



**Tax Increment Development District**

**Regular Meeting**

**April 9, 2012**

**1:00 P.M.**

**Council Chambers, City Hall**

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**MEMBERS PRESENT:**

**STAFF:**

Chairman Ken Miyagishima  
Board Member Miguel Silva, District 1  
Board Member Greg Smith, District 2  
Board Member Olga Pedroza, District 3  
Board Member Nathan Small, District 4  
Board Member Gill Sorg, District 5  
Board Member Sharon Thomas, District 6  
Board Member Billy Garrett (County)

Robert Garza, City Manager  
Harry (Pete) Connelly, City Attorney  
Esther Martinez, City Clerk

**DRAFT**

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**I. Call to Order**

Chairman Miyagishima and a representative from the Animal Services Center of the Mesilla Valley presented the Pet of the Week.

Chairman Miyagishima called the meeting to order.

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**III. Discussion Items**

1. Parking Study Update
2. S. Main Reconstruction Status
3. Finance Update

**1. Parking Study Update**

David Dollahon, Chief Planning Administrator gave a presentation and said Council has accepted a \$50,000 grant from the New Mexico Finance Authority for a Downtown parking update and we have already received \$16,000 of that grant. This is a three-year grant and we are using Walker Parking Consultants from Denver Colorado because in 2008 they did another parking study for the Downtown through another contractor with the City. They will be in town this week to do

1 inventories and counts so the ad-hoc committee will be meeting with them Wednesday at 5:30 p.m.  
2 here in City Hall. There will also be a general public input meeting on Thursday.

3  
4 Board Member Silva said they are doing a count on Wednesday.

5  
6 David Dollahon said that is correct. They are doing a count of the available stalls and on Thursday  
7 they are going to do a utilization count. They will probably be back at a later time to do additional  
8 counts.

9  
10 Board Member Thomas asked do they look at it during the day and during the night because there  
11 are some things like the theater that brings more traffic in the evenings.

12  
13 David Dollahon said yes, they look at the day and night as well as do a seasonal adjustment factor.

14  
15 Tamie Smith, Member of the Public said I asked a couple of people in the Downtown area about this  
16 meeting and they weren't even aware that there was a meeting on this topic. I think there needs to  
17 be a better notification process and there needs to be as many public meetings as possible.

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## 21 **2. S. Main Reconstruction Status**

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23 Loretta Reyes, Public Works Director gave an overhead presentation and said this is for the Main  
24 Street Plaza Phase II South Project and the project area is between Griggs and Bowman. The contract  
25 was awarded on November 21, 2011 to Smith & Aguirre Construction in the amount of  
26 approximately \$1.5 million. The duration of the project is 180 working days and it is about 15%  
27 completed at this time. They have installed the construction chain link fencing and there were some  
28 concerns regarding dust and noise on the westside of Main Street so they installed silt fencing and  
29 other materials to the entire chain link fencing to mitigate those issues. The concrete and asphalt  
30 have been removed within the road limits, utility infrastructure is underway, the installation of the  
31 sanitary sewer infrastructure is approximately 60% completed and the installation of the water  
32 infrastructure is approximately 30% completed.

33

34 Board Member Smith asked are we still on track for a November opening?

35

36 Loretta Reyes said yes.

37

38 Board Member Thomas said there have been concerns with adequate access points for the school.

39

40 Loretta Reyes said I will make a note of that and talk with the administrator.

41

42 Chairman Miyagishima asked what about the roundabout?

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2 Loretta Reyes said it is not included in the current project and it depends upon the TIDD Board's  
3 direction as to whether or not to make it in the third phase.

4

5 Board Member Smith said I just want to mention that I believe the school has found another location  
6 so access won't be an issue.

7

8 Board Member Small said regarding the roundabout, is there an active process to find out what the  
9 cost will be for it so we can integrate it in the decision making process? .

10

11 Loretta Reyes said I believe the cost estimate for the roundabout was three-quarters of a million  
12 dollars which would be added to the contract. The current design of that roadway area would have  
13 a three-way stop sign situation to control that intersection.

14

15 Board Member Sorg asked why isn't the roundabout being done at this time?

16

17 Loretta Reyes said it would require right-of-way from the property owners but we weren't able to  
18 negotiate that at this time. There is a time line for the funds to be spent so we are constructing this  
19 temporary roadway with the project.

20

21 Board Member Sorg asked would the cost to construct the roundabout be more if we do it later rather  
22 than now?

23

24 Loretta Reyes said it would depend on the cost for material at the time we do it.

25

26 Robert Garza, City Manager said it would cost us \$750,000 to do it now and if we do it at a later date  
27 then construction cost could go up or down.

