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Thinking Ahead

I was appointed to the Los Alamos County Council (Los Alamos is both a county and a municipality) in July 2011 and didn't run for election until November 2014, so I spent more than three years in office before I had to “sell” myself to the public. There is a certain advantage of running for office first, and then actually performing on the job. You can, in all honesty, make pledges and have a perspective that sometimes (if not always) are moderated or even refuted once you start on the job. There is also an advantage, as well as disadvantage, of performing first. One major advantage (or disadvantage) is that you can run on your record. Another advantage is that one can often give more educated and thoughtful answers, informed by experience, to certain “boilerplate” questions. One question that came up in my first election campaign was “what do you see as my major responsibilities?”

Turns out that this is a question that anyone, doing any job, has to answer pretty early in their tenure, so I had a ready answer: “Keeping the train running safely and on time, communication with the community, and strategic thinking.” By keeping the train running, of course I mean the operational issues of local government, keeping an eye on all the services and operations that local government perform on a day-to-day basis. I hope to devote another column about communication, but let me concentrate the rest of this column on strategic thinking.

It is a fact of life that most citizens are too busy to spend much energy on local government unless something goes wrong. I was the same: I had a job, family, house stuff to keep up with. I left it to the elected officials and staff to deal with the problems I had chosen them to address. Even more remote to me was to think strategically about the community, such as land use, emerging retail trends, tax policy lobbying to our friends in the legislature, etc. However, once I got on Council, I realized that if I didn’t do this strategic thinking, who else was supposed to?

Land use, tax policy, business trends are big issues that affect municipalities. However, sometimes there are seemingly minor items that we should keep an eye on and think about their long-term implications. One example is certain to have a big impact on municipalities, my second example is a fun one, but who knows if it will take off or not.

There is a new cellphone technology, called 5G, that is predicted to change communications dramatically. It will be an extremely high-speed network (faster than current cellphones and comparable or faster than cable) based on having a dense network of small antennas, some of them placed on streetlight or utility posts. With antennas, the issue of digging trenches for placing conduit goes away, and it may be the case that high-speed internet will become more available in more communities, at least if the customers are densely located. Los Alamos has been grappling with poor, and monopolized, internet service. Could 5G be the technology that creates real competition? What would that mean in terms of job development, visual impact of antennas where you don’t want them, etc.? Tough questions, but this will be something that I am sure we will all be discussing in the next few years.

The second example is electric scooters. Here is another possibly disruptive technology based on internet-connected scooters that you just pick up wherever it was last dropped off, reserve it via an app in your phone and off you go at up to 10 miles per hour. I tried it during a recent trip to San Diego and it was fun!

Currently, few municipalities in NM have any control over this activity, and some city officials have woken up to hundreds of these scooters on their streets overnight. Will they impact sidewalk accessibility? What are the general traffic safety, business impact and policing issues? Even if your community may not be ready for this new mode of transportation, it is probably worthwhile to do a little research and help develop some uniform ordinances that we can implement quickly.

What are the other technologies or trends over the horizon that may have a strategic impact on our communities? Good question, isn’t it...
New Mexico Municipal League Executive Director William Fulginiti has been re-elected as Vice Chairman of the New Mexico Water Trust Board at the May 8 meeting.

The Water Trust Board, under the aegis of the New Mexico Finance Authority, is a diverse 16-member Board that recommends to the Legislature projects to be funded through the Water Project Fund. Under the Water Project Financing Act of 2001, the Board recommends to the Legislature funding within five project categories: 1) water conservation or re-use; 2) flood prevention; 3) endangered species act (ESA) collaborative efforts; 4) water storage, conveyance and delivery infrastructure improvements; and 5) watershed restoration and management initiatives.

In FY 2018, the Finance Authority closed 3 funding agreements totaling $4,415,442 from the 2015 and 2016 funding cycle awards. These awards were a combination of grants and loans, based upon the financial capacity of the applicants. Qualified entities seeking funding for water projects from the Water Trust Board must submit an application each year even if the project has previously received legislative authorization.

Funding from the Board is considered pursuant to comprehensive Project Management Policies adopted by the Board in November 2007 and revised in September 2010 as well as the Board Rules and Regulations.
CITY WINS PRESTIGIOUS TELLY AWARDS

The City of Las Cruces has won five Telly Awards, the premier award honoring video and television productions across all screens.

The City received a Gold Telly Award in cinematography for the promotional video, “Slot Canyon,” won by Karla Walton, communications specialist with Visit Las Cruces.

