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**Tax Increment Development District**

**Regular Meeting**

**April 8, 2013**

**1:00 P.M.**

**Council Chambers, City Hall**

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**MEMBERS PRESENT:**

**STAFF:**

- 12 Chairman Ken Miyagishima
- 13 Board Member Miguel Silva, District 1
- 14 Board Member Greg Smith, District 2
- 15 Board Member Olga Pedroza, District 3
- 16 Board Member Nathan Small, District 4
- 17 Board Member Gill Sorg, District 5
- 18 Board Member Sharon Thomas, District 6
- 19 Board Member Billy Garrett (County)

- Brian Denmark, Assistant City Manager
- Harry (Pete) Connelly, City Attorney
- Esther Martinez-Carrillo, City Clerk

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**I. Call to Order**

24 Chairman Miyagishima called the meeting to order and asked for a moment of silence. Chairman  
25 Miyagishima led the Pledge of Allegiance.

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

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**II. Discussion Items**

**1. General Update**

36 Andy Hume, Senior Planner gave an overhead presentation and said Representative Steinborn  
37 presented a list of projects for capital outlay consideration and all of the projects were approved  
38 except for one which was for \$250,000 and we were going to set aside those funds for the Civic  
39 Plaza. I did invite Representative Steinborn to come to our next TIDD Board meeting and provide  
40 us with a little more of an update about the last Legislative Session.

42 Brian Denmark, Assistant City Manager said even though the funds for the plaza were vetoed out

1 of the bill, the resolution that is on the Council's agenda today includes the plaza project which is  
2 to be funded by TIDD funds.

3

4 Board Member Thomas said another item that was on his list was for the rail feasibility study  
5 between here, El Paso and the Spaceport and that also went through.

6

7 Board Member Small said perhaps we should send the administration a letter asking them why they  
8 vetoed that funding for the plaza.

9

10 Chairman Miyagishima said sure, it'll be interesting to see what the Governor has to say.

11

12 Board Member Smith said I believe that large amounts that did not go to statewide projects were  
13 targeted for that kind of line item vetoed so the smaller amounts that went to lighting and some of  
14 these other things may not have risen high enough on the radar but \$250,000 was enough to capture  
15 that kind of attention. So that is my understanding on why that particular item was vetoed.

16

17 Board Member Small said I still think it would be good to have clarity available in order for us to  
18 refine how we approach this in moving forward.

19

20 Chairman Miyagishima asked did you want to send the letter or did you want me to send the letter?

21

22 Board Member Small said I'd be happy to either send it individually or as a group.

23

24 Board Member Silva said when we receive State funding does it go to Council first and then Council  
25 gives it to the TIDD Board or does it go directly to the TIDD Board?

26

27 Andy Hume said I would have to research that question and get back with you.

28

29 Board Member Silva asked do you have an update on the Community Partners?

30

31 Brian Denmark said staff can provide an update at the next board meeting.

32

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35 **2. Finance Update**

36

37 Maria Villa, Accounting Supervisor gave an overhead presentation and said the total access is \$5.1  
38 million with \$3 million being restricted and there are no liabilities. The total revenue is at \$1.3  
39 million and half of the property taxes have been collected. There is no activity on capital projects for  
40 the third quarter. Life to date on the actual GRT receipts is \$6 million and the property tax receipts  
41 is at \$91,000. The estimated life to date amounts for the GRT receipts was \$10.3 million and the  
42 property tax receipts estimate was \$7.4 million.

43

1 Board Member Smith said in the situation where in the past we had some issues with the reporting  
2 and the collection and there is a difference between the GRT and the property taxes in what we have  
3 received; are those situations being resolved at this point or is there still some issues?  
4

5 Karin DeVogel, Accountant said the timing issues with the GRT are mostly because some of the  
6 businesses are small so they file quarterly but some of them haven't done their quarterly filings at  
7 this time; and the property taxes are only done twice a year.  
8

9 Board Member Smith said so our concerns are being addressed; we're just waiting for some of them  
10 to do their reporting at this point.  
11

12 Karin DeVogel said that is correct.  
13

14 Board Member Thomas asked are we going to get close to the estimate for the property taxes?  
15

16 Maria Villa said I don't believe so.  
17

18 Board Member Smith said maybe we need to rethink how we do our estimates.  
19

20 Board Member Sorg said there is \$9,761 listed for cash and investments; is that amount just our  
21 interest earned on our balance?  
22

23 Maria Villa said yes.  
24

25 Board Member Silva asked when is the TIDD going to close itself out?  
26

27 Andy Hume said I'm not sure when that is but I will check on it for you.  
28

29 Board Member Silva said I think it was 15 or 25 years but it would be nice to know the date at the  
30 next meeting.  
31

32 Chairman Miyagishima said I believe it was for only 7 or 8 years.  
33

34 Andy Hume said I will research what the sunset date is and give you the information prior to your  
35 next meeting.  
36

37 Chairman Miyagishima said I think the sunset date is 2020.  
38

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41 **III. Action Item(s)**  
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1 1. Approval of Minutes from January 14, 2013 Regular Meeting.