28

29 Board Member Silva asked does the \$750,000 cost include the purchase of the property?

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31 Loretta Reyes said no, it is only the cost to construct the roundabout.

32

33 Board Member Silva asked can you explain why the contractors weren't able to salvage some of the  
34 materials like the yellow bricks from the Downtown?

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36 Loretta Reyes said there was an attempt made to salvage some of the yellow bricks but it was too  
37 difficult to take off the concrete that was used to put them in.

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41 **3. Finance Update**

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1 Pat Degman, Comptroller gave an overhead presentation and said this is for the third quarter of our  
2 fiscal year and we have cash investments in the amount of \$1.1 million that are unrestricted and we  
3 have restricted cash in the amount of \$1.98 million which have to do with contributions that we  
4 received from the State. Those funds can be used for repayment of debt associated with the projects  
5 in the Downtown area. We have an entry on the balance sheet for taxes receivable in the amount of  
6 \$522,000 which is an accounting entry we make at the end of each fiscal year to record the taxes that  
7 we would receive 60 days after the close of our fiscal year. That number remains on the books and  
8 it is fairly close to that same amount every year. In looking at revenues and expenditures, the State  
9 GRT through March is \$958,000; the County's contributions year-to-date are \$107,000, the City's  
10 contributions are \$669,000, \$15,000 from the City's GRT, the investment income is \$53,000 and  
11 property taxes are just over \$12,000 so the total revenues year-to-date are \$1.8 million. We have  
12 expenses associated with the collection of those taxes which is just under \$12,000 so the change in  
13 the fund balance is \$1.8 million. We have \$6.3 thousand in the Capital Improvements Fund that is  
14 available for projects. Year-to-date we have received \$1.9 million from the State, \$308,000 from the  
15 County, and the City has contributed just over \$2 million which brings our total receipts to \$4.3  
16 million. The property taxes received to date from the City is just over \$20,000 and \$46,000 from the  
17 County. The original estimate for property taxes was \$7 million but we have only received \$66,000.  
18 The goal for incremental GRT was \$10.3 million and we've collected \$4.3 million so we are making  
19 progress on that goal.

20

21 Chairman Miyagishima asked how much do we expect to come in annually so we'll know how much  
22 we'll have for the payment of debt service?

23

24 Pat Degman said the portion that the City and the County contribute is not restricted but to date we  
25 have received \$2.3 million. The portion that is restricted is the \$1.98 million that we have received  
26 from the State which is set aside so we can use it for debt service. We are projecting about \$2.3  
27 million per year which we are projected to increase to about \$2.5 million over the next five years and  
28 the Board would have to decide whether or not to pledge that toward debt service.

29

30 Board Member Pedroza said we estimated to receive \$7 million in property taxes but we only  
31 received \$66,000; that sounds a little bit alarming to me.

32

33 Pat Degman said the projection was very high and I think the projection was that over time we would  
34 see businesses come into the Downtown area and we'd see property taxes increase over time. The  
35 downturn in the economy probably had an effect on that plan but it was an ambitious projection.

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37 Board Member Thomas asked is some of the projected \$2.3 million per year restricted and some of  
38 it is not restricted?

39

40 Pat Degman said yes.

41

42 Robert Garza, City Manager asked how long will we be receiving these funds from the State?

1 Pat Degman said the resolution that was approved by the TIDD Board was for an increment from  
2 the State for eight years which was also approved by the State Board of Finance so it is for eight  
3 years and for up to \$8 million.

4

5 Board Member Thomas asked is the funding from the State capped at \$8 million?

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7 Pat Degman said yes, the current document is for only \$8 million but the Board can ask for another  
8 document to ask them to reconsider that amount for additional funding.

9

10 Board Member Thomas said I would suggest that we look into that between now and 2018.

11

12 Board Member Pedroza said so any funds we receive from the State have to be used for the  
13 Downtown area.

14

15 Pat Degman said that is correct.

16

17 Board Member Silva said it would be nice if we could have a layout of everything, even if they are  
18 just projections, of what we anticipate per year because we projected a total of \$17 million from the  
19 TIDD so how much are we projecting for projects?

20

21 David Dollahon, Chief Planning Administrator said based on rough estimates, not including a  
22 parking garage because that is an unknown at this point, two existing projects were roughly at \$5  
23 million and \$6.4 million for a total of \$11.4 million. These are identified projects within the Master  
24 Plan and these are rough estimates.

25

26 Board Member Silva asked what are those projects?

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28 David Dollahon said it is the Plaza and the redirection of traffic on Water and Church Street and the  
29 associated cross streets and some ADA improvements on Campo and Alameda.

30

31 Board Member Silva asked how much is it for the Plaza?

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33 David Dollahon said staff's rough estimate is \$5 million.