Also, two Silver Telly Awards went to the City. Adri- an Guzman, media operations & production specialist, won in the directing category for the video “Las Cruces Police Department Lip Sync Challenge.” Dominic Aragon, media production specialist, won in the art direction category for the informational video, “On Street Parking in the Downtown.”

The City also received two Bronze Telly Awards. Aragon won a Bronze for in the public interest/awareness category for “On Street Parking in the Downtown,” and Guzman and Jennifer Martinez, media production specialist senior, won a Bronze for the video public service announcement “Patience During Progress.” All three are with the City’s Public Information Office. View all the winning videos here: https://vimeo.com/showcase/6007469

Walton, Guzman, Aragon and Martinez were selected as Telly Award winners out of more than 12,000 entries from all 50 states and five continents. Telly Award winners represent work from some of the most respected advertising agencies, television stations, production companies and publishers from around the world.

“The City of Las Cruces is fortunate to have such creative and talented associates who use their skills to help inform and educate the community about the many important projects and activities municipal government is involved in,” said Mayor Ken Miyagishimi.

All four are past Telly Award winners. Guzman, Aragon and Martinez have also won Emmy Awards, which represent excellence in television and emerging media, and are winners of the National Association of Telecommunications Officers and Advisors (NATOA), Government Programming Awards for excellence in broadcast, cable, multimedia and electronic programming produced by local government agencies. Aragon has won Pixie Awards for motion graphics, effects and animation.

In addition to Telly Awards, Walton has won a Top Hat award, the premier award of the travel, tourism, and lodging industry in New Mexico. She has been nominated for an Emmy and nominated for the National Association of Hispanic Journalists’ medal of excellence in journalism.

DEMING CITY COUNCIL APPROVES RECOMMENDATION OF CAPT. VALDESPINO AS DEMING POLICE CHIEF

City Council approved the mayor's recommendation of Captain Alex Valdespino as Deming's new Police Chief during Monday's regular meeting in the Council Chambers of the John Strand Municipal Building, 309 S. Gold St. Read more here
NMML UPDATES

SUBSECTION DUES RENEWALS!

It’s that time again, dues renewals will be sent at the end of this month for the new fiscal year. If you are not a Subsection member and would like to be, you can access membership applications on our website: https://nmml.org/ click on the subsections tab and choose from the selection.

NMML needs to Communicate with YOU!
To ensure that you receive any and all communications from the NMML, make sure that the following are added to your whitelists or safelists:

info@nmml.org
@listserve.com
@nmml.org

If you are not sure how to add these to your whitelist or safelist, contact your IT Staff.
SAVE THE DATE!
21st Annual NM Fire Service Conference • September 26 - 29, 2019
Ruidoso Convention Center

The 2019 New Mexico Fire Service Conference will provide you with important and valuable information. Sessions will include an update from the EMS Bureau (providing CE’s), The Yellow Rose Campaign, concurrent workshops presented by NM Counties Wildland Urban Fire Summit Planning Committee and much more. The Conference kicks off with the Golf Tournament on Thursday, September 26th and the Exhibit hall will showcase the latest in fire service apparatus and equipment. Be on the lookout for Conference notification in the next few weeks. Your attendance and participation helped make last year’s 20th Anniversary Conference a great success, let’s continue the stride.

CONFERENCE SCHOLARSHIP INFORMATION

There are two scholarships available for this conference:

- Linda Gaume Jaramillo Memorial Scholarship  This scholarship is for the NM Fire Service Conference registration fee.

- Curtis Family New Mexico Scholarship  This scholarship can be used for this conference registration fee, hotel and travel for this conference as well as other trainings and conferences.

LOUIS JONES MEMORIAL SCHOLARSHIP INFORMATION

The Louis Jones Memorial Scholarship is available for the child or grandchild of an active member, associate member, or active life member of the New Mexico Fire Chiefs Association.

