
| Name  | Address                  | Phone No.   |

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 1935 Groves ~~Dr~~ Los Cruces, NM 470-276-1117  
Name Address Phone No.

 " " " 480-276-6901  
Name Address Phone No.

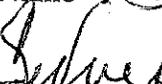
 \_\_\_\_\_ 575-635-3391  
Name Address Phone No.

 279 Fairway 575-496-1588  
Name Address Phone No.

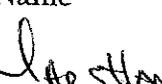
 \_\_\_\_\_ 575-571-6218  
Name Address Phone No.

 \_\_\_\_\_  
Name Address Phone No.

 \_\_\_\_\_ 575-304-5295  
Name Address Phone No.

 \_\_\_\_\_  
Name Address Phone No.

 \_\_\_\_\_ 575-696-9979  
Name Address Phone No.

 3245 E University #905 382-1008  
Name Address Phone No.

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Alan Quigley 701 El Prado 621-4103  
Name Address Phone No.

Ginger Barkley 3245 East University 575-521-4123  
Name Address Phone No.

Kelly Hoty 3245 E. University 640-8353  
Name Address Phone No.

[Signature] 4025 Cholla Rd 523-8974  
Name Address Phone No.

[Signature] 281 RA Pky 1705 642-4555  
Name Address Phone No.

[Signature] 4324 Soda Springs 490-4288  
Name Address Phone No.

Jessica Stanke 3204 1/2 Oak (505) 699-5325  
Name Address Phone No.

[Signature] 2448 Valverde Loop 78-680-0476  
Name Address Phone No.

[Signature] 4941 Ruede 505-535-1521  
Name Address Phone No.

[Signature] 3245 E UNIVERSITY 575 915 6923  
Name Address Phone No.

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|                        |   |                 |
|------------------------|---|-----------------|
| <u>Lestie Stepan</u>   | <u>4731 Del Rey</u>                         | <u>635-0896</u> |
| Name                   | Address                                     | Phone No.       |
| <u>SEVEN WENZEL</u>    | <u>205 S. RAYMOND</u>                       | <u>286-2469</u> |
| Name                   | Address                                     | Phone No.       |
| <u>Carla</u>           | <u>8909 Apache Pkwy Ct</u>                  | <u>522-5800</u> |
| Name                   | Address                                     | Phone No.       |
| <u>Rebecca Diemer</u>  | <u>4299 Tealbrook Ln, NM</u>                | <u>640-9387</u> |
| Name                   | Address                                     | Phone No.       |
| <u>BBrent Jozos</u>    | <u>4029 Soto Las Cruces</u>                 | <u>496-2781</u> |
| Name                   | Address                                     | Phone No.       |
| <u>Christy Lee</u>     | <u>3024 Tres Piedras Way Las Cruces, NM</u> | <u>524-8067</u> |
| Name                   | Address                                     | Phone No.       |
| <u>Mareela Alvarez</u> | <u>6015 Sunny Ln #9</u>                     | <u>528-8928</u> |
| Name                   | Address                                     | Phone No.       |
| <u>Jose A. Gomez</u>   | <u>208 Savenack Rd</u>                      | <u>619-0124</u> |
| Name                   | Address                                     | Phone No.       |
| <u>Noelita Ollin</u>   | <u>1432 Swans</u>                           | <u>643-1077</u> |
| Name                   | Address                                     | Phone No.       |
| <u>Jessica Lopez</u>   | <u>32615 University Apt 1509</u>            | <u>621-9760</u> |
| Name                   | Address                                     | Phone No.       |

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|  |                               |
|--|-------------------------------|
| <u>Evangelina Varela</u>                 | <u>(505) 970 4709</u>         |
| Name                                     | Address Phone No.             |
| <u>Andrea J Briff</u>                    | <u>(575) 915 5922</u>         |
| Name                                     | Address Phone No.             |
| <u>James Archey 4140 Senna Dr</u>        | <u>(575) 522-3765</u>         |
| Name                                     | Address Phone No.             |
| <u>Sandy Tafaya</u>                      | <u>(575) 312-2596</u>         |
| Name                                     | Address Phone No.             |
| <u>Janah Barrio 3315 Neptune</u>         | <u>(575) 636-4434</u>         |
| Name                                     | Address Phone No.             |
| <u>Bill Mastace</u>                      | <u>575-521-1182</u>           |
| Name                                     | Address Phone No.             |
| <u>Amanda</u>                            | <u>1976 Mahosant 805-2730</u> |
| Name                                     | Address Phone No.             |
| <u>Alinda Lopez 2805 Felano #3 L.C.</u>  | <u>870-5976</u>               |
| Name                                     | Address Phone No.             |
| <u>Chung 1810 Payne #9 L.C.</u>          | <u>(575) 690-0595</u>         |
| Name                                     | Address Phone No.             |
| <u>Kat Blanchard 4728 Sun Valley Dr.</u> | <u>539-2279</u>               |
| Name                                     | Address Phone No.             |

El Paso, TX 79924

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Sonia J. Ordunez, 1149 Gunsight Peak Dr. LC. NM 805-4395  
Name Address Phone No.

Monique Rojas P.O. Box 43 San Miguel NM 520-9973  
Name Address Phone No.

Andrea Chauama Mesilla NM 85046 575-202-4403  
Name Address Phone No.

W. W. W. 1804 Wyoming 575-430-7288  
Name Address Phone No.

Mary Mulkearns 4880 Quail Run 521-7168  
Name Address Phone No.

SEAN MULKEARN 4880 Quail Run Ave Lcrm 521-7168  
Name Address Phone No.

Swapp 5800 Fern Dr. #2 520/904-6921  
Name Address Phone No.

Olson Louie 2346 agurte Crt. (575) 405-6137  
Name Address Phone No.

[Signature] 101 un. v. ty Drive 573-9809  
Name Address Phone No.

Brenda [Signature] 1036 Craig Ct. 524-9262  
Name Address Phone No.

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|                 |                                       |                |
|-----------------|---------------------------------------|----------------|
| Emily Wardworth | 3547 cactus Gulch Way LC, NM 88011    | (253) 350-5308 |
| Woody Goodhand  | 3125 university Dr.                   |                |
| Louis Clay      | 1141 Battle Branch Franklin, NC 28734 | 8283696434     |
| June M. Flores  | 1513 Kilmer, LC 88001                 | 523-7158       |
| Robert Cano     | 3120 High St LC 88011                 | 649-3335       |
| Arnon Rosales   | 4212 Northline Ln El Paso TX 79902    |                |
| Monica Lopez    | 1504 Espanola Las Cruces NM           | 621-4038       |
| Steve Cedeno    | Estuall SC NM                         |                |
| Onar Olivares   | 5452 Eagle pass Rd                    | 571-7927       |
| Tom Stevenson   | 225 Mimbres                           | 525-0374       |

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Yesenia 9335 Butterfield 571-2682  
Name Address Phone No.

Joseluis Hernandez 14932 Blacktail (915) 799-7516  
Name Address Phone No.

Karin Arte 31640 Dona Anard 523-4937  
Name Address Phone No.

Oscar Sanchez 680 Hummingbird D 649-8969  
Name Address Phone No.

Leonard Torres 2442 Mayfield Ln 202-2815  
Name Address Phone No.

Lilia Torres 2442 Mayfield Ln 685-0807  
Name Address Phone No.

Hal Coleman 360 Armstrong 386-0067  
Name Address Phone No.

PAUL Crowe 469 Camino de Oro 523-4516  
Name Address Phone No.

Gary [Signature] 2915 D.A. RD 590-2269  
Name Address Phone No.

Todd W. [Signature] 2117 Arch  
Name Address Phone No.

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Richard Portillo 240 W TAYLOR NM 575 523 4901  
Name Address Phone No.

Jill E. Green 717 Keelo Rd., LAS CRUCES NM 575 526-5068  
Name Address Phone No.

Justin Therp 2839 El Camino Real 642 1222  
Name Address Phone No.

Heather Kelly 2501 West Moreland 202-7752  
Name Address Phone No.

RAFAEL GARCIA JR 5600 N. DONA ANA Rd  
Name Address Phone No.

Michap 4028 San Sixto 649-1464  
Name Address Phone No.

Rachel Ferrales 2620 El Camino #56 993-9334  
Name Address Phone No.

Jack Provencio 1308 Parker Rd 642-8363  
Name Address Phone No.

Mitchell McMillan 2075 Carlyle LC NM 640-1338  
Name Address Phone No.

Janus Pulia 1005 Chaparro LC 649-3975  
Name Address Phone No.

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Joseph Romero 1208 S Diamond 575 519-9329  
Name Address Phone No.

Becca Montana 1130 A Bleimeyer Rd 575 543-5912  
Name Address Phone No.

Forest Green 809 Hummingbird Dr 522-0196  
Name Address Phone No.

Laverne Kershaw 4209 Lost Ln. 504-0317  
Name Address Phone No.

Vince Romero 1521 Santa Cruz Rd 649-6811  
Name Address Phone No.

Dino Lucio 640 D. Bunesas Rd 649-5002  
Name Address Phone No.

Tracy Abalos 2135 Shady Pl. 523-5115  
Name Address Phone No.

Rudy Colubio 2835 El Camino Real 504-1498  
Name Address Phone No.

ANGEL TORRES 127 So Mesquite St.  
Name Address Phone No.

Johnny 3601 DONA ANA (575) 640-9000  
Name Address Phone No.

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Maria Y. Garcia 2301 El Camino Real 805-4449  
Name Address Phone No.

Vernon ... 2620 El Camino Real 805-0766  
Name Address Phone No.

Donald Bailey 900 Ayia Ln 526-4080  
Name Address Phone No.

Terrie Hernandez 2670 Pella Nuestra 805-6568  
Name Address Phone No.

Nick Hernandez 2620 El Camino Real 805-0766  
Name Address Phone No.

Edgar Lopez 2722 Mayfold Ln. 524-7756  
Name Address Phone No.

Eric Held 2635 La Luz 644-9502  
Name Address Phone No.

Mr. Paul ... 2620 El Camino Real 650 2836  
Name Address Phone No.

Maria ... 805-5216  
Name Address Phone No.

John M Beaumen 3782 Vaughn Pl LGM 575-642-6263  
Name Address Phone No.

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Tim Nully 1223 Engle Rd. 649-3316  
Name Address Phone No.

Roxanne Holland 1305 Doolittle Dr. 382-8389  
Name Address Phone No.

Claudia Denton 2230 Dona Rd # 85 650-1760  
Name Address Phone No.

Richard Wickham 2100 Isaacks Ln # 26 650-5427  
Name Address Phone No.

Maggie Carrea 311 Richard<sup>Dr</sup> 805-5377  
Name Address Phone No.

Blaine Montoya 757-846-1958  
Name Address Phone No.

Andy Barajas 700 San Isidro 650-3852  
Name Address Phone No.

[Signature] 575-993-0969  
Name Address Phone No.

Sonny Otteris 930 Leonina's Bamego Rd 525-2925  
Name Address Phone No.

Justo Duran 236 W. Madrid ave. 523-1006  
Name Address Phone No.

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Armando Rodriguez 720 San Ysidro 529-0891  
Name Address Phone No.

Royalty  
Name Address Phone No. 386-0738

Thomas Gami  
Name Address Phone No. 523-0349

Jose Ruiz 915 472-0464  
Name Address Phone No.

Joe Melendez 528-527-7788  
Name Address Phone No.

MARK SEDILLO 805-7335  
Name Address Phone No.

Jose V. Limonel Soto 207-1068  
Name Address Phone No.

[Signature]  
Name Address Phone No. 527-4672

David Gonzalez 2125 Main 526-1150  
Name Address Phone No.

[Signature] 815 Trojan Loop #1 993-1845  
Name Address Phone No.

KEEP SAFE LIGHTING

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993-1846

Ronald Ray Saiz 75 Trajan Loop #C 993-1846  
Name Address Phone No.

Alyandra Stages 2624 CA Ridge, LC, NM 88007  
Name Address Phone No.

Ricky Portillo 603 Hilda RD Mesquite, NM. (575) 496-6221  
Name Address Phone No.

