



Tax Increment Development District

Regular Meeting

April 14, 2014

1:00 P.M.

Council Chambers, City Hall

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 Ceil Levatino, District 6
- 19 Board Member Billy Garrett (County) **Absent**

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

DRAFT

I. Call to Order

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

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

II. Action Item(s)

- 1. Approval of Minutes from January 13, 2014 Regular Meeting.

Board Member Smith Moved to Approve the Minutes of January 13, 2014 and Board Member Silva Seconded the motion.

Chairman Miyagishima called for the roll on the Motion to Approve the Minutes of January 13, 2014 and it was Unanimously APPROVED. 7-0

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2. Resolution No. 14-002: A Resolution Amending the Tax Increment Development District Plan to include a Civic Plaza.

Board Member Smith Moved to Approve Resolution No. 14-002 and Board Member Sorg Seconded the motion.

Andy Hume, Senior Planner gave an overhead presentation and said the current TIDD Plan does not include the Civic Plaza so that prohibits us from spending TIDD funds on constructing the Plaza. The TIDD Board has prioritized the Plaza on their Priority List so this is a resolution to amend the TIDD Plan and add the Plaza to it. If this resolution is approved then it will go before City Council one week from today for their final approval.

Board Member Pedroza asked can you tell me the names of the streets?

Andy Hume said on the west side of the Plaza is Main Street, then there's Church Street, on the south side is Griggs and on the north side would be the reopening of Organ Street.

Board Member Smith said to be clear, this is something that is central to what people want to see happening in Las Cruces and central to what we know needs to happen in our Downtown area. I support this being on our TIDD Plan and I also want to mention that the drawing you are showing us is not a final drawing of the Plaza, it is just an example of it.

Board Member Levatino said we know that the money in the TIDD has been less than we anticipated so how much will it add by adding the Civic Plaza to the Plan?

Andy Hume said the approximate cost of the Plaza is about \$5 million.

Board Member Silva asked can you refresh my memory, what are we doing to Las Cruces and Griggs?

Andy Hume said those streets will need some significant upgrades and there may be some utility work that will need to be done in those areas as well.

Chairman Miyagishima called for the roll on the Motion to Approve Resolution No. 14-002 and it was Unanimously APPROVED. 7-0

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III. Discussion Items.

1. Finance Update

Karin DeVogel, Financial Reporting Analyst gave an overhead presentation and said the amount of your total assets is \$7.1 million and the total actual GRT receipts on a cash basis is \$8.1 million. The original property tax amount for the County was \$4.8 million and the life to date receipts are \$80,000 which is 2% of the estimate and for the City, 30% has been received out of the \$2.5 million that was originally estimated. The property tax receipts are received in two increments so the next one is due in June.

Board Member Smith said so can we assume that when we receive the amount in June that we will be at a higher percentage?

Karin DeVogel said not much higher since the amount coming in will be about \$8,000 for the County and \$4,000 for the City. When they made the original estimate, they assumed a 24 year life so those estimates are based on that amount of time for collection.

2. Civic Plaza Update

Andy Hume, Senior Planner said our first choice of sites selected for the Plaza is the Bank of the West property.

Bob Pohfal, Las Cruces Community Partners said we have reached an agreement with the bank to acquire that property and we have already received the legal documentation which is pending for our next step with the City. Once we decided not to move the Bank of the West to another facility and keep them on site, it simplified the process and we are excited about having the Plaza in this location.

Board Member Pedroza asked is the bank going to keep its tenants and remain as a bank?

Bob Pohfal said yes.

Board Member Smith asked do we have a time frame for finishing this and what will happen with the drive-thru?

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2 Bob Pohfal said they are going to close the drive-thru and they may look at another location for it
3 in the future. Regarding timing, we will need to work with City staff to take the next step and I'm
4 hoping we can put something together in the next 60 days.

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6 Board Member Small said this is very exciting and I appreciate all the work that has been done on
7 it.

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9 Board Member Levatino asked how long will it take to close once you have worked with staff?

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11 Bob Pohfal said I think the closing could happen between two to four months.

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13 Board Member Sorg said I am pleased this is happening and I just want to make sure that there aren't
14 any other buildings being traded; is that correct?

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16 Bob Pohfal said that is correct. There aren't any buildings being traded.

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18 Board Member Silva said the Partnership is purchasing the building, not the City; correct?

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20 Bob Pohfal said that is correct.

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22 Board Member Silva asked will the Plaza part be sold to the City or how will that work?

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24 Bob Pohfal said we are working out the details of that with the City.

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26 Chairman Miyagishima said so the old City Hall is not in play anymore; correct?

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28 Bob Pohfal said that is correct.

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30 Chairman Miyagishima asked have you had to put up any earnest money?

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32 Bob Pohfal said yes, in the next 30 days.

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34 Chairman Miyagishima said I was afraid of that because this could still fall apart. The City needs to
35 know exactly what it is going to cost and we should of had something signed and in place.

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37 Bob Pohfal said we are working on that but we first wanted to make sure that we could have an
38 agreement with the bank and then reach an agreement with the City. The next step will be to meet
39 with Robert and Brian.

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1 Chairman Miyagishima said I still think we should have something signed and some form of earnest
2 money within the next seven days.

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4 Board Member Smith asked what would be a reasonable time frame for the earnest money?

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6 Bob Pohfal said I would like to have at least 30 days.

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8 Board Member Levatino asked is there anything that has been executed?

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10 Bob Pohfal said we haven't signed the documents yet because we wanted to make sure that the TIDD
11 Board was including the Plaza.

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13 Board Member Small said I am comfortable with having a month time frame.

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15 Chairman Miyagishima said just to be clear, we have a sunset clause on this money so we will have
16 a contract signed, sealed, and delivered and have earnest money in 30 days; correct.

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18 Bob Pohfal said yes.

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20 Board Member Pedroza said I am beginning to have some concerns and I'm not sure what type of
21 commitment you are asking from us at this point.

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23 Brian Denmark, Assistant City Manager said there hasn't been a clear decision from the TIDD Board
24 to pursue the Plaza which is why we needed the Board to amend the Plan today to include the Plaza
25 as a project. So up to this point there was a little bit of a risk factor from the Las Cruces Community
26 Partners's point of view but your action today has formalized that so now it will go before the City
27 Council next week for finalization. Also, staff needed the same action to help so we could begin
28 negotiations with Community Partners to establish an agreement between them and the City. This
29 Board doesn't have the authority to commit to building the Plaza. It has authority to give direction
30 to the City Manager's office to negotiate an agreement that would go before City Council for their
31 approval. This is really a timing issue but I think we can get there in a 30 day time period. We can
32 also do a Special Meeting with the Board for an update on this item.

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34 Chairman Miyagishima said we will set up a Special TIDD Board Meeting on May 12th.

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36 Bob Pohfal said that will be fine.

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1 3. Other Items of Interest

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3 There were no other items of interest.

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7 **IV. Adjournment**

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9 Board Member Smith Moved to Adjourn and Board Member Small Seconded the motion.

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

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15 Board stated Aye.

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19 **Meeting Adjourned at 1:49 p.m.**

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