NMFCA COMMUNICATIONS

The NMML offers a list serve specific to the NM Fire Chiefs Association. Legislative updates, NM Fire Service Conference notification, meeting notices, as well as other information will be sent to you through this list serve. If you are already receiving communication from the NMML you will be included in this list serve. For more information contact Jackie at the NMML: jportillo@nmml.org or 800-432-2036 ext. 518.
TO: MAYORS, GOVERNING BODY AND MUNICIPAL JUDGES
FROM: William F. Fulginiti, Executive Director
SUBJECT: 2019 NOMINATIONS FOR NEW MEXICO MUNICIPAL LEAGUE OFFICERS AND BOARD OF DIRECTORS
DATE: May 24, 2019

**NMML NOMINATING PROCEDURE**

NMML Officer and Board positions open for nomination and election:

- PRESIDENT-ELECT
- VICE-PRESIDENT
- TREASURER
- THREE DIRECTORS-AT-LARGE – 2 YEAR TERM

Following is the timeline for actions and dates pertaining to the nominating procedure for NMML officers and directors:

**JUNE 25TH** Letter of nomination or letter declaring candidacy for office or at-large directorship must be received at the NMML Office.

**JUNE 26TH** In absence of any declaration of candidacy for a particular office or at-large directorship, the League President shall appoint a Nominating Committee and notice shall be given to all member municipalities.

**JULY 1ST** A Report of Declared Candidates shall be sent by NMML to all members.

**JULY 19TH** When necessary, the Nominating Committee meets to recommend a candidate for any undeclared office or at-large directorship.

**JULY 24TH** Nominating Committee Report sent to member municipalities – if Nominating Committee meets.

**AUGUST 29TH** Election of officers and at-large directors. Nominations from the floor at the Annual Business Meeting at the NMML Annual Conference may be made by any certified voting delegate in attendance for any office or directorship to be filled.
NOTE: For specific details of the Nominating Procedure, please refer to the NMML By-Laws available on the NMML’s website at www.nmml.org.

Any official of a member municipality in good standing may nominate any elected official, or any elected official may declare his or her candidacy, for any office or directorship to be filled. All declared candidates will be placed on the ballot for election at the Annual Business Meeting.

Sections of the Municipal League By-Laws relating to Officers and Board Members are:

**ARTICLE III. OFFICERS – SECTION 1 A-D.**

A. Each officer shall be an elected official of a member municipality in good standing with the exception of the office of Executive Secretary.

B. There shall be only one (1) officer from any one member municipality.

C. The officers shall be elected each year at the regular annual conference, except, however, that the office of Executive Secretary shall be assumed by the Executive Director of the League.

D. The officers shall assume office October 1st and serve until September 30th or until their respective successors are elected and take office.

**ARTICLE III. OFFICERS – SECTION 10.**

The President-Elect shall automatically assume the office of President on October 1 for the ensuing year.

**ARTICLE IV. BOARD OF DIRECTORS – SECTION 1 B. AND C.2.**

B. Limitation: There shall be only one (1) Director from any one (1) member municipality. For the purpose of this limitation the term Director does not include Officers of the League, Chair of the New Mexico Self-Insurer’s Fund, Past Presidents of the League, or the Presidents of the New Mexico City Management Association, the New Mexico Municipal Clerks’ and Finance Officers’ Association, the New Mexico Municipal Police Chiefs’ Association or the New Mexico Municipal Judges’ Association. No other subsections shall be directly represented on the League Board of Directors. No person can hold more than one position on the Board.

C.2 Directors-at-Large shall be elected for two-year (2) terms with three (3) Directors-at-Large to be elected at each annual conference, and hold their office from October 1 – September 30, or until their respective successors have been elected and take office.

Please address your written nominations or declarations of candidacy directly to the League office, in care of President David Izraellevitz. Nominations must be received at the League office no later than Tuesday, June 25th. Letters may be mailed, faxed, emailed or hand-delivered.

For any questions about the process, contact Regina Romero at the League Office.
YOUR ON-LINE PRESENCE: IS IT ADA COMPLIANT?

By Randy Van Vleck, League General Counsel

The Americans with Disabilities Act (“ADA”) was first passed in 1990. Since then, it has undergone many changes, the most significant being ushered in with the America with Disabilities Amendments Act in 2008. The ADA prohibits discrimination against people with disabilities in several areas, including employment, transportation, public accommodations, communications and access to state and local government’ programs and services. Title II of the act prohibits public entities including colleges, universities and governmental entities from excluding or denying the benefit of their programs, goods or services to people with disabilities. Public accommodations in the form of web access was not even considered by Congress in 1980 when the ADA was passed or in 2008 when the Amendments Act was passed. Yet in 2016, the U.S. Department of Justice initiated an investigation of the University of California Berkeley based on a complaint alleging that UC Berkeley’s free, publically available online content was inaccessible to individuals who are deaf or hard of hearing. In a letter to the University dated August 30, 2016, the DOJ outlined its issues with the accessibility of the University’s online content.