Eleanora Olivas 3115 El camino Real 575-6409914  
Name Address Phone No.

[Signature] [Address] 575 6364244  
Name Address Phone No.

Courtney McVay 3150 Dana Ana 635-3814  
Name Address Phone No.

Manuel Andrade 7905 Mevar Circle 805-0846  
Name Address Phone No.

Emmanuel Montes 1505 La Fonda 386-1866  
Name Address Phone No.

Kevin Dale 799 Humming Bird DR 526-2566  
Name Address Phone No.

[Signature] 4344 San Ysidro Rd. 571-6068  
Name Address Phone No.

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Carin Howell 639-4617  
Name Address Phone No.

R. Miller 749 San Ysidro Rd 649-3076  
Name Address Phone No.

Jane J... 1011 EVANDALE ST 644-9864  
Name Address Phone No.

[Signature] 6770 Cochitlan 649-4640  
Name Address Phone No.

Jasuis 380 Karan 523 14 09  
Name Address Phone No.

Indio 893 Dionicio Benegas 915-0760  
Name Address Phone No.

GERALD 199 W MADRID 524 3098  
Name Address Phone No.

M. Cox 1880 Cochitan Ln 505-3842  
Name Address Phone No.

Princess Gutierrez 1101 Coach Rd. (520) 208 2109  
Name Address Phone No.

[Signature] 3903 Watson Place 650-6951  
Name Address Phone No.

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Bernie Alexander Roanoke, TX.  
Name Address Phone No.

~~Tyler Davis~~ L.C. NM.  
Name Address Phone No.

Jami Holc L.C. NM  
Name Address Phone No.

Jana (A) LCNM 805-4018  
Name Address Phone No.

Chris Hall 328 Armstrong Rd (505) 459-5557  
Name Address Phone No.

Monte Coull 553 Adobe Ln. (575) 525-9597  
Name Address Phone No.

~~Pete Ross~~ 835 SIAH RD 647-2089  
Name Address Phone No.

Ethan Worthing 202-0968  
Name Address Phone No.

Joshua Leggett<sup>11</sup> 915-6811  
Name Address Phone No.

ROBERT MAWITT 700 N. KEN ROSWELL NM 575-644-0397  
Name Address Phone No.

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Hunter Manatt 4681 Whispering Pines 575-644-7383  
Name Address Phone No.

DEAN GAVAZ 308 SAN PEDRO 571 7898  
Name Address Phone No.

Michelle B. Orncastle 158 Red Deer Ct 8642-7448  
Name Address Phone No.

 312 Camino 405-7617  
Name Address Phone No.

Victor Cano 621-7755  
Name Address Phone No.

Michael Jackson 4822 Campbell Rd 571-1783  
Name Address Phone No.

 525-993-7386  
Name Address Phone No.

 \_\_\_\_\_  
Name Address Phone No.

José M. Taz. 1555 Stelshort Apt E-10 636-4473  
Name Address Phone No.

Taylor Stanley 365 Boca Rd 635-5218  
Name Address Phone No.

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|                            |                                 |                 |
|----------------------------|---------------------------------|-----------------|
| <u>John S. Galligan</u>    | <u>P.O. Box 426 Mesilla NM.</u> | <u>644-5092</u> |
| Name                       | Address                         | Phone No.       |
| <u>Alfred P. [unclear]</u> | <u>5225 Reek Ln. 88012</u>      | <u>373-1637</u> |
| Name                       | Address                         | Phone No.       |
| <u>North [unclear]</u>     | <u>870 Reek Rd. LC NM.</u>      | <u>523-8082</u> |
| Name                       | Address                         | Phone No.       |
| <u>Tommy Vasquez</u>       | <u>7271 Mahalo Ct. LC NM.</u>   | <u>649-2199</u> |
| Name                       | Address                         | Phone No.       |
| <u>Shelly Thadford</u>     | <u>7163 Moore Circle LC NM</u>  | <u>649-1684</u> |
| Name                       | Address                         | Phone No.       |
| <u>Mark Salzer</u>         | <u>Matel 6</u>                  | <u>649-3210</u> |
| Name                       | Address                         | Phone No.       |
| <u>MARY LUCERO</u>         |                                 | <u>642-9705</u> |
| Name                       | Address                         | Phone No.       |
| <u>Celia Villa</u>         | <u>3240 Jupiter</u>             | <u>650-1310</u> |
| Name                       | Address                         | Phone No.       |
| <u>James Thorpe</u>        | <u>200 Desert #50</u>           | <u>571-5047</u> |
| Name                       | Address                         | Phone No.       |
| <u>Kawlin Tuembly</u>      | <u>2595 Maus HOY</u>            | <u>386-0683</u> |
| Name                       | Address                         | Phone No.       |

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Lindsay Corbett 4531 Azure Hills Road Las Cruces 88011  
Name Address Phone No.

Cheryl 5800 Sierra Dr #4 88005 571-2896  
Name Address Phone No.

Daniel 525 TEXAS AVE 88001 I.C. N.M. 650-8617  
Name Address Phone No.

M. B. 2337 SAMBROS Apt A 65  
Name Address Phone No.

AN 1810 Clark Dr. Las Cruces NM 524-4745  
Name Address Phone No.

Danielle Montoya 230 Three Crosses 88005 575-915-0463  
Name Address Phone No.

D. S. 6525 Jaeger Las Cruces 575-524-6036  
Name Address Phone No.

May Yara P.O. Box 151 Fairburn NM 575-644-5882  
Name Address Phone No.

Skylar Lynch 3482 University 575-405-2178  
Name Address Phone No.

3200 DICK ROAD 575-494-1455  
Name Address Phone No.

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Georgina Scolica 3751 Del Rey 382-4936  
Name Address Phone No.

Nancy Suidan 44 Steview Rd 640-8540  
Name Address Phone No.

Lana C. Olu 3495 Northpoint Dr 920)277-1374  
Name Address Phone No.

Mary Stone 5830 Foaack Ave 575-642-5172  
Name Address Phone No.

Dora Childress 3200 De Rey Blvd 875-642-1983  
Name Address Phone No.

Roberta Gran 2172 Stone Pine Dr 650-8490  
Name Address Phone No.

Letricia Jaramilla 1188 Mansfield Park Dr LC 805-703  
Name Address Phone No.

Terrie Perrone 9459 Arrowhead Rd. LC, NM 88012 650-4240.  
Name Address Phone No.

PANC W/CSA 2051 MARSA E-S 705-17800  
Name Address Phone No.

Luis Rodriguez 1667 Ash Ave 905-5885  
Name Address Phone No.

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|                       |                                       |  |
|-----------------------|---------------------------------------|--|
| <u>K/Bl</u>           |                                       | <u>575 642 6909</u>                        |
| Name                  | Address                               | Phone No.                                  |
| <u>Daniel Herrera</u> |                                       | <u>575 525-0720</u>                        |
| Name                  | Address                               | Phone No.                                  |
| <u>Waz Ell</u>        |                                       | <u>575-635-0029</u>                        |
| Name                  | Address                               | Phone No.                                  |
| <u>Jay Costello</u>   | <u>7576 ONYX CT</u>                   | <u>5756507590</u>                          |
| Name                  | Address                               | Phone No.                                  |
| <u>Coast Ben</u>      | <u>12181 Buffalo Estates LC, NM</u>   | <u>575-526-2709</u>                        |
| Name                  | Address                               | Phone No.                                  |
| <u>Maria Rubio</u>    | <u>1800 Palomas Ave L.C. NM 88001</u> | <u>515 647-2916</u><br><u>575 647-8074</u> |
| Name                  | Address                               | Phone No.                                  |
| <u>GENE QUEZADA</u>   |                                       | <u>644-9337</u>                            |
| Name                  | Address                               | Phone No.                                  |
| <u>Blair Carreira</u> |                                       | <u>650-7029</u>                            |
| Name                  | Address                               | Phone No.                                  |
| <u>Lance Montoya</u>  | <u>4943 DEL REY blvd #24</u>          | <u>575-317-3712</u>                        |
| Name                  | Address                               | Phone No.                                  |
| <u>Pam Stephanie</u>  | <u>2166 Sugar Pine Way</u>            | <u>575-382-4323</u>                        |
| Name                  | Address                               | Phone No.                                  |

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Jan Morehead 2807 Cheyenne Dr L.C. 522-7465  
Name Address Phone No.

Shane Gow 2304 Duran Ave 88310 437-8398  
Name Address Phone No.

Joe Gristy P.O. Box 564, 88047 640-9945  
Name Address Phone No.

Judy Mena 720 La Florida 877-5259  
Name Address Phone No.

Vanessa Kirby 3901 Sonoma Ranch 88011 640-3192  
Name Address Phone No.

Jaumentoney 855 E. University 4077562702  
Name Address Phone No.

[Signature] [Address] 312-3285  
Name Address Phone No.

Ramona Hernandez 2720 Fairway Apt. C 1035-3323  
Name Address Phone No.

James McNally 7020 Southern Star 940-925 9138  
Name Address Phone No.

Amanda 66112 40 singh rd (525) 636-7256  
Name Address Phone No.

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Aerial Singleton 95-A Utah Ave 575-415-0749  
Name Address Phone No.

William Mogle 613 La Melodee 636-3804  
Name Address Phone No.

C.R.S. 2203 Santo Domingo 512-748-6436  
Name Address Phone No.

Samuel Valdez 708 642-6570  
Name Address Phone No.

DEBORAH GRAHAM 2385 PICACHO PK VW 373-3431  
Name Address Phone No.

Rickard Williams 302 Magn Turc 740-5061  
Name Address Phone No.

[Signature] 1329 Golf Club Rd 575-373-0769  
Name Address Phone No.

Melody Pan 3831 E. Lohman Ave 537-7500  
Name Address Phone No.

Michaelotto 2000 desert #7 405-6296/644-6727  
Name Address Phone No.

michael TRUJILLO 1101 MARCY ST 575-527-6497  
Name Address Phone No.



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|                 |                             |              |
|-----------------|-----------------------------|--------------|
| Joyce Arnold    | 2206 Holiday Ave Sp105      | 641-508-7970 |
| Name            | Address                     | Phone No.    |
| Heather Chavez  | 2611 Ladyguide Dr, NM 88011 |              |
| Name            | Address                     | Phone No.    |
| BRUCE YEAGER    | 390 SONORA SPRINGS 88001    |              |
| Name            | Address                     | Phone No.    |
| Sarah Pemberton | 1151 ROADRUNNER #402        |              |
| Name            | Address                     | Phone No.    |
| Kelly Bong      | 230 Three Crosses #74       | 915-09073    |
| Name            | Address                     | Phone No.    |
| Dave Bong       | 1949 N. Main                | 805-0245     |
| Name            | Address                     | Phone No.    |
| Laverne Balco   | P.O. Box 845                | 680-2587     |
| Name            | Address                     | Phone No.    |
| Rodney Balco    | P.O. Box 845                | 680-2587     |
| Name            | Address                     | Phone No.    |
| Desiree Bace    | 1524 N. Main apt 4          |              |
| Name            | Address                     | Phone No.    |
| Mukul Mathur    | 251 N. Roadrunner Plwy      | 642-7192     |
| Name            | Address                     | Phone No.    |

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Jessie Currie 224 Kentwood Rd #1A 693-2056  
Name Address Phone No.

Amber Windsor 1313 Cornutt B LC NM 88011 973-1635  
Name Address Phone No.

Travis Armitage 617 La Melodie LC, NM 649-4179  
Name Address Phone No.

Marc Bernal 2720 Scenic Circle 640-4069  
Name Address Phone No.

Daniel Lopez 716 Indian Hollow Rd 635-5229  
Name Address Phone No.

Andrew Kiker 361 Roadrunner Pkwy 522 647 8888  
Name Address Phone No.

Brandan Arno 251 N. Roadrunner Pkwy. 575-405-8280  
Name Address Phone No.

Kerrin McLean 230 Three crosses #7 504-46-2416  
Name Address Phone No.

John [unclear] 2540 Scenic Crest Loop 532-1581  
Name Address Phone No.