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3 Board Member Thomas Moved to Approve the Minutes of January 14, 2013 and Board Member  
4 Smith Seconded the motion.

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8 Chairman Miyagishima called for the roll on the Motion to Approve the Minutes of January 14, 2013  
9 and it was Unanimously APPROVED. 7-0

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13 2. Resolution No. 13-002: A Resolution Adopting Fiscal Year 2013-2014 TIDD Budget.

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15 Board Member Silva Moved to Approve Resolution No. 13-002 and Board Member Smith Seconded  
16 the motion.

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20 Board Member Silva Moved to Suspend the Rules and discuss Resolution No. 13-002 and  
21 Resolution No. 13-003 concurrently and Board Member Smith Seconded the motion.

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25 Chairman Miyagishima called for the roll on the Motion to Suspend the Rules and discuss  
26 Resolution No. 13-002 and Resolution No. 13-003 concurrently and it was Unanimously  
27 APPROVED. 7-0

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31 Andy Hume, Senior Planner gave an overhead presentation and said the intent for both of these  
32 resolutions is to provide staff with direction and to adopt a budget for this organization. At this point  
33 we only have preliminary numbers for one project so the rest of the prioritized list will require us to  
34 do further detail, as far as planning and design, before we come back with solid numbers and we  
35 would include this budget in the City's overall budget process. Staff has put together a list of the top  
36 three priorities which are to conduct a Downtown Charrette, work on the Civic Plaza, and to re-  
37 instituting two-way traffic on Church and Water. The reason the plaza is number two and not number  
38 one on the list is because we are actually identifying funds to do the Charrette and are moving  
39 forward with it. We are looking at September to conduct the Charrette and we have received a  
40 preliminary scope of work from Place Makers which staff is reviewing and will provide  
41 recommendations to Mr. Denmark and Mr. Garza. Hopefully funding will come forward for the  
42 plaza and the traffic projects. Representative Steinborn did purse capital outlay funding but

1 unfortunately it was vetoed. As with the budget, if the TIDD Board votes to approve the list of  
2 prioritized projects then we would incorporate it overall into the City's ICIP.

3

4 Board Member Smith said I am supportive of doing the Downtown Charrette and I am willing to pay  
5 the \$70,000 if it is done properly and if that is an appropriate number for that but it does seem like  
6 an exceedingly high number to me. Can you give us a little background on why it would cost  
7 \$70,000.

8

9 Andy Hume said the request is to budget up to \$70,000 from the TIDD. We do not anticipate it  
10 costing that much and as I mentioned, the scope of work is under negotiation. We are trying to  
11 piggyback our September event with the County's September event so hopefully that will get the cost  
12 down a little more.

13

14 Board Member Smith said I can tell you from experience that a well operated charrette is an  
15 extremely valuable tool so I do look forward to that being done well and I also hope we can come  
16 under the \$70,000.

17

18 Brian Denmark, Assistant City Manager said there are really three deliverables that we are expecting  
19 from this process; one is for the consultant to review all of our plans, reports and studies that have  
20 been done over the years as it relates to the Downtown area, and they will conduct the Charrette, and  
21 they will be giving us a report that includes recommendations for the Downtown.

22

23 Board Member Silva said I also questioned the \$70,000 cost for a charrette so it would be nice to  
24 have some cost comparisons of other entity's charrettes. I think before any project is brought before  
25 the TIDD Board we should have some type of cost estimate so we know the perimeters before  
26 moving forward.

27

28 I would like to make an amendment to this list to add the Callecitas to the list.

29

30 Chairman Miyagishima said we can do that amendment when we get to the next item.

31

32 Board Member Smith said regarding the Callecitas, I am behind doing something along those lines;  
33 We do have to be careful, we might not want to be going in saying that this is what the ad-hoc  
34 committee said; we can state that we think it is important but I don't think we can go in and put that  
35 it is one of their priorities.