The Issue:

The DOJ reviewed 16 classes available to the public and offered by the University. None of the courses reviewed were entirely accessible. For each course reviewed, it would be difficult for an individual with a hearing, vision, or manual disability to understand the content conveyed to course participants. The DOJ listed several barriers to accessibility:

1. Some videos did not have captions. As a result, the audio content in the video was inaccessible to people with hearing disabilities.

2. Some videos were inaccessible to people with vision disabilities for several reasons. First, many videos did not provide an alternative way to access images or visual information (e.g., graphs, charts, animations, or urls on slides), such as audio description, alternative text, PDF files, or Word documents. Second, videos containing text sometimes had poor color contrast, which made the text unreadable for those with low vision. Finally, information was sometimes conveyed using color alone (for instance, a chart or graph would differentiate information only by color), which is not accessible to individuals with vision disabilities.

3. Many documents were inaccessible to individuals with vision disabilities who use screen readers because the document was not formatted properly. For instance, headings were sometimes neither defined nor arranged in a logical order; page structure was not always defined, contained empty elements or was incorrectly defined; some tables did not have row and column headers defined; math equations were not always defined in a comprehensible way. Many PDFs
either did not have a tag structure defined or the tag structure was incorrect. Individuals with vision disabilities who use screen readers would have a difficult time understanding and navigating the content.

4. Some links were not keyboard accessible and did not indicate whether they were expandable or collapsible, so individuals with vision disabilities who use screen readers may not understand the purpose of the links and individuals with manual disabilities would not be able to use the links.

5. Websites and materials that were integrated into the course material were not fully accessible. ¹

The DOJ concluded that:

“UC Berkeley is required to take appropriate steps to ensure that communications with individuals with disabilities are as effective as communications with others. 28 C.F.R. § 35.160(a)(1). UC Berkeley is also required to furnish appropriate auxiliary aids and services where necessary to afford qualified individuals with disabilities an equal opportunity to participate in, and enjoy the benefits of its services programs, or activities. 28 C.F.R. § 35.160(b)(1).”²

The Dilemma:

There are currently no federal regulations to give businesses or governments a check list of what they must do to make their websites ADA accessible. One of the recommendations of the DOJ was to Develop and implement procedures to ensure that on-line courses conform to the Web Content Accessibility Guidelines WCAG 2.0 AA technical standards to the extent necessary so that individuals with vision, hearing and manual disabilities can acquire the same information, engage in the same interactions, and enjoy the same services as individuals without disabilities with substantially equivalent ease of use. These guidelines were developed in cooperation with individuals and organizations around the world, with a goal of providing a single shared standard for web content accessibility that meets the needs of individuals, organizations, and governments internationally.³ These guidelines are now widely accepted as the standard for website accessibility. In order to meet these guidelines, a website must be:

**Perceivable:** Information must be available in vehicles that can be perceived by users. For example, a site must have text alternatives for non-text information, and captions or other alternatives for oral or verbal content.

**Operable:** The website cannot require inputs that a user cannot perform. One key element here is that navigation through the site must be able to be accomplished through a keyboard.

**Understandable:** Operations must be user-friendly and provide for the ability to correct mistakes.

**Robust:** The content of the site must be able to be interpreted reliably by user tools. It must be compatible with both current and future technologies.⁴

The scrutiny of the DOJ over UC Berkeley’s on-line content should give other governmental entities something to think about. Level A compliance requires providing captioned media and text alternatives for non-text content, providing text alternatives for non-text content, providing an alternative to video-only and audio-only content, providing captions for videos with audio, providing a logical structure to the website and presenting content in a meaningful order using more than one sense (sight, hearing, etc.) for instructions being accessed by keyboard only.⁵

Level AA compliance requires captions for all live audio content in synchronized media. In more simplified form these requirements are:

- Content must be coded for audio translation by screen-reader software.
- There must be on-screen captions in videos for screen-reader software to read to the blind and descriptions for the deaf.
- Sites must include accessible drop-down menus for those who use a keyboard as an alternative to a mouse.

What do we do Next?