[unclear] 522 3110  
Name Address Phone No.

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|                  |                           |               |
|------------------|---------------------------|---------------|
| CHELSEA HUMBLE   | 4800 COUNTRY PL           | 202-8045      |
| Name             | Address                   | Phone No.     |
|                  | LC, NM 88007              |               |
| Rebecca Chavez   | 1605 Telshore Apt. LC, NM | 642-3415      |
| Name             | Address                   | Phone No.     |
|                  | 88011                     |               |
| David Romka      | 3901 Sonoma Springs       | 214-676-3827  |
| Name             | Address                   | Phone No.     |
| Dawn Hue         | 725 Manor Way             | 575-649-8309  |
| Name             | Address                   | Phone No.     |
| William Maxey    | 1009 Ferndale Dr          | (575)496-9972 |
| Name             | Address                   | Phone No.     |
| L. Nagy          | 3110 MAJESTIC Rdg         | 521384        |
| Name             | Address                   | Phone No.     |
| J. COOPER        | 701 WINDMILL DR           | 522-4071      |
| Name             | Address                   | Phone No.     |
| Sheila Brack     | 1226 Goff Club Dr.        | 532-1404      |
| Name             | Address                   | Phone No.     |
| Carla Dee Terran | 635 Shadow Valley         | 521-5122      |
| Name             | Address                   | Phone No.     |
| Donna Yanner     | 605 La Melodia            | 556 6862      |
| Name             | Address                   | Phone No.     |



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Ray F. Martwick 11524 Freedom Pl 565-299-0433  
Name Address Phone No.

Johany DeLo 4535 Pinnock View 575-642-3199  
Name Address Phone No.

Renee Albrecht 2315 Tuscan Hills Ln 575-680-0749  
Name Address Phone No.

Kelly Moldenbawa 301 N Roadrunner 603 706-019806  
Name Address Phone No.

DS Kimber 994 MonView Dr 575-496-1979  
Name Address Phone No.

Kristin Kimber 994 MonView Dr 575-49-7591  
Name Address Phone No.

\_\_\_\_\_  
Name Address Phone No.

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Sarah Gray 850 Holly B-49 805-3924  
Name Address Phone No.

Tina Abhay 2000 Desert #7 405-6296  
Name Address Phone No.

Jacquelyn Pulliam PO Box 13835 Las Cruces 575-915-0675  
Name Address Phone No.

Thomas Pham 575-571-2222  
Name Address Phone No.

Sesus Mesa 575-642-8389  
Name Address Phone No.

\_\_\_\_\_  
Name Address Phone No.

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Oscar 120 La Fe Ave. Mesquite  
 Name Address Phone No.

Priscilla 11013 Delano # A 805-7113  
 Name Address Phone No.

Jacklyn Snow 1805 Chilton 505 490 1366  
 Name Address Phone No.

Roxy Bonnik 2904 575-312-9307  
 Name Address Phone No.

Adrian Corral Union Ave 805-9478  
 Name Address Phone No.

Vanessa Ramos 1700 Smith 805-9591  
 Name Address Phone No.

Jessica Badillo 2435 Espina -0-  
 Name Address Phone No.

Samantha Verdin 2201 Skyway Dr.  
 Name Address Phone No.

Juan Morales 5400 San ban 621-4730  
 Name Address Phone No.

Eugene Roman 5400 San ban 635-9753  
 Name Address Phone No.

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Alto Reed 1715 W Halley Las Cruces NM 650-4566  
Name Address Phone No.

Edmundo Orda 1625 S Glady's Las Cruces NM 694-5182  
Name Address Phone No.

[Signature] Las Cruces  
Name Address Phone No.

Raymond J. Narvaez 430 La Fonda #2 Las Cruces, NM 89001 525-908  
Name Address Phone No.

[Signature] Las Cruces, NM  
Name Address Phone No.

[Signature] 1307 E. Bowman Ave 805-6188  
Name Address Phone No.

[Signature] P.O. Box 971444 El Paso TX 79997 915-433-0718  
Name Address Phone No.

OSCAR MARMOLERO 12040 CAMINO HILL EL PASO TX 79936 727-7789  
Name Address Phone No.

Robert S. Mandall 135 Roberto D Las Cruces N.M 571 1017  
Name Address Phone No.

Victor Baldonado Jr. 1208 W. Mesquite St. 640-0422  
Name Address Phone No.

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R. Ingalls P.O. Box 146 San Miguel NM 88058  
Name Address Phone No.

David Vigil 655 N First 525-2512  
Name Address Phone No.

Dier Ardulete 505-304-5239  
Name Address Phone No.

[Signature] 505 642-8996  
Name Address Phone No.

[Signature] (525) 496-5708  
Name Address Phone No.

[Signature] 601-1111  
Name Address Phone No.

Janie Garcia P.O. Box 2108 L. NM 88001 649-4155  
Name Address Phone No.

[Signature] P.O. Box 2108 L. NM 88001 647-4146  
Name Address Phone No.

[Signature] 721 Hidden Springs Ct, L. NM 88011 496-4106  
Name Address Phone No.

Crystal Gaudin 915-855-4107  
Name Address Phone No.

KEEP SAFE LIGHTING

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Ashley Blackwell 1609 Sequoia 575-639-0929  
Name Address Phone No.

Maart Plumer 3056 Chippewa Summit 575-915-6580  
Name Address Phone No.

Pamela G. Brosius 4821 Lavender Dr 575-524-1149  
Name Address Phone No.

Brenda Lee 2748 E. Missouri 532-8646  
Name Address Phone No.

Joseph Chacon 809 Alamo #1 (575) 526-5738  
Name Address Phone No.

Joseph Gilbert 850 Nally Dr. 575-523-1934  
Name Address Phone No.

MAT LOPE 2301 MAGNOLIA 575-915-5268  
Name Address Phone No.

Melissa Shields 2700 Eldano #176 575 522-1694  
Name Address Phone No.

Barbara Modestti 2250 Missouri Ave 575-805-2622  
Name Address Phone No.

Darlene Montoya 1495 E Foster L.C. N.M. 621-6671  
Name Address Phone No.

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ADAN Ramirez 1550 1/2 W. PICACHO 575-647-7237  
Name Address Phone No.

Jan [Signature] 575-993-4690  
Name Address Phone No.

Raul Munoz 575-526-8813  
Name Address Phone No.

Eddie Gonzalez 1428 Annie 575-642-8851  
Name Address Phone No.

[Signature] 1523 Verdugo #1 602-418-7128  
Name Address Phone No.

Mike Dominguez (575) 649-3051  
Name Address Phone No.

Wm Velasco 805-9446  
Name Address Phone No.

Benny Fern 6497747  
Name Address Phone No.

J.G. Reyes Rosilla N. MEX 549 9118  
Name Address Phone No.

[Signature] 895 Watson Ln #50 805-2911  
Name Address Phone No.

"We need you"

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Arthur G. Watson 845 Watson Ln #50 525-984-6  
 Name Address Phone No.

Martha Sanchez  928 768-7165  
 Name Address Phone No.

Richard Sanchez  575 436-1538  
 Name Address Phone No.

Leslie Muhlbeck    
 Name Address Phone No.

MICHAEL P. MUHLBECK  993-8158  
 Name Address Phone No.

Victoria Ridley  640-5176  
 Name Address Phone No.

Edmundo Montan  649-3350  
 Name Address Phone No.

Maria Corp. O 2501 N. 6<sup>th</sup> Camino Real #38 523-5492  
 Name Address Phone No.

ELISCO CHARLES ANTHONY N.M.  575-882-202  
 Name Address Phone No.

[Signature] 845 Watson Lane #50 805-5797  
 Name Address Phone No.

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Orlando Flores 3173 Emilia Ave (575) 805-0971  
Name Address Phone No.

Cheo Alvarado L.C. N.M. (575) 650-6589  
Name Address Phone No.

Joe Sanchez Mesilla N.M. (575) 523-5888  
Name Address Phone No.

Andres Bricada Mesilla Park N.M. (575) 553-6599  
Name Address Phone No.

J.J. Mesilla Park 352 Po. Box (575) 635-39  
Name Address Phone No.

Lupe Granados 241 Reed St. (575) 267-498  
Name Address Phone No.

David Lucero 807 S. Alameda (575) 640-2867  
Name Address Phone No.

Paul Byrd 440 Ft. Fillmore Road 524 7314  
Name Address Phone No.

Dagoberto Merino  647-0736  
Name Address Phone No.

R. '11 Ogle 4801 S. Maria ST MP 8009 571-3813  
Name Address Phone No.

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Frank Romero P.O. Box 3363 662-4775

Name Address Phone No.

Ramon Quintana 523-03-93

Name Address Phone No.

Roberto Tenen 386-0209

Name Address Phone No.

Juan Gonzalez 4327 S. Hwy 28 LC. NM 932-8954

Name Address Phone No.

Euisy Mora 9535 Alegria LC NM 88001 621-9616

Name Address Phone No.

Gloria Serrano 101317 1309 Mission NM 649-5443

Name Address Phone No.

Raula Jansen Box 546 Mesquite N.M. 233-4961

Name Address Phone No.

Camacho Gomez 7305 S. Main 496-10310

Name Address Phone No.

Kay Lopez 3390 Tigra DR 520-1222

Name Address Phone No.

OSCAR MALMORADO 12016 General Hill 915-588-2284

Name Address Phone No.

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Richard Blancas 3865 S. Main St 575-574-8452  
Name Address Phone No.

Jose M. Galan 4801 S. Main #30 Mesilla Park N.M. (575) 650-5090  
Name Address Phone No.

ANGELO GOTTHERO 3901 calle de margaritas #141 (575) 635-7431  
Name Address Phone No.

Germanino Gamble 5252 f 23  
Name Address Phone No.

Enrique Delgado LAS CRUCES NM  
Name Address Phone No.

Karyline Muntalok 571-0753  
Name Address Phone No.

Sabatino Hernandez (915) 999-4763  
Name Address Phone No.

Jessica Moras 4030 C. DL margaritas #4 805-2531  
Name Address Phone No.

Yvette Guerrero PO Box 1622 233-2601  
Name Address Phone No.

Patricia Delgado 3812 Stoney Brook Cr 575-640-8847  
Name Address Phone No.

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|                                    |                                 |                                 |
|------------------------------------|---------------------------------|---------------------------------|
| <u>CESAR RAMOS Jr</u>              | <u>235 Eivin Way E. Paso TX</u> | <u>892-2080</u>                 |
| Name                               | Address                         | Phone No.                       |
| <u>Julio Nieto</u>                 | <u>101 Cochuga RD VADO NM</u>   | <u>892-6212<sup>575</sup>04</u> |
| Name                               | Address                         | Phone No.                       |
| <u>Don Johnson</u>                 | <u>4609 HAMAN</u>               | <u>644-2237<sup>575</sup></u>   |
| Name                               | Address                         | Phone No.                       |
| <u>MANUEL FRIAS</u>                | <u>958 Juan</u>                 | <u>_____</u>                    |
| Name                               | Address                         | Phone No.                       |
| <u>MARTIN LOPEZ</u>                | <u>710 Juan Diego</u>           | <u>571-3628</u>                 |
| Name                               | Address                         | Phone No.                       |
| <u>Julio C. Canajal</u>            | <u>4801 S Main 121</u>          | <u>8-056693</u>                 |
| Name                               | Address                         | Phone No.                       |
| <u>Gulierrez<sup>Soltero</sup></u> | <u>3901 CALLE MARGONDA</u>      | <u>6357434</u>                  |
| Name                               | Address                         | Phone No.                       |
| <u>Artes J. Jr</u>                 | <u>1003 S. Alameda</u>          | <u>680-8223</u>                 |
| Name                               | Address                         | Phone No.                       |
| <u>Arden Conza</u>                 | <u>1751 W. Valley #41</u>       | <u>5241216</u>                  |
| Name                               | Address                         | Phone No.                       |
| <u>Junior Meraz</u>                | <u>5311 Douglas,</u>            | <u>571-7614</u>                 |
| Name                               | Address                         | Phone No.                       |

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Belen Macdonado 480 Whitcomb 805-74106  
Name Address Phone No.