34

35 Board Member Silva said so everything is still in the planning stage and nothing has been  
36 committed.

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38 David Dollahon said that is correct.

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40 Board Member Silva asked has the \$1 million loan from the City to the TIDD been paid-off yet?

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42 David Dollahon said yes.

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Board Member Garrett asked does the County have a role in some of the financing?

Pat Degman said yes, the County has pledged an incremental portion similar to the City and the State. The County has also pledged an incremental amount of the property tax.

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**III. Action Item(s)**

1. Approval of Minutes from October 11, 2011 Regular Meeting.

Board Member Smith Moved to Approve the Minutes of October 11, 2011 and Board Member Sorg Seconded the motion.

DRAFT

Board Member Smith said on page two line eleven it states “underline” and I think it was intended to be “underlining.”

Esther Martinez, City Clerk said we will listen to the audio and make that correction administratively.

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Chairman Miyagishima called for the roll on the Motion to Approve the Minutes of October 11, 2011 and it was Unanimously APPROVED. 7-0

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2. TIDD Resolution 12-001: A Resolution Establishing the Priority Projects Listing for the Las Cruces Tax Increment Development District (TIDD) for Downtown Las Cruces.

Board Member Thomas Moved to Approve TIDD Resolution 12-001 and Board Member Small Seconded the motion.

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David Dollahon, Chief Planning Administrator gave an overhead presentation and said this resolution establishes the priorities and allows for staff to proceed with implementation including future budgeting and financing opportunities. The projects we have identified are the Downtown Civic Plaza, Church and Water Street traffic redirecting, a parking garage and other projects that you

1 would need to identify and direct staff accordingly. The Downtown Civic Plaza was outlined within  
2 the Downtown Revitalization Plan update and it does require formal adoption of the plan update in  
3 order to use TIDD funds for this purpose. The preliminary concept and the identifying of potential  
4 sites as been completed to date but the project still needs property acquisition, design development,  
5 construction drawing development and the actual construction of it. The Church and Water Street  
6 project will turn the one-way streets to bidirectional traffic and will include the south roundabout,  
7 traffic signal upgrades at the cross streets, full design development, roadway and utility  
8 reconstruction. The preliminary cost estimates for ADA improvements have been completed to date  
9 but the project still needs the property acquisition, design and development of the construction  
10 drawing and the actual construction. The parking garage is still unknown at this time and it is  
11 dependent upon the parking study update. The Board can direct staff to review and identify other  
12 potential projects and the projects would need to be outlined within the Downtown Plan or Plan  
13 update. This resolution does require an amendment because we need you to establish the priorities.  
14 There was a letter that was sent to Mr. Garza from the Downtown Partnership supporting the Civic  
15 Plaza.

16

17 Board Member Smith said the ad-hoc committee recommended that equal status be given to parking  
18 and to the Downtown Plaza; correct?

19

20 David Dollahon said that is correct, there was an equal prioritization among them for those two  
21 projects.

22

23 Board Member Pedroza said what effect will redirecting traffic on Church and Water have on the  
24 roundabouts?

25

26 David Dollahon said there is a section of the north roundabout that can be opened up to Water Street  
27 and the south roundabout can be constructed the same way.

28

29 Board Member Thomas asked how much would it be for the parking garage and the Plaza?

30

31 Board Member Silva said we don't have a cost estimate on the parking garage. The Plaza estimate  
32 is \$5 million and the estimate for Church and Water Street is \$6.4 million.

33

34 Board Member Thomas said that's \$11.4 million for those two projects out of \$17 million, that  
35 doesn't leave much for a parking garage.

36

37 David Dollahon said there are financing opportunities with the New Mexico Finance Authority  
38 because of their \$8 million cap.

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40 Mayor Miyagishima said I would surmise that the Federal Government, specifically the Federal  
41 Courthouse, be willing to enter into negotiations with the City on renting 20% to 25% of the parking  
42 spaces for their use which would help us with the funding.

1 David Dollahon said in order for them to rent parking spaces, all the Downtown parking would have  
2 to be paid parking.

3

4 Board Member Silva said I think we are premature in moving forward with this resolution so I would  
5 suggest that we table it until we get more information on the parking garage and the impact of each  
6 project.

7

8 Mayor Miyagishima said maybe we don't have to prioritize them but state that these are the projects  
9 that we want staff to investigate.

10

11 Board Member Small said it makes sense to have more information before we prioritize these  
12 projects. What is the time line for this list?