Be Aware:

The current focus appears to be on the public sector where a similar section of the ADA applies. Title III (of the ADA) requires private sector businesses that serve as “places of public accommodation” to remove

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¹ August 30, 2016 letter from Rebecca B. Bond to Chancellor Nicholas B. Dirks
² Id.
³ Web Accessibility Initiative: https://www.w3.org/WAI/standards-guidelines/wcag/
⁴ https://www.w3.org/TR/WCAG20/#guidelines
⁵ Websites and the ADA By: Joy Dickinson, Quality Cities January/February 2019

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Centered in the Mesilla Valley on the floodplain of the Rio Grande, surrounded by the Organ Mountains-Desert Peaks National Monument, Potrillo Mountains and Doña Ana Mountains lies New Mexico’s 2nd largest city, Las Cruces. The community welcomes an average of 350 days of sunshine, and now possibly a whole host of new visitors as the city has recently been named (in the top three) by MONEY as one of the best places to go in the U.S in 2019. Las Cruces has been the recipient of several recent accolades: One of the best retirement communities in the U.S. by TopRetirements.com, the best run city in New Mexico in both 2017 & 2018 by WalletHub.com and 6th & 11th in the nation in 2017 & 2018 respectively. Las Cruces has also been named by WalletHub as the happiest city in New Mexico in 2018. And when visitors do travel here, they can feel more at ease on our streets, knowing that Insurify named Las Cruces as the safest city in New Mexico just last year after analyzing more than 1.5 million auto insurance applications that indicated the driving history of applicants.

Las Cruces continues to grow and aims to attract people of all ages. As one of the top retirement communities in the U.S., the city has several programs and facilities that cater to seniors including a handful of community centers, which have weekday meal programs, monthly dances, and games and crafts to entertain older folks. For the college-bound young adult, New Mexico State University offers nearly 100 bachelor’s degrees, and almost 50 master’s programs, including those in business, engineering and education. The University is also a wonderful source of entertainment with Division 1 athletics. School-aged students have a variety of after school programs and camps to choose from and several sports-related opportunities offered by the City’s Parks & Recreation Department, the public schools and private club teams. The City also currently maintains more than 100 parks for residents
and visitors to enjoy. One newer park is the Metro Verde Park with a Splash Pad on the East Mesa, and one of the biggest parks is Young Park located in the center of Las Cruces, with a fishing pond, pavilions, and a new inclusive playground for children of all abilities.

This past year, one of the parks that received national attention is Veterans Memorial Park. The City’s Parks & Recreation Department worked closely with the United Military Women of the Southwest to create and dedicate a Women’s Veterans Monument. There are only a handful of monuments in the U.S. that feature women in the military. This monument includes six life-size bronze statues that represent Army, Marine, Navy, Air Force, Coast Guard and Army National Guard women from World War I, World War II, Korea, Vietnam, the Cold War and current eras.

Las Cruces is also recognized nationally for the Las Cruces Country Music Festival. The Visit Las Cruces team carefully plan the event that grows larger and larger each year. Katie Cook, host of CMT’s Hot 20 Countdown touted the Music Festival as one that should be attended. She said, “This is absolutely a festival that people need to come to. We’ve covered festivals of all sizes, some smaller than this and then absolutely massive ones - for me it’s all about the quality of the music, and the vibe of the people and this is just the perfect vibe here.” This past year, our festival was nominated for event of the year by the

"...For me it’s all about the quality of the music, and the vibe of the people and this is just the perfect vibe here.”

Above left: Broken Spoke Tap house opens at the end of March and within days of opening, is filled with patrons. Middle: Rio Grande Theatre lighting up the Downtown with its signage. The Rio Grande Theatre displays movies for kids, adults, and well as special performances and musical acts. Left: Country Music star Randy Houser performs in front of concert goers during the Las Cruces Country Music Festival in Fall of 2018.
Rocky Mountain Country Music Awards. This year marks the 7th anniversary of the Las Cruces Country Music Festival. Previous festival performers included classic acts like Dwight Yoakam, Sawyer Brown, Kenny Rogers, Travis Tritt, as well as rising star artists such as Dustin Lynch, the Swon Brothers, Frankie Ballard, Randy Houser, Eli Young Band, Kacey Musgraves and homegrown Bri Bagwell.

The Country Music Festival moved away from Downtown Las Cruces to the sports complex on Hadley Avenue following its April 2017 event, right about the same time the Plaza de Las Cruces was nearing completion. The Plaza was imagined over 20 years ago as part of a Downtown revitalization project. The idea of the "gathering place" was brought to life through ideas collected by City government associates and residents with a series of design charrettes and a wonderful working relationship with the Downtown Las Cruces Partnership (DLCP).