Jesse Watson 4801 S Main #14 805-4524  
Name Address Phone No.

Ambae 3981 Jerry 432 416 7414  
Name Address Phone No.

Leonard Bantamont 1955 E. Colorado Ave. (575) 650-8502  
Name Address Phone No.

Daniel Castro 404 Alamo Dr 621-9142  
Name Address Phone No.

Janner 644-2134  
Name Address Phone No.

Jesse Reddy Calle Margaritas 621-95329  
Name Address Phone No.

Jahid Jahid 9525-1 Marantha Way 621-6972  
Name Address Phone No.

Carl Zimmer 4045 Acala St. N.M. LC, 644-6234  
Name Address Phone No.

Nora Campa 1911 Trails End #2 LC, NM 805-1358  
Name Address Phone No.

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SANTIAGO BALTERRER 627 1/2 E. MAULEY LC/NM (575) 202-6787  
Name Address Phone No.

Stephanie Sanchez 199 W. Madrid  
Name Address Phone No.

Bryan Wells Allendale Ct  
Name Address Phone No.

Alvaro Mts Cameros (575) 805-13-8  
Name Address Phone No.

Roger, William 80 Bas St Mesquite 621-8270  
Name Address Phone No.

Angel Gonzalez Br  
Name Address Phone No.

Colleen Ma - 805-1022  
Name Address Phone No.

Lynne Hernandez 3008 Broadman 523-1110  
Name Address Phone No.

Raulino Velazquez 8058751  
Name Address Phone No.

Beaforman (575) 649-0609  
Name Address Phone No.

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Edith Torres (575) 556-4556  
Name Address Phone No.

Maria Dorier (575) 805-1695  
Name Address Phone No.

Cristina Zuniga (575) 312-2762  
Name Address Phone No.

Kelsey Baker (575) 644-5219  
Name Address Phone No.

Elizabeth Montoya 1716 Pajaro Ln (575) 1042-1277  
Name Address Phone No.

GUGUET Garcia 1523 WATSON ST. 20 (505) 991-3443  
Name Address Phone No.

ISMAEL Gonzalez 361 Juan Diego 680-5263  
Name Address Phone No.

DEWE R. Rivas 4020 C.D.L. MARGARITAS 526-6142  
Name Address Phone No.

Nicolas Barroza 3307 OAK ST 760-809-4294  
Name Address Phone No.

GABRIEL Chavez 1008 LA Puente Ln 575-805-3243  
Name Address Phone No.

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Dibbu Gallegos 4801 S. Main #152 575-312-2859  
Name Address Phone No.

Leck Ramirez 533 117th St 523-5686  
Name Address Phone No.

Sleep Bath 4596 Mesa Central 524-7181  
Name Address Phone No.

[Signature] 759-0184  
Name Address Phone No.

[Signature] 373-7393  
Name Address Phone No.

Juan Bernal 164 Los Nogales 571-3393  
Name Address Phone No.

Lucas Ayala Mesilla Park 571-3211  
Name Address Phone No.

Jonathan Coto 1423 Santa Cruz 680-4207  
Name Address Phone No.

Fernie Maestas 805 Primos Ct 650-5564  
Name Address Phone No.

Cliff St 2190 Mars ave #8 505 793 5474  
Name Address Phone No.

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Stevan DeLaRosa 3815 S. Main #57 915 999 2606  
Name Address Phone No.

Lester D. Rocha 635 Lopez Rd 575 647 9448  
Name Address Phone No.

Edward Rodriguez 2230 Dona Ana Rd 575-805-1612  
Name Address Phone No.

Ernesto Hernandez 3115 Camino Real #28 523-5009  
Name Address Phone No.

Alta Hery 530 E Pilsachi 705-6277  
Name Address Phone No.

Chris Spence 2600 DONA ANA RD LOT 571-1282  
Name Address Phone No.

Ralph Hernandez 13123 Redondo Vt #293 575-9701  
Name Address Phone No.

Ann Gomez 7245 N Mesilla 88005 5248617  
Name Address Phone No.

Robert J. Barr 1700 James Ln 640-4285  
Name Address Phone No.

[Signature] 7105 525-6762  
Name Address Phone No.

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|                          |                                |                       |
|--------------------------|--------------------------------|-----------------------|
| <u>ELMER VALEZ</u>       | <u>3115 EL CAMINO REAL #95</u> | <u>571-6427</u>       |
| Name                     | Address                        | Phone No.             |
| <u>Sandy McDonald</u>    | <u>41212 San Ysidro</u>        | <u>312-5838</u>       |
| Name                     | Address                        | Phone No.             |
| <u>Henry Ogas</u>        | <u>881 D Beaugas</u>           | <u>639 0972</u>       |
| Name                     | Address                        | Phone No.             |
| <u>Jess Varela</u>       | <u>602 W CLURE</u>             | <u>993-9800</u>       |
| Name                     | Address                        | Phone No.             |
| <u>Charles Ontivero</u>  |                                | <u>650-1981</u>       |
| Name                     | Address                        | Phone No.             |
| <u>Corina Rivera</u>     | <u>2230 Dona Ana</u>           | <u>680-6154</u>       |
| Name                     | Address                        | Phone No.             |
| <u>[Signature]</u>       | <u>3761 Lucky Lindy Lane</u>   | <u>649-8506</u>       |
| Name                     | Address                        | Phone No.             |
| <u>Octavio Valles</u>    | <u>6837 Flourite</u>           | <u>636-48-41</u>      |
| Name                     | Address                        | Phone No.             |
| <u>Adriana Rodriguez</u> | <u>2100 Dona Ana rd #24</u>    | <u>(575) 202-6738</u> |
| Name                     | Address                        | Phone No.             |
| <u>Alma Hall</u>         | <u>2301 El Camino Real</u>     | <u>(575) 541-7464</u> |
| Name                     | Address                        | Phone No.             |

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Ray D Hall 2301 El Camino Real (505) 541-7464  
Name Address Phone No.

Erika Mendoza 2600 Johnson Rd #22 (505) 649-3825  
Name Address Phone No.

Brenda Soria 618 Thorpe Rd #19 386-2196  
Name Address Phone No.

Larry Bleimeyer 845 Motel Blvd 525/911  
Name Address Phone No.

Bonnie Custum 2705 Donna Ave Rd 496-6616  
Name Address Phone No.

Edward Vigil 434 Highland 639-3022  
Name Address Phone No.

Lorenzo 2230 Via ALA ROAD # 79  
Name Address Phone No.

Rafael  644 9614  
Name Address Phone No.

Alfonso Via  805-4418  
Name Address Phone No.

[Signature] 2135 Lady Street 575 647-9480  
Name Address Phone No.

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|                 |                         |               |
|-----------------|-------------------------|---------------|
| JAMES A. CHAVEZ | 2230 DANA AVENUE        | 575-885-8823  |
| Name            | Address                 | Phone No.     |
| Pat Leyva       | 2620 El Camino Real #57 | 575-642-0311  |
| Name            | Address                 | Phone No.     |
| Maria Shary     | 4015 San Ysidro         | 526-1909      |
| Name            | Address                 | Phone No.     |
| Martinez        | 2498 Via De Ville       | 523-0561      |
| Name            | Address                 | Phone No.     |
| Dora            | 4909 Chagrin            | 522-5150      |
| Name            | Address                 | Phone No.     |
| Loobke B        | 3175 DANA AVENUE        | 640 1286      |
| Name            | Address                 | Phone No.     |
| Fuckoff         | Cell OBAMA              | 1800 hot shot |
| Name            | Address                 | Phone No.     |
| Andy Lopez      | 4224 SAN YSIDRO         | 496-1552      |
| Name            | Address                 | Phone No.     |
| Bob Gallegos    | P.O. Box 93             | 644-1694      |
| Name            | Address                 | Phone No.     |
| Jeremy Morda    | 4020 San Ysidro         | 915 5912      |
| Name            | Address                 | Phone No.     |

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Lisa Williamson 405 Old Mill Rd LC, NM 88007 526-9174  
Name Address Phone No.

JOE L PEREZ 310 FOSSIL CIR RD 5259664  
Name Address Phone No.

JOHN E DOE 9565 Hereford 644-0971  
Name Address Phone No.

RANDALL GONZALES 849 Hummingbird Dr. 650-8098  
Name Address Phone No.

Matt Fabon 105 Navajo Rd LC 640-4955  
Name Address Phone No.

Debbie Seavey 294 DAZ RD LC unlisted  
Name Address Phone No.

JAMIE DURAN 621-2662  
Name Address Phone No.

Marta RODRIGUEZ P.O. Box 128, Fairacres 526 5158  
Name Address Phone No.

Liz Adenette 124 cones Dead Ave 202-3446  
Name Address Phone No.

Leilani Reed 3115 Camino Real #145 386-1417  
Name Address Phone No.

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William Kelley 3529 Omaha ct. LC, NM 88005 N/A  
Name Address Phone No.

Vonda Lenger 4926 Beryl L.C. N.M. 88012 382-3771  
Name Address Phone No.

David Uderzo 4812 Agave Place 88001 575-525-8716  
Name Address Phone No.

Erin McClanahan 1021 Mandale loop 88005 575-527-2293  
Name Address Phone No.

Norma Harvey 12129 N Valley 575-523-5320  
Name Address Phone No.

Ben Abeyta 3625 SPITZ 647-3041  
Name Address Phone No.

Patrick Suarez 6396 Tesoro Place 373-9129  
Name Address Phone No.

Marcelino Torres 5471 Valle Suo RSTA  
Name Address Phone No.

Lina Abeyta 3625 Spitz  
Name Address Phone No.

Nick Cabrera 1940 Rosedale 575-526-5352  
Name Address Phone No.

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Tony 9410 Hwy 492B 312-1651  
Name Address Phone No.

Karen 823 W. Taylor  
Name Address Phone No.

Heather Hunt 4102 Calle Unidos  
Name Address Phone No.

Sarah Walley 1065 Miambres Ct 509 4326890  
Name Address Phone No.

Samantha Pozzucola 850 N 6114 647-5074  
Name Address Phone No.

Vivian Galvez 1385 Pines St. 805 50006  
Name Address Phone No.

Precious Zamora 5045 Calle Prencensa (575) 524-1499  
Name Address Phone No.

Larry Crofts 402 Jasper Dr LC Nm (575) 799-5439  
Name Address Phone No.

ROBERT NARVAEZ 4098 Calle Unidos 575-525-0811  
Name Address Phone No.

JOSEPH YBARRA 912 ANTELOPE TRAIL 647-579  
Name Address Phone No.

KEEP SAFE LIGHTING

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Pete Hernandez 1244 Southridge 575-571-1801  
Name Address Phone No.

James Holguin 2623 Fairway # 11  
Name Address Phone No.

Chanel Zoccoli 4041 Winters 575-202-8455  
Name Address Phone No.

Stacey Padilla 1030 Lantana 694-4541  
Name Address Phone No.

Billie Spring 2981 Topley 525-0059  
Name Address Phone No.

Kim Zoccoli 4041 Winters 202-1397  
Name Address Phone No.

Donna Serra 2059 Reina Dr 621-5692  
Name Address Phone No.

Amelia Brosius 4201 Lavender 524-1149  
Name Address Phone No.

Donald Jones 1625 Aloha St RB.  
Name Address Phone No.

Dean Michael 1010 Glendale  
Name Address Phone No.