13

14 Robert Garza, City Manager said we don't have to choose the projects today. We are preparing our  
15 budget which will be presented to Council for adoption on May 20<sup>th</sup> and then it will have to be sent  
16 to the State for review and approval before July 1<sup>st</sup>. We believe it is crucial that we include all the  
17 Downtown capital improvement projects as part of our budget. All three of these projects that are  
18 listed are already in our ICIP and we need to keep them in there. We have our TIDD Board meetings  
19 quarterly so the next one is scheduled for July 9<sup>th</sup> and we can plan to bring forward more information  
20 on these projects at that meeting. We do need to take action on this resolution and you can simply  
21 state that at this time all these projects are equal.

22

23 Board Member Smith asked do we have an update on the Post Office facility?

24

25 Robert Garza said I have not received any additional information on the Post Office.

26

27 Councillor Thomas said I think the Plaza should be first because we don't have the land for the Plaza  
28 and we already know where the streets are and we have options on where the parking garage should  
29 go but we don't know about the Plaza so we really need to make the projects equal.

30

31 Board Member Garrett said I would be interested in what the full range of the projects are that are  
32 projected to be needed in order to make the Downtown be successful.

33

34 Board Member Sorg said I favor all three projects but I'd put the Plaza on top.

35

36 Board Member Pedroza said under roman numeral one instead of having priorities we are going to  
37 simply state that all three of these should go forward and that we are going to ask for additional  
38 information as we move forward.

39

40 Board Member Thomas said I would suggest that for the 6<sup>th</sup> Whereas we could just say "that the  
41 TIDD Board would provide direction regarding projects within Downtown Las Cruces" and for the  
42 next Whereas we can add next to parking garage "study, design and construction" and under the next

1 one under Civic Plaza “including location, property acquisition and design.”

2

3 Board Member Silva said I agree with those changes but I would also eliminate number one.

4

5 Carrie LaTour, Downtown Las Cruces Partnership said we have had some UNM students come  
6 down from Albuquerque and they have given us some great ideas for plaza concepts and parking  
7 garages so I’d like to know if we will be able to have any input on the design of a plaza?

8

9 David Dollahon said we have only done a preliminary concept of the plaza so as we go forward with  
10 the property identification, acquisition and full design development there will be plenty of time to  
11 change the design concept plan.

12

13 Mayor Miyagishima said you can send the designs in PDF form to the City Manager and Clerk.

14

15 Carrie LaTour said the students will be submitting their final reports in May and I will make sure you  
16 are notified.

17

18 Tamie Smith, Member of the Public said regarding Church and Water Street, I can’t visualize the  
19 mechanics of turning the one-way traffic into two-way traffic.

20

21 Mayor Miyagishima said we might be able to have a diagram of it available at our next meeting.

22

23 Tamie Smith asked why are changing it?

24

25 Robert Garza said the purpose for changing it is to redistribute the flow of traffic.

26

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29 Board Member Thomas Moved to Amend TIDD Resolution 12-001 that the 6<sup>th</sup> Whereas paragraph  
30 be rewritten to say “Whereas, given the status of funding availability and conflicting directions  
31 amongst available priorities, staff is requesting that the TIDD Board provide direction regarding  
32 projects within Downtown Las Cruces and Whereas, available projects include but are not limited  
33 to: parking garage, study, design and construction, 2) Downtown/Civic Center including location,  
34 property acquisition, design and construction drawing...” and then it also describes the third project  
35 and at the end of that we are going to have to say, we propose equal weight to all projects as we are  
36 waiting further information and Board Member Smith Seconded the motion.

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38 Councillor Silva said I recommend that we add to the amendment the elimination of roman numeral  
39 one in the resolution.

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41 Mayor Miyagishima said we can do that as an additional amendment.

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Mayor Miyagishima called for the roll on the Motion to Amend TIDD Resolution 12-001 that the 6<sup>th</sup> Whereas paragraph be rewritten to say “Whereas, given the status of funding availability and conflicting directions amongst available priorities, staff is requesting that the TIDD Board provide direction regarding projects within Downtown Las Cruces and Whereas, available projects include but are not limited to: parking garage, study, design and construction, 2) Downtown/Civic Center including location, property acquisition, design and construction drawing...” and then it also describes the third project and at the end of that we are going to have to say, we propose equal weight to all projects as we are waiting further information and it was Unanimously Approved. 7-0

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Board Member Silva Moved to Amend TIDD Resolution 12-001 to eliminate roman numeral one and Board Member Smith Seconded the motion.

DRAFT

Mayor Miyagishima called for the roll on the Motion to Amend TIDD Resolution 12-001 to eliminate roman numeral one and it was Unanimously Approved. 7-0

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Mayor Miyagishima called for the roll on the Motion to Approve TIDD Resolution 12-001 as Amended and it was Unanimously Approved. 7-0

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**Meeting Adjourned at 2:57 p.m.**