The City had been working with DLCP and the State of New Mexico for 10 years to create an economically vibrant downtown. The non-profit organization has been instrumental in bringing back life to Downtown. Within the past few years, the Plaza de Las Cruces blossomed with new businesses (like Little Toad Creek Brewery & Distillery and Zia Comics), events and festivals that draw more people to Downtown Main Street. Main Street, including the adjacent Plaza is home to a world-class Farmers and Crafts Market featuring only locally grown food or locally-crafted handmade goods. An interactive water and light feature on Plaza appeals to children as it cools them in the hot summer sun but also stuns adults as water dances in the light. The Rio Grande Theatre hosts movies and special performances for all ages.

The City has been working for the past two years to make the Downtown a place to “come to” and not “pass through.” One way that is helping keep traffic Downtown is the two-way conversion project that has

Above right: Little Toad Creek Brewery and Distillery on a warm Friday evening in Late March 2019. Zia Comics located next door. Middle: Metro Verde is one of Las Cruces’ newest parks. It lies on the City’s East Mesa and includes a splash pad feature.
only recently been brought to fruition. Construction crews have worked from June of 2017 to this spring to transform the outer perimeter of the Downtown from one-way streets to traffic-calming two-way lanes. The Downtown transformation also includes a new City-owned building called the Amador Entertainment Complex that houses the Visit Las Cruces Welcome Center (Convention and Visitors Bureau), the Broken Spoke Tap House, the Amador Patio Bar and Grill, Jax Lounge, and the 575 Martini Bar.

Existing businesses and businesses interested in locating Downtown can take advantage of the Reno-vate Main Street Program. Qualifying for profit restaurants, retail, and entertainment-based businesses that make improvements to their building, inside or out, can receive a match of up to $25,000 from the City. This pilot program began in calendar year 2018.
and was renewed by City Council if funding remains available.

The program began with $250,000 and so far, a couple of businesses have completed their improvement projects and a couple others have a 180-day timeframe in which to complete their improvements to receive the City’s matching dollars.

The Amador Complex is an example of the City’s public/private partnerships that are working well. Previously, the City built the Las Cruces Convention Center along University Avenue and has within the past year began adding on to its west end with the hopes of attracting larger groups wishing to hold their events in Las Cruces. A new hotel next door to the Convention Center was envisioned several years ago and is now nearly ready for rooms to be booked. In both the Amador Complex and the Convention Center – the City has hired outside entities to manage and maintain the venues and add to the job market in Las Cruces.

One can’t leave Las Cruces without a feel for the Hispanic culture, with traditional Mexican restaurants, adobe style homes, or the music of Mariachi. The City offers an open invitation to the Railroad, Art, and Nature & Science museums in addition to the Branigan Cultural Center to give travelers a deeper look at what Las Cruces is and was. The warmth of the desert is attractive to hikers both young and old and with so many outdoor adventures, experiences and year-round golf courses, Las Cruces is surely a place people will want to return to. The cost of living adds to the allure of the City of Crosses. The city was recently featured in an article in Where to Retire Magazine. The November/December 2018 issue advertised the city as low-cost and budget friendly, leaving many retirees on a budget to feel they are getting more for their money and oh yes, the spectacular sunsets are free.

Above right: Visit Las Cruces – The Las Cruces Convention and Visitors Bureau (Visit Las Cruces) has a new home on Main Street. Middle right: 575 – The 575 Martini Bar lies in between Amador Patio Bar and Grill and Visit Las Cruces. Bottom right – A new Courtyard by Marriott Hotel is being constructed in Mid - April on University Avenue, next door to the Las Cruces Convention Center.
New Mexico Gas Company takes pride in supporting communities across our state.

Just take a look at the natural gas utility’s efforts to promote economic development across New Mexico.

With a $5 million economic development fund from parent company Emera Inc., New Mexico Gas is in the third year of a five-year plan where $3.5 million in economic development awards has gone to a range of organizations.

Most recently, NMGC awarded a $40,000 grant in February to the New Mexico Economic Development Department in support of New Mexico MainStreet, which seeks to revitalize downtown areas statewide.

“New Mexico Gas Company’s support for MainStreet projects is helping bring economic activity to rural communities,” said Economic Development Secretary Alicia J. Keyes. “New Mexico MainStreet has a strong track record of creating positive economic outcomes in downtown districts through catalytic projects such as placemaking, façade improvements and small business support.”

MainStreet officials have designated $15,000 for façade improvements. Artesia MainStreet, the Downtown Las Cruces Partnership and Raton MainStreet each received $5,000.

The Façade Squad Initiative allows MainStreet