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|                         |                                |                       |
|-------------------------|--------------------------------|-----------------------|
| <u>Carl</u>             | <u>4214 Trillium dr.</u>       | <u>575 1649-9669</u>  |
| Name                    | Address                        | Phone No.             |
| <u>MMAIA</u>            | <u>3047 Soney Point Circle</u> | <u>575-635-9960</u>   |
| Name                    | Address                        | Phone No.             |
| <u>Uma</u>              | <u>122 Mohamed</u>             | <u>575-523-2935</u>   |
| Name                    | Address                        | Phone No.             |
| <u>Began</u>            | <u>850 Holly B72</u>           | <u>575-647-3264</u>   |
| Name                    | Address                        | Phone No.             |
| <u>Nereyda</u>          | <u>1004 Avondale DR.</u>       | <u>575 312 6105</u>   |
| Name                    | Address                        | Phone No.             |
| <u>Ivan Gomez</u>       | <u>4627 MESA CONTRAID.</u>     | <u>(575) 382-0591</u> |
| Name                    | Address                        | Phone No.             |
| <u>JASEN Gibson</u>     | <u>7985 AMBER DR</u>           | <u>(575) 649-3542</u> |
| Name                    | Address                        | Phone No.             |
| <u>MARCOS GUSTARPEZ</u> |                                | <u>(575) 382-7712</u> |
| Name                    | Address                        | Phone No.             |
| <u>Mando</u>            | <u>Riveria</u>                 | <u>(575) 496-9924</u> |
| Name                    | Address                        | Phone No.             |
| <u>Brandon Sprague</u>  | <u>1007 ELLENDALE</u>          | <u>(575) 650-6056</u> |
| Name                    | Address                        | Phone No.             |

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|                 |                        |              |
|-----------------|------------------------|--------------|
| Rosie Johnson   | 4034 Hwy 85            | 5261426      |
| Name            | Address                | Phone No.    |
| Thomas Jackson  | 4005 Lilac             | 541-8243     |
| Name            | Address                | Phone No.    |
| Leesa Madman    | 2055 Corley Dr         | 525-9098     |
| Name            | Address                | Phone No.    |
| Valerie Ramirez | 1108 Kilbourne Hill Dr | 575 915 2085 |
| Name            | Address                | Phone No.    |
| John Ramirez    | 1108 Kilbourne Hill Dr | 526-2877     |
| Name            | Address                | Phone No.    |
| Angel Barrio    | 1108 Kilbourne Hill    | 386 1166     |
| Name            | Address                | Phone No.    |
| Roger Villy     | 850 Holly dr           |              |
| Name            | Address                | Phone No.    |
| Cecilia Villy   | 850 Holly dr           |              |
| Name            | Address                | Phone No.    |
| Sandra Heath    | 684 Creed ave, h.c.    | 524-7521     |
| Name            | Address                | Phone No.    |
| Dean Rodriguez  | <del>4250 Mozart</del> | 523-0579     |
| Name            | Address                | Phone No.    |

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|                 |                                     |                |
|-----------------|-------------------------------------|----------------|
| Chris Com       | 972 Rio Bravo                       | (649-2582)     |
| Name            | Address                             | Phone No.      |
| John R Dmsica   | 999 Rio Bravo Way                   | 642-8899       |
| Name            | Address                             | Phone No.      |
| Stephen Bratton | 401 Valley View                     | 690-3359       |
| Name            | Address                             | Phone No.      |
| Willie T. M     | 401 Valley View                     | 640-6642       |
| Name            | Address                             | Phone No.      |
| MARY ANN TORREZ | 1100 Heather Ave. Ntc<br>Las Cruces | (575) 915-5938 |
| Name            | Address                             | Phone No.      |
| Heva Carrasco   | 3519 Ottawa Ct                      | 526-7189       |
| Name            | Address                             | Phone No.      |
| George Moby     | 1089 Front Dr                       | 642-7142       |
| Name            | Address                             | Phone No.      |
| DADIN VAN WARE  |                                     | 636-3881       |
| Name            | Address                             | Phone No.      |
| Bertha Garcia   | 1061 Kennedy Rd.                    | 805-9582       |
| Name            | Address                             | Phone No.      |
| Highsham Gery   | 1017 Deverdale                      | 527-5174       |
| Name            | Address                             | Phone No.      |

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Daniel Alexander 5250 Saddle Mountain 575 650 9800  
Name Address Phone No.

Rose Pardo 2200 Holiday Ave #360 1575 386-1063  
Name Address Phone No.

John Ruelas 2200 Holiday Ave #360 (575) 386-1063  
Name Address Phone No.

M<sup>rs</sup> Anina 1701 calle de Mercado Mesilla —  
Name Address Phone No.

Rosella Sosa 4205 Broadview (575) 805-2388  
Name Address Phone No.

KC SCHLOTHERKER 3366 PARKRIDGE 575 524-9229  
Name Address Phone No.

L. C. C. POB 286 Dona Ana NM  
Name Address Phone No.

Josephine Marrugo 525-6765  
Name Address Phone No.

Jaksha Jenkins 850 Holly 805-3847  
Name Address Phone No.

Philly 1008 Fran Drive 524-0943  
Name Address Phone No.

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Darren Henry 4008 EIKs Dr. 405-4230  
Name Address Phone No.

Jasmine McGee 3512 EIKs. 915 740-9688  
Name Address Phone No.

Ran Alchente 575 640-2214  
Name Address Phone No.

Doug Cole 382-9585  
Name Address Phone No.

MICHAEL Jordan 993-8270  
Name Address Phone No.

Donald Coates 524-1898  
Name Address Phone No.

Carol Martinez 708 Mountain 680 052  
Name Address Phone No.

M. Rodriguez 5610 Bravo  
Name Address Phone No.

Oscar Moreno 4544 Ampere Rd 649 1676  
Name Address Phone No.

Tyler Hopkins 4057 Winters 649-9290  
Name Address Phone No.

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Petra Herd 4545 Moreno Ct 521-9908  
Name Address Phone No.

John Shyp 4545 Moreno Ct 521-9908  
Name Address Phone No.

Tomás MARQUEZ Calle Americana 805-7477  
Name Address Phone No.

Edward Ruiz 5025 Meadow Circle 575-541-5505  
Name Address Phone No.

Richard Medina 1613 Wilkerson 575-373-8739  
Name Address Phone No.

Wagner Medina  
Name Address Phone No.

Jelly Bravo 1330 W. Aramoda 636-4662  
Name Address Phone No.

Cristina Urban 1203 Mages St 526-5024  
Name Address Phone No.

Patrick Urban 1203 Mages St 526-5024  
Name Address Phone No.

Celia Urban 1203 Mages St 549-7466  
Name Address Phone No.

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JAMES LUPEZ (575) 635-3687  
Name Address Phone No.

Kim Ocasio (575) 642-3762  
Name Address Phone No.

Annette Garcia 571-7395  
Name Address Phone No.

Mike Kozick 649-1403  
Name Address Phone No.

CARL RICHTER 575-644-9669  
Name Address Phone No.

JAMES CHINOOK 621-8176  
Name Address Phone No.

Bernardo Guerrero 642-6898  
Name Address Phone No.

James P. Acker 541-5504  
Name Address Phone No.

Alan Ruy 2063 Reina Dr. 496-8012  
Name Address Phone No.

Nathalea Garcia 1251 Parkway 850005 680-6898  
Name Address Phone No.

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|                         |                         |                     |
|-------------------------|-------------------------|---------------------|
| <u>David Flores</u>     | <u>1816 Anita</u>       | <u>993-9154</u>     |
| Name                    | Address                 | Phone No.           |
| <u>[Signature]</u>      | <u>City</u>             | <u>312 6202</u>     |
| Name                    | Address                 | Phone No.           |
| <u>Roma Urdal</u>       | <u>3428 Eastridge</u>   | <u>636-4252</u>     |
| Name                    | Address                 | Phone No.           |
| <u>[Signature]</u>      | <u>3200 Red Key</u>     | <u>7644-4198</u>    |
| Name                    | Address                 | Phone No.           |
| <u>Sandra Emanuel</u>   | <u>City</u>             | <u>993-0525</u>     |
| Name                    | Address                 | Phone No.           |
| <u>Edward Boyer</u>     | <u>1428 Daniel</u>      | <u>575-642-8851</u> |
| Name                    | Address                 | Phone No.           |
| <u>Danny R. Natta</u>   | <u>924 SusmarE</u>      | <u>575-636-4991</u> |
| Name                    | Address                 | Phone No.           |
| <u>Robert Packer</u>    | <u>990 9th CC. A.M.</u> |                     |
| Name                    | Address                 | Phone No.           |
| Name                    | Address                 | Phone No.           |
| <u>Alexis Mushorski</u> | <u>4102 Calle Lindo</u> |                     |
| Name                    | Address                 | Phone No.           |

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Sylvia Juan Del Rey 525-9600  
Name Address Phone No.

[Signature] LC, NM 9153731099  
Name Address Phone No.

P. COOPER H.C. NM 528-1063  
Name Address Phone No.

Jan Bradley H.C. 5235960  
Name Address Phone No.

Jeffrey T. Albert 205 Brockview Ct. 541162  
Name Address Phone No.

Amanda Wunaga 527-5480  
Name Address Phone No.

Jessica Tuton 1327 Magoffin LC, NM 521-2608  
Name Address Phone No.

KATLY McCrohan 245 Troguois LC NM 571-1113  
Name Address Phone No.

Emmett G. McCrohan 245 Troguois LC NM 6505028  
Name Address Phone No.

Patricia Garcia 115 Mohawk 556-4582  
Name Address Phone No.

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**JAMES TESTER, P.E.**

*Electrical Engineer*

1910 Anderson Las Cruces New Mexico 88001

Phone (575) 522-0988

Fax (575) 522-5620

July 29, 2009

Mayor and City Council

Re: Comments to Outdoor Lighting Ordinance

I would like to offer the following comments relating to the revised Outdoor Lighting Ordinance that is currently being reviewed.

1. In Sec. 39-8 Definitions, *Fully Shielded* paragraph (3) allows the building structure or canopy to limit the light from a nonshielded fixture to a direction below the horizontal. I urge you to include a maximum output of the individual fixtures permitted under this paragraph, and a maximum cumulative output of all fixtures on a building or structure that are permitted to be shielded by the construction.

In addition to allowing no light above the horizontal, a very important feature of a fully cutoff fixture is that it limit the light output in the zone just below the horizontal, known as the glare zone. Light emitted from this zone does little to illuminate the area around the fixture, it causes light trespass on adjacent properties, and most importantly it creates an unpleasant, sometimes hazardous condition by shining directly in the eyes of motorists, pedestrians, etc. Limiting the illumination permitted to be shielded by the building or structure will have a positive effect on the area being lit.

2. In Sec 39-22 Reduced Lighting Levels, the ordinance requires that area lighting be turned off at a specific time, except for security lighting which can be no greater than 1/3 of the area lighting. If this Section remains, I suggest that it be modified to specify a maximum security lighting level that is acceptable in lieu of this fractional approach.

On many smaller projects that I design, the area lighting level is not three times the security lighting level that is needed to be maintained. Turning off 2/3 of the lighting will create a less than secure situation. Although well intentioned, this section can create dangerous situations as worded.

3. In Sec. 39-29 Exemptions and exceptions, I would like to suggest that non-cutoff emergency only fixtures be exempt from the ordinance. These fixtures will only be on when the power to the normal exterior lighting circuit has been disrupted. Current building codes require emergency lighting on building exteriors when the occupancy requires more than 1 exit. Lighting fixtures that provide both normal and emergency lighting in one package, and are compliant with the ordinance are very rare. Allowing the suggested exemption will provide designers with a significantly larger choice of exterior fixtures that are otherwise compliant with the ordinance. This will be done with very little impact on light pollution due to the fact that the emergency only fixtures are rarely on.

Thank you for the opportunity to offer these thoughts. If you wish to discuss this matter further, you may contact me at the above numbers, or by e-mail at [jtester@zianet.com](mailto:jtester@zianet.com).

Respectfully

James Tester P.E.

## Robert Kyle

---

**From:** Mark Isler [isler@newmanbillboards.com]  
**Sent:** Thursday, July 23, 2009 9:16 AM  
**To:** Robert Kyle  
**Attachments:** 2009-7-23 Draft ORDINANCE 5-27-09 with comments.pdf

Robert-

Attached are the changes I see that need to be made. I presented to the chamber, but I am not sure the direction they will go (I struggle with decisions by committee). I wanted to get these to you as soon as possible. Some of my biggest concerns are:

Enforcement. I think we should try to stay away from measurement of light levels when ever possible. Shielding will greatly reduce glare and protect the dark skies and it is easy to enforce.