36

37 Board Member Sorg said there is administrative charges for the City, I believe the City is the fiscal  
38 agent for the TIDD; correct?

39

40 Andy Hume said that is correct.

41

42 Board Member Sorg said there if \$4,627 that goes to administration charges for the County; what  
43 does that money go towards?

1  
2 Karin DeVogel, Accountant said the State charges us an admin fee for collecting the GRT and the  
3 County is charging a percentage for their collection of the GRT, we're charged a percentage and this  
4 is also charged by the TIDD.

5  
6 Board Member Sorg said okay, so the State gets this money.

7  
8 Board Member Garrett said the Charrette is possibly an opportunity to look down the road for the  
9 community as a whole and for this very special place regarding how can we make it better. We are  
10 talking about real change potential and the community's will behind that change and we are talking  
11 about uncertainties that can potentially both effect businesses in the short-term but also have major  
12 potential benefits in the long-term. I want to urge you not to short-change the Charrette as a process  
13 of engaging the community as a whole in this very important discussion.

14  
15 I would like to see if we could get a summary of the opportunities for public education and input to  
16 this date, relative to the TIDD Plan because the TIDD Plan is the basis for these priorities being  
17 recommended; correct?

18  
19 Andy Hume said that is correct. There has been opportunities for public involvement all the way  
20 through the TIDD Plan and even back to the Downtown Revitalization Plan. I think it is important  
21 that we keep the community engaged and we're hoping that the Charrette process will be a further  
22 effort to engage the citizens and keep them involved.

23  
24 Board Member Garrett said I did check with a constituent who is involved with the Downtown  
25 Partnership and it is my understanding that the priorities that are before you are supported by the  
26 Downtown Las Cruces Partnership.

27  
28 Carrie LaTour, Downtown Las Cruces Partnership said yes, this TIDD priority list is what we think  
29 as an organization needs to get done. In addition to turning Church and Water into two-way traffic,  
30 it was discussed to bring Water all the way to Lohman and I wanted to know if this included that or  
31 would it be separate?

32  
33 Brian Denmark said yes, the entire street network is part of the design.

34  
35 Carrie LaTour asked can my organization have access to the report that shows TIDD contributions  
36 by industry so we will know what industries are supporting the TIDD?

37  
38 Chairman Miyagishima said you are welcome to have any record we have that is a public document.

39  
40 Andy Hume said I will work with our Finance Department and see what information does exists and  
41 make sure that it is made available.

42

1 Carrie LaTour said regarding the MOU, the responsibility of the Farmers Market is to ensure that  
2 their merchants are paying into the TIDD and my question is “how do you do that” because as a  
3 former business owner I know that when I filled out my GRT form it went by my home address so  
4 how are they showing that they are making their money in the TIDD?

5

6 Andy Hume said I don’t know the answer to that question but I will research it and get back to you.

7

8 Board Member Silva said each of the vendors should have a business license and they are required  
9 to report. The Farmers Market is going to make it a priority to make sure all the vendors registered  
10 with them have business licenses and are contributing their portion to the TIDD.

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14 Board Member Smith Moved to Un-Suspend the Rules and Board Member Silva Seconded the  
15 motion.

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19 Chairman Miyagishima called for the roll on the Motion to Un-Suspend the Rules and it was  
20 Unanimously APPROVED. 7-0

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24 Chairman Miyagishima called for the roll on the Motion to Approve Resolution No. 13-002 and it  
25 was Unanimously APPROVED. 7-0

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29 3. Resolution No. 13-003: A Resolution Adopting the Prioritized List of TIDD Projects.

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31 Board Member Silva Moved to Approve Resolution No. 13-003 and Board Member Smith Seconded  
32 the motion.

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36 Board Member Silva Moved to Amend Resolution No. 13-003 to add the Callecitas as number four  
37 to the list of priorities and Board Member Smith Seconded the motion.

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41 Chairman Miyagishima called for the roll on the Motion to Amend Resolution No. 13-003 to add  
42 the Callecitas as number four to the list of priorities and it was Unanimously APPROVED. 7-0

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Chairman Miyagishima called for the roll on the Motion to Approve Resolution No. 13-003 as Amended and it was Unanimously APPROVED. 7-0

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**IV. Adjournment**

Board Member Smith Moved to Adjourn and Board Member Thomas Seconded the motion.

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Chairman Miyagishima said all those in favor signify by saying "Aye."

Board stated Aye.

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**Meeting Adjourned at 2:14 p.m.**

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