Grandfathering. I did not understand new grandfathering exceptions. This got the Realtors, residential and commercial, very concerned. It looks as if any change would trigger a grandfathering exception. It should be based on a substantial remodel of the structure or lighting system. They feel it will severely devalue real estate sales on property that has been vacant for 12 months or for occupancy changes.

Thanks,

Mark

## ARTICLE II.

### PROVISIONS

#### Sec. 39-21. General Provisions

- A. All luminaires shall be fully shielded unless otherwise allowed in this ordinance.
- B. Outdoor Lighting shall not adversely affect the safe vision of pedestrians, cyclists, or vehicle operators on public or private streets, driveways, or parking areas.
- C. Outdoor Lighting shall be installed and maintained to provide effective shielding.
- D. Outdoor Lighting shall be located aimed and/or shielded to minimize light trespass.
- E. Outdoor Lighting shall provide adequate lighting levels for security (if provided or applicable).
- F. Outdoor Lighting shall minimize or eliminate upward lighting and light pollution.

#### Sec. 39-22. Reduced Lighting Levels

- ~~A. Billboard/sign/architectural lighting shall be turned off at 11:00 pm or close of business whichever is later. Travelers after 11:00 may be more apt to stop and stay the night in our hotels if they can see what type of business are in the area. There is no reason to turn signs off.~~
- ~~B. Area lighting shall be turned off at 11:00pm or close of business whichever is later except that security lighting may remain on provided it is no more than one third normal lighting levels. Area Lighting is not defined. How should one dim the lights to 1/3 normal lighting levels? Typical Outdoor lighting cannot be dimmed, it is either on or off.~~

#### Sec. 39-23. Architectural Illumination

Up lighting for architectural illumination shall be permitted for commercial installations provided that the total initial lumens are less than 5,400 initial lumens per lot. Moreover, no illumination may project beyond the highest point of the structure.

#### Sec. 39-24. Neon and similar installations. What is a similar application? The brightness of LED's are already required to be dimmed at night, no reason for shielding to reduce glare.

This shall apply to neon and other light sources performing a similar function.

- ~~1. LED or other similar light sources shall have semi-opaque or frosted shielding to reduce glare.~~
- ~~2. The total amount of unshielded lumens from this type of light source shall be limited to xxxxxxxx 20,000 lumens per lot.~~
- 3. This type of outdoor lighting installation shall be allowed on a commercial installation only.

#### Sec. 39-25. LED Billboards and Signs/ Electronic Variable Message Display

Electronic variable message display signs shall be equipped with automatic dimming capability, and light produced by such signs shall not exceed 0.3 foot candles over ambient light levels. The ambient light reading is taken at least 30 minutes past sunset with the sign turned off or displaying all black copy. The fully lit reading is taken with the sign displaying all white copy. Measurement of light levels should be taken perpendicular to the

face of the sign, and the following distances should be used as guidelines to determine where to take measurements: Many of LED Signs / Electronic Variable message signs currently in use are monochromatic and cannot change the display to all white. Changing the display to all white is not a realistic characteristic/use of the display.

1. 100 square foot or smaller sign to be measured 100 feet from source
2. Greater than 100 to 350 square foot sign to be measured 150 feet from source
3. Greater than 350 to 650 square foot sign to be measured 200 feet from source
4. Greater than 650 to 700 square foot sign to be measured 250 feet from source

### **Sec. 39-26. Multi-family Installations**

Unshielded luminaires may be installed for each dwelling on a multi-family dwelling lot, provided that the total initial lumens per luminaire does not exceed 800 lumens each and that the total initial lumens of all the unshielded luminaires per dwelling unit does not exceed 1600 lumens. All other outdoor lighting such as, common area, security lighting, etc., shall be fully shielded.

### **Sec. 39-27. Residential Installations .**

1. Luminaires of 900 total initial lumens and over shall be fully shielded.
2. Luminaires above the eave or parapet, or attached to buildings or poles separate from the residence shall be fully shielded.
3. Luminaires attached to residential buildings and located below the eave or parapet and less than 900 total initial lumens are not required to be shielded, however, each lot shall have an allowance of 5000 initial lamp lumens from unshielded luminaires. It is reasonable to expect that a residence will not have all, or even a majority of Outdoor lights on at the same time. Typically, they are on in a specific area to serve a specific purpose
4. All spot or flood lights shall be fully shielded to prevent glare and light trespass beyond the property boundary, and the lamps shall be aimed at least forty five (45) degrees below horizontal.
5. Security lights (Security lights not defined, Most lights serve as security lights) installed at a one or two family dwelling lot shall not be required to be fully shielded and shall not count against the unshielded lumen allowance if they comply with all of the following:
  - a. one or two flood lamps or spot lamps of less than 2800 lumens each
  - b. lamps are aimed at least forty five (45) degrees below horizontal when the source is visible from any adjacent property
  - c. are controlled by a motion-sensor switch
  - d. do not remain on longer than 10 to 12 minutes after activation Which is it 10 or 12?

This section may be enforced on the basis of a formal complaint filed in writing with the Codes Department.

### **Sec. 39-28. Non-permitted lighting.**

- A. ~~Lighting which produces illumination in excess of fifty (50) foot candles of illuminance.~~ Current code specifies 70 lumens, is there any evidence stating this level is too great and should be reduced to 50 lumens? It will be very difficult, even for a professional, to predetermine precise lighting levels during the planning stage. There are too many variables that will influence this, e.i. dark asphalt vs. light concrete, canopy vs. open air and lighting on adjacent lots. All of these will heavily influence the amount of light measured at

any given location. As long as the fixture is fully shielded, the brightness should not matter. Remember the two convenience store we stopped at on N. main & Elks/Travis on the Lighting tour. One was 110 lumens, the other was 60, the eye cannot notice the difference. There is no reason to control light levels, shielding is the key to glare and safety.

- B. Lighting which adversely affects the safe vision of pedestrians, cyclists, or vehicle operators on public or private streets, driveways, or parking areas. Adversely as determined by whom?
- C. Lighting which mimics or interferes with the effectiveness of any official sign, signal, or device.
- D. Building/structure attached lighting that exceeds the total initial lumens per luminaire and mounting height as shown in Table 39-21.

Table 39-31

| Mounting Height                            | ground-mounted to 8 feet | 8-12 feet    | 12-16 feet    | 16 feet and higher |
|--|--------------------------|--------------|---------------|--------------------|
| Maximum Total Initial Lumens per Luminaire | 4,000 lumens             | 6,300 lumens | 10,500 lumens | 16,000 lumens      |

Why do we need to have maximum initial lumens per luminaire in relation to height in addition to Sec. 39-28 A which states maximum light output?

Does this include light poles? Of not, why allow for brighter lights on poles which typically are further from the structure, place of business, and closer to adjacent properties?

#### Sec. 39-29. Exemptions and exceptions.

- A. Temporary electric power and lighting installations shall be permitted for a period not to exceed 90 days for holiday decorative lighting and similar purposes. However they shall comply with 39-21.
- B. Specialized lighting necessary for safety, such as navigational or runway lighting of airports, or temporary lighting associated with emergency operations, road hazard warnings, etc. Lighting for temporary construction shall comply with OSHA requirements and recommendations.
- C. Lighting of sports facilities or stadiums prior to 11:00 p.m. Illumination after 11:00 p.m. is also permitted if it is necessary in order to conclude a recreational, sporting, or other scheduled activity which has been in progress prior to that time.
- D. Internally illuminated signs. Internally illuminated signs must be constructed so that the top of the sign is constructed of metal or of other suitable material that does not allow light penetration vertically, so as to ensure that light is not emitted directly towards the sky.
- E. Other special situations approved by the Building Official for temporary or periodic events (e.g. fairs, fiestas, carnivals, night time construction). Illumination for special events or situations shall comply with 39-21.
- F. Neon is exempt when used for sign lighting only. If neon as a sign does not constitute a hazard, why would it constitute a hazard in architectural/design applications?
- G. United States and State of New Mexico flags are exempt from the provisions of this Ordinance except as noted in Sec. 39-21 regarding safe vision and shielding. Narrow beam spotlights mounted above eye level

are suggested. All other outdoor lighted flags, such as, but not limited to, decorative and commercial flags shall conform to the provisions of this Ordinance.

Why only US & NM Flags, why not other states, countries or religious flags?

Is the location of luminaire simply a suggestion or requirement?

What is eye level?

### Sec. 39-30. Grandfathering.

- A. Legally installed luminaires existing as of the date of this ordinance are exempt from the provisions of this ordinance except that replacement fixtures must be fully compliant.
- B. Legally installed luminaires existing as of the date of this ordinance with swiveled mounting hardware shall be adjusted within ninety (90) days of the adoption date of this ordinance to comply as closely as possible with the provisions of this ordinance.
- C. A lot with a single tenant or use shall come into compliance with the provisions of this ordinance when any of the following occur:  
Where 25% or more of the existing outdoor lighting is added, modified, or replaced.
- ~~Ceases operations or is unoccupied for more than (12) months, or~~
  - ~~Where work is done that meets the definition of level 2 or level 3 as defined in the International Existing Building Code (IEBC), as adopted by the City of Las Cruces, or~~
  - ~~Addition, or~~
  - ~~Relocated building, or~~
  - ~~Change of occupancy (as defined in the IEBC), or~~
  - ~~Where 25% or more of the existing outdoor lighting is added, modified, or replaced.~~
- D. A single tenant or user of a lot that contains two or more tenant spaces or uses shall come into compliance with the provisions of this ordinance for that tenant space when any of the following occur:  
Where 25% or more of the existing outdoor lighting is added, modified, or replaced.
- ~~Ceases operations or is unoccupied for more than (12) months, or~~
  - ~~Where work is done that meets the definition of level 2 or level 3 (as defined in the IEBC), or~~
  - ~~Addition, or~~
  - ~~Relocated building, or~~
  - ~~Change of occupancy (as defined in the IEBC), or~~
  - ~~Where 25% or more of the existing outdoor lighting is added, modified, or replaced.~~
- E. A lot that contains two or more tenant spaces or uses shall come into compliance with the provisions of this ordinance when any of the following occur whether single or cumulative:  
Where 25% or more of the existing outdoor lighting is added, modified, or replaced.
- ~~An addition or modification (work meeting definition of level 2 or level 3 as defined in the IEBC), or change of occupancy to 25% or more gross floor area or~~
  - ~~Where 25% or more of the existing outdoor lighting is added, modified, or replaced.~~

### **Sec. 39-31. Variance Procedure**

Variations defined as other exemptions from the requirement of this chapter, shall not be permitted unless specifically authorized by the planning and zoning commission, subject to appeal to the city council in accordance with section 38-10 of the Las Cruces Municipal Code.

Procedural requirements for variance requests shall be in compliance with section 38-10 (I), variations of the Las Cruces Municipal Code.

### **Sec. 39-32. Enforcement**

This Ordinance shall be enforced when a Codes Enforcement Officer determines a violation has occurred or when any citizen complains in writing to the Codes Enforcement Department and the complaint is determined to be legitimate within the spirit of this Ordinance. The Codes Enforcement Officer will contact the owner, tenant, agent, or person in charge of any premises or any other person who violates any of the provisions of this Ordinance.

A. For the first offense, the offender may be issued a warning with 30 days to correct the offense.

#### **B. Penalties for Commercial and Multi-Family Residential Lighting Violations**

1. Any further violations of the provisions of this Ordinance shall constitute a petty misdemeanor, and upon conviction thereof, shall be punishable by a fine not to exceed one hundred dollars (\$100.00) for the first violation; three hundred dollars (\$300.00) for the second violation; and five hundred dollars (\$500.00) for the third violation.

#### **C. Penalties for Residential Violations**

1. Any further violations of the provisions of this Ordinance shall constitute a petty misdemeanor, and upon conviction thereof, shall be punishable by a fine not to exceed twenty-five dollars (\$25.00) for the first violation; seventy-five dollars (\$75.00) for the second violation; and one hundred twenty-five dollars (\$125.00) for the third violation.

Why have different penalties for commercial vs residential violations.

D. Unless otherwise specified, each day that a prohibited condition exists shall constitute a separate offense.

**Secs. 39-33 through 39-40 are reserved**

**Chapter 39**  
**Draft 5-27-09**  
**OUTDOOR LIGHTING**

**Article I. General**

- Sec. 39-1. Title.**
- Sec. 39-2. Purpose.**
- Sec. 39-3. Applicability.**
- Sec. 39-4. Severability.**
- Sec. 39-5. Minimum Requirements.**
- Sec. 39-6. Conflict.**
- Sec. 39-7. Interpretation of Meaning.**
- Sec 39-8. Definitions.**
- Sec. 39-9. Plan Submittals.**
- Sec. 39-10. Measurement.**
- Secs. 39-11 through 39-20 Reserved**

**Article II. Provisions**

- Sec. 39-21. General Provisions.**
- Sec. 39-22. Reduced Lighting Levels.**
- Sec. 39-23. Architectural Illumination.**
- Sec. 39-24. Neon and Similar Installations.**
- Sec. 39-25. LED Billboards and Signs/Electronic Variable Message Display.**
- Sec. 39-26. Multi-Family Installations.**
- Sec. 39-27. Residential Installations.**
- Sec. 39-28. Non-Permitted Lighting.**
- Sec. 39-29. Exemptions and Exceptions.**
- Sec. 39-30. Grandfathering.**
- Sec. 39-31. Variance Procedure.**
- Sec. 39-32. Enforcement.**
- Sec. 39-33 through 39-40 are reserved.**

**ARTICLE I.**

**IN GENERAL**

**Sec. 39-1. Title.**

This article shall be entitled the "Outdoor Lighting Ordinance" of the City of Las Cruces, NM.

**Sec. 39-2. Purpose.**

The intent of this Code is to encourage the most appropriate use of outdoor lighting and to promote the health, safety, and general welfare of the community for the purpose of improving each citizen's quality of life.

**Sec. 39-3. Applicability**

This chapter shall apply to all outdoor lighting, as that term is defined in section 39-8, within the city limits.

**Sec. 39-4. Severability**

If any article, section, paragraph, sentence, phrase or part of this chapter is declared unconstitutional or otherwise invalid, the remaining portions shall not be affected.

**Sec. 39-5. Minimum requirements**

The provisions of this article shall be considered to be the minimum requirements to meet the purpose expressed in section 39-2 of the article; nothing herein prohibits the Building Official or his designee from imposing greater requirements to ensure the promotion of health, safety and welfare of the citizens of the city.

**Sec. 39-6. Conflict.**

- A. Local conflict. Where the provisions of any local ordinance or regulation impose greater restrictions than those of this article, the provisions of such document shall prevail.
- B. Federal and state conflict. Any provisions of U.S. or state law that impose a greater duty, standard or requirement than those contained herein shall supersede the provisions of this article.
- C. Conflict within this article. When two or more provisions of this article are in conflict, the most restrictive provision shall apply.

**Sec. 39-7. Interpretation of meaning.**

The Building Official or designee shall interpret the meaning of the provisions of this article. Disagreement with an interpretation may be appealed to the Planning and Zoning Commission. The appeal must be made in writing within thirty calendar days of the aggrieved action. The decision of the Planning and Zoning Commission may be appealed to the City Council.

**Sec. 39-8. Definitions.**

This article contains only those definitions essential to the proper application of this ordinance. It is not intended to include commonly defined general terms or commonly defined technical terms from related codes and standards.

[Commonly defined general terms include those terms defined in general English language dictionaries and terms that are not used in a unique or restricted manner in this ordinance.]

As used in this chapter, the following words and phrases shall have the meanings ascribed to them in this section:

*Commercial* means all outdoor lighting installations that are not residential or multi-family.

*Electronic Variable Message Display* means any sign capable of displaying words, symbols, figures, or images that can be electronically changed by remote or automatic means. Such signs may include the following modes of operations:

1. Static. Signs which include no animation or effects simulating animation.
2. Travel. Signs where the message is changed by the apparent horizontal movement of the letters or graphic elements of the message.
3. Scrolling. Signs where the message is changed by the apparent vertical movement of the letters or graphic elements of the message.

*Flood Lamp* means a specific form of lamp designed to direct its output in a specific direction (a beam) with a reflector formed from the glass envelope of the lamp itself, and with a diffusing glass envelope. Such lamps are so designated by the manufacturers and are typically used in residential outdoor area lighting.

*Fluorescent Lamp* means a lamp which use fluorescence of a phosphor to produce visible light.

*Fully Shielded means:*

1. A luminaire that is certified by the manufacturer as "full cut off" [as defined by IESNA (Illuminating Engineering Society of North America)] and supported by a photometric test report from a third party testing agency and installed according to the manufacturers instructions.
2. A luminaire constructed in such a manner that all light emitted by the luminaire, either directly from the lamp or a diffusing element, or indirectly by reflection or refraction from any part of the luminaire, is projected below the horizontal. This can be determined by:
  - a. Certification by the manufacturer, or
  - b. A photometric test by a design professional.
 Any structural part of the luminaire providing this shielding must be permanently affixed.
3. A luminaire that is shielded by building canopies, overhangs, roof eaves, and similar types of construction which prevents direct or reflected emission of light above the horizontal. This can be determined by:
  - a. Drawing lines from the bottom of the luminaire to the bottom of the canopy or structure. The resulting lines shall all be at an angle downward from horizontal when seen in elevation view or,
  - b. A photometric test by a design professional.

*High intensity discharge (HID) Lamp* means a lamp that produces visible light directly by the electrical heating or excitation of a gas. Examples of such lighting include, but are not limited to: metal halide, high pressure sodium, and low pressure sodium. For purposes of this chapter, fluorescent lights are not considered HID lighting.

*Illuminance* means the density of luminous flux incident upon a surface. Illuminance is measured in footcandles (lumens/square foot) or lux (lumens/square meter). One footcandle equals 10.76 lux.

*Incandescent lamp* means a lamp which produces light via an electrically heated metallic filament.

*Initial Lumens* means a lamps light output, in lumens, at initial installation. The manufacturer usually lists initial lumens. For example, a 100-watt incandescent lamp emits approximately 1800 lumens.

*Light emitting diode (LED)* means a semiconductor device that emits light when an electrical current is passed through it.

*Light Pollution* means any adverse effect of manmade light. (Adverse as determined by whom?)

*Light Trespass* means light falling where it is not wanted or needed, typically across property boundaries.

*Lot* means a portion of a subdivision or other parcel of land intended for the purpose, whether immediate or future, for development. It also is a tract of land described by metes and bounds and as shown on the records in the county assessor's office.

*Lumen* means a unit measurement of the rate at which a lamp produces light. A lamp's lumen output rating expresses the total amount of light the lamp emits in all directions per unit time.

*Luminaire* means a complete lighting unit consisting of a lamp or lamps and the parts designed to distribute the light, to position and protect the lamp(s), and to connect the lamp(s) to the power supply. (Also referred to as a fixture.)

*Multi-family means* any residential use not meeting the definition of *Residential*.

*Outdoor Luminaire* means any lighting device located exterior to a structure or that illuminates areas exterior to a structure, whether permanently or temporarily installed. This includes, but is not limited to:

- search light
- spotlight
- flood light
- security lighting
- sign and architectural lighting
- lighting for parks, parking lots, roadways
- athletic facility lighting
- building overhang and open canopy lighting
- product display area lighting
- landscape lighting
- signs or billboards whether on-premise or off-premise, including LED, plasma and similar light sources

*Residential* means a one or two family dwelling on a single lot.

*Spot Lamp* means a specific form of lamp designed to direct its output in a specific direction (a beam) with a reflector formed from the glass envelope of the lamp itself, and with a clear or nearly clear glass envelope. Such lamps are so designated by the manufacturers, and typically used in residential outdoor area lighting.

*Total Initial Lumens* means the sum of the individual initial lumens output for all the luminaires of an installation. For example, six luminaires with 10,000 initial lumens output per luminaire would equal 60,000 total initial lumens.

*Total Initial Lumens per Luminaire* means the total light output of each luminaire. This is based on the largest lamp(s) that the luminaire is rated to accommodate. Measurement of total luminaire output is expressed in

lumens. This is the initial lumen value for the lamp(s) as stated by the manufacturer. (For example: a 100-watt incandescent lamp produces about 1800 lumens, a luminaire with one lamp socket rated at 100 watts maximum results in a total luminaire output of 1800 lumens, two lamp holders rated at 100 watts maximum each would result in a total luminaire output of 3600 lumens.)

*Unshielded Luminaire* means a luminaire that does not meet the definition of "fully shielded".

### **Sec. 39-9. Plan Submittals**

Plan submittals for projects involving outdoor lighting except for one and two family dwellings on a single lot, shall contain all the information required by the City of Las Cruces Building Code (Chapter 30, Las Cruces Municipal Code).

- A. In addition, evidence of compliance with the requirements of this Ordinance shall be provided by including an Outdoor Lighting Plan consisting of the following:
1. Plans indicating the location, type, and height of luminaries including both building and ground-mounted luminaires, and demonstrating compliance with Table 39-31 for new and existing outdoor lighting.
  2. Total unshielded lumens as allowed by 39-23 (Architectural Illumination).
  3. Total unshielded lumens as allowed by 39-24 (Neon and Similar Installations).
  4. Additional information may be required by the Community Development Department in order to determine compliance with this Ordinance.
- B. A description of luminaires, sufficient to demonstrate compliance with this ordinance, including lamps, poles or other supports and shielding devices, provided as catalogue illustrations from the manufacturer, and photometric data, such as that furnished by the manufacturer, showing the downward angle of light emission shall be available on the jobsite with the approved set of plans.
- C. In addition to the information required in A. and B. and to help assure compliance with this Ordinance the following Certification shall be executed on submittals to the Community Development Department for all commercial and multi-family projects:

Date \_\_\_\_\_ I, \_\_\_\_\_, a Registered Professional Engineer, Architect or Licensed Contractor, license number \_\_\_\_\_, under the Laws of The State of New Mexico, hereby certify that the Outdoor Lighting Plan on this drawing was prepared under my direction and conforms to the City of Las Cruces Outdoor Lighting Ordinance and is true and correct to the best of my knowledge and belief.

\_\_\_\_\_  
Signed by the appropriate design professional.

### **Sec. 39-10. Measurement**

Unless otherwise stated, all illuminance measurements for the purpose of this ordinance shall be made at ground level with the meter oriented horizontally.

### **Secs. 39-11 – 39-20. Reserved**

## Robert Kyle

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**From:** Thomas Lemke [tglemke@comcast.net]  
**Sent:** Monday, July 06, 2009 7:36 AM  
**To:** Robert Kyle  
**Subject:** Lighting

Dear Mr. Kyle:

I was happy to hear that the city was taking an interest in controlling the growth of lighting in our city. So much research in this area is now available and, I trust, can be used to craft a lighting policy that would most benefit the citizenry of our community. Specifically, I would encourage you to develop policies that would limit light pollution. At one time, increased lighting was felt to be an obvious deterrent to crime. Clearly, "more" did not necessarily equate with "better". In light of this (pun intended) it is my hope that lighting in our city will take the form of well thought out placement of efficient lighting yet preserve our vision of the night time sky.

Thank you for your efforts in this area.

Sincerely,

Thomas Lemke, M.D., FACEP

## Robert Kyle

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**From:** Sharon K. Thomas  
**Sent:** Monday, July 20, 2009 2:47 PM  
**To:** Richard Richins; Robert Kyle  
**Cc:** Robert Garza; Terrence R. Moore  
**Subject:** RE: Letter Meetings Etc.

Richard,

I am by way of this email forwarding your suggestion to Robert Kyle who is working on the lighting ordinance.

Sharon Thomas

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**From:** Richard Richins [mailto:rrichins@zianet.com]  
**Sent:** Tue 6/30/2009 12:22 PM  
**To:** Sharon K. Thomas  
**Subject:** Re: Letter Meetings Etc.

Sharon,

I would like to see a provision added to the lighting proposal to restrict the allowable light due to reflection. Light from a properly shielded source that reflects off of a building or other structure and exceeds some minimal limit would be prohibited.

rr

On Jun 30, 2009, at 10:07 AM, Sharon K. Thomas wrote:

- >
- >
- > The latest city council letter from Terrence Moore is attached.
- > Information of possible interest includes the following:
- >
- > The dust issue will be discussed at the next city council meeting,
- > Monday, July 6th, in city council chambers. If you have concerns
- > about the way dust issues are handled, please plan to attend this
- > meeting. It will be first on the agenda.
- >
- > The Lighting Ordinance is being updated. A draft can be viewed at
- > the Community Development Website <http://www.las-cruces.org/cd>.
- > Send comments to Robert Kyle at [rkyle@las-cruces.org](mailto:rkyle@las-cruces.org). A public
- > meeting will be held on July 29 at 5:00 pm in City Council Chambers.
- >
- > The City Council and the County Commission will hold a joint meeting
- > on Tuesday, July 21, at 9:00 at the Dona Ana County Administrative
- > Complex. We have asked Mr. Moore to add the formation of solar and
- > renewable energy districts to the agenda. These districts will
- > allow residents to put solar on their homes and pay for the
- > investment through their property taxes. If you have an interest in
- > this possibility, please plan to attend the meeting.
- >
- > Fourth of July schedule of activities can be found at the end of the
- > council letter.
- > In addition (not in the letter), the sign code is being amended.

- > There will be a public meeting on July 9th at 5:30 in City Hall
- > Chambers. Draft with amendments is attached.

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- >
- > Next discussion on urban chicken keeping will be at a city council
- > WORK SESSION on August 10th. This meeting is an opportunity for you
- > to share your concerns with the council. Discussion only. No votes
- > are taken at work sessions.
- >
- > Sherry Thomas
- >
- > <CCLetter062609.pdf><Chapter 36 Sign Code Amended.pdf>

## Robert Kyle

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**From:** Robert Garza  
**Sent:** Wednesday, August 19, 2009 8:21 AM  
**To:** Robert Kyle  
**Cc:** David Weir  
**Subject:** FW: Postponement of lighting  
FYI

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**From:** Mark Isler [mailto:isler@newmanbillboards.com]  
**Sent:** Fri 7/31/2009 9:10 AM  
**To:** Dolores Connor  
**Cc:** 'Oscar Andrade'  
**Subject:** RE: Postponement of lighting

Following are the priorities for future revisions.

1. Eliminate the sunset clause that takes affect August 2010. Draft a grand father clause that will allow any legally installed fixture to remain until that fixture is replaced.
2. Keep the Fully Shielded requirement, as written in the proposed ordinance, rather than Full Cut-Off as the current ordinance requires.
3. Eliminate measurement of Lumens, making shielding be key to reduce glare, sky-glow, promote safety etc. This would allow business owners to produce as much light as needed as long as it is shielded.
4. Exempt all residential fixtures.

The measurement of LED/Digital Signs being proposed is what I recommended for Billboards, as it is what the industry in recommending being the standard. However, I am not sure it should be applied to smaller On-Premise signs.

Thanks for your help,

Mark

## Robert Kyle

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**From:** Dan Townsend [ecolo100@hotmail.com]

**Sent:** Tuesday, July 07, 2009 11:45 AM

**To:** Robert Kyle

**Subject:** New lighting ordinance

Hello, in reviewing the new lighting ordinance, I see nothing which addresses concepts in urban lighting allowing control by neighborhoods and their residents; and, as a corollary, "two-stage" lighting--low-level ambient lighting with higher levels controlled from, for example, police department dispatch as first-responders are sent to an area.

As an experiment, I built a demonstration unit for this technology--based on cel-phones (used presently in Europe) which I planned to bring to the July 29 public comment meeting. It would be possible to demonstrate it prior to the public meeting in case of interest by your office. Best wishes, Dan Townsend

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Lauren found her dream laptop. [Find the PC that's right for you.](#)

**Robert Kyle**

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**From:** Earle [espittman@zianet.com]  
**Sent:** Friday, July 31, 2009 3:45 PM  
**To:** Robert Kyle  
**Subject:** Bill boards

If city lighting includes illuminated bill boards, I'd like to mention a very dangerous one at that motel on Avenida de Mesilla. Bill board is at eye level, brightly lit with scrolling text even in daytime and is just where the road narrows from two lanes to one and as well, I believe, curves gently. It's quite a distraction for motorists driving past.

Earle S. Pittman

**Robert Kyle**

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**From:** Jon Rice [jon@resourcelightingsw.com]

**Sent:** Wednesday, July 08, 2009 5:08 PM

**To:** Robert Kyle

**Subject:** Lighting Ordinance Draft 5/27/09

Robert, I have some comments on the new draft lighting ordinance that should be considered. Sec.39-22 in order to reduce the light output of security lighting for existing parking areas etc it would require adding ckts/wiring to eliminate fixtures and reduce light levels, this would be very costly to the owner. Sec.39-23 the 5400 lumens max for architectural illumination is vague, the use of LED lighting products provide multi color possibilities which change the lumen out put of the fixture and the visual brightness and add a very important ingredient for the architectural community at the same time keeping the dark sky intent. The lumens per lot should be left open and addressed on a case by case basis. Sec.39-28 the max lumens at certain mounting heights is incomplete because the lamp has an initial lumen rating before it's installed in a fixture then the fixture efficiency comes into play. Most fixtures have efficiencies between 60-80%. So the lamp lumens along with the fixture efficiency should be the formula used. On another note, for exterior emergency lighting the city should allow the use of a non cutoff fixture if it is used for emergency egress only, the code requires 90minute operation if power is lost. This would be temporary lighting only and should not be governed by this ordinance. As a long term resident of Las Cruces the dark skies are very important to me and the community but the ordinance has left a very large gap in the visual growth of our city and we should allow the use of architectural lighting instruments that use new technology (LED) to enhance the beauty of our city. I look forward to your response!

**Robert Kyle**

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**From:** MARARET LINDSLEY [meglindsley@msn.com]  
**Sent:** Friday, July 03, 2009 3:41 PM  
**To:** Robert Kyle  
**Subject:** lighting ordinance

We do not need this much light at night. Margaret Lindsley, 4685 Nogal Canyon.

## Robert Kyle

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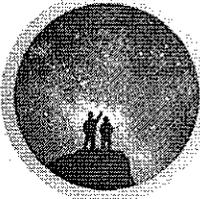
**From:** Richard Richins [r-richin@nmsu.edu]  
**Sent:** Monday, July 06, 2009 9:57 AM  
**To:** Robert Kyle  
**Subject:** Proposed City Lighting Ordinance

I've tried to read over the text of the new proposal, but the language is too lawyerese for me to comprehend. Could you please outline the salient features of how this law strengthens or weakens the current law? Specifically, how does the new version deal with light trespass?

Thanks,

rr

July 28, 2009



Carol Rehder  
2157 Pioneer Ave  
Las Cruces, NM 88005

Carol Rehder  
Cc: CLC City Council

The National Public  
Observatory, Inc  
P.O. Box 19  
Radium Springs, NM 88054

Phone 505-527-8386  
FAX 505-525-9345  
E-mail: [Astronpo@wildblue.net](mailto:Astronpo@wildblue.net)  
Website: [Astro-npo.org](http://Astro-npo.org)

I have ask Carol to read my letter to the CLC City Council because I can not attend the Wednesday July 29th, 2009 meeting. I feel it is important to address the misunderstandings I found in the Carillo law firm letter concerning the CLC / Outdoor Lighting Ordinance and the Pic Quik store chain.

The Pic Quik store chain is not being singled out by any advocates for sensible outdoor lighting reform. This particular store has for some time used a diffuser style fluorescent lighting system for its canopy lighting, which apparently is not readily available in a Full Cut Off luminaire. Any new Pic Quik store built in the city limits of Las Cruces since August of 2000 employing these semi cut off luminaires under their canopies are in violation if the CLC OLO that calls for all outdoor lighting over 1,800 lumens of output to be FCO.

There seems to be a misplaced concern that a new OLO proposal to change the current 70 foot candle limit on ground level intensity of outdoor lighting to 50 fc will in some way restrict convenience stores like the Pic Quik to lower levels of lighting which they deem unsafe.

On Monday July 27th I visited the newest Pic Quik located on University Ave just east of the I-25 north bound entrance ramp and I obtained the following measurements.

- 35 fc Under canopy in between the pumps.
- 45 fc On pump islands because of dedicated flood lights.
- 10 fc On approaches away from the lamps.
- 80 fc In overhang area of building entry area under a overhang of the building utilizing recessed can lights.
- 50 fc Inside the store for merchandizing the products.

In point of fact the new proposed 50 fc limit would not restrict the outdoor lighting of this store at all. The only potential violation is the 80 fc in the outdoor store entry area and it is in violation of the current 70 fc limit. This issue could be addressed by delamping a few fixtures.

I have given the FCO problem Pic Quik faces some thought and I can not understand why this particular store chain should be allowed to be an exception to the requirement for FCO lighting all other businesses in Las Cruces have been able to meet. If the City of Las Cruces wants to rewrite the ordinance to allow for a special exemption of the Pic Quik style of under canopy fluorescent lighting then

The National Public Observatory, Inc. is a tax-exempt organization under section 501(a) of the Internal Revenue Code as described in section 501(c)(3). Copies of the exemption application and exemption letter are available upon written request.

the city should do that, rather than allow this one entity to continue to violate the ordinance.

It is not physically possible to make this style of light the functional equivalent to FCO lighting using the apron of the canopy. It can not meet the criteria without a apron of much larger and impractical dimensions. The best method for retrofitting such non compliant fixtures is to fabricate sheet metal shields around each individual fixtures. This has been done in other instances.

Finally I would like to address the Carillo law firm assertions that a foot candle control methodology is a suspect or improper metric for controlling light levels. This is a patently false notion. The definitive IESNA (Illuminating Engineers Society of North America) document on outdoor lighting is the Recommended Practices-33-99 or (RP-33-99). In this documents they refer to ground level illumination in foot candles in almost all their metrics. In fact their recommendations for convenience stores like a Pic Quik are 20 fc for the pump areas, 5 fc for the approaches, and that is for bright surrounds. They recommend less for dark surrounds like we would see in the county. The current Las Cruces OLO with it's 70 fc max cap is very generous. The proposed OLO with it's 50 fc max cap is till 2.5 times what the RP-33-99 recommends. Ground reflectance from using concrete or asphalt have nothing to do with the results vertical fc readings.

Objection to the current ordinance and the proposed revisions should be based upon facts, and not baseless conjectures, if they are to be taken seriously by city staff or this city council. I could get up a petition and generate thousands of signatures from citizens who do not know better if the petition is based upon a totally false but believable premise as the Pic Quik petition was..

Excessive illumination at night does not make us safer, but can in fact make the traveling public less safe by creating veiling glare. Shielded outdoor lighting of the proper levels make us all safer, and can save energy in efficient FCO fixtures if used only when and where really needed. The perceived need to use excessive amounts of lighting at night as a marketing ploy needs to be controlled because of the rational need to protect the rights of the general public. This is what the current OLO does and the newly proposed CLC OLO will do. This city council needs to protect the rights of the many, and not just the perceived needs of a powerful few. This is why we have instituted governance.

John Gilkison  
President National  
Public Observatory

Former Chairman  
Of the CLC OLO  
Ad Hoc Committee  
Ordinance Drafting  
Committee.

July 9, 09

To Whom It May Concern:

We believe there are too many city lights in our area (Diamond Springs) off Roadrunner.

We believe the city street lights should be cut on the watts by 50% after 11:00 pm.

Also, people with spot lights on their homes or around the house should cut watts also, after 10:00 pm or turn off.

We enjoyed the beautiful stars at night are diminished at night.

and also the less  
heat at night with  
less lights.

Do you all not  
think that ~~this~~ is one of  
the reasons people come  
to Las Cruces, because of  
the beauty + the low  
rates?

A concerned  
resident + tax payer  
Franz

We really enjoy the  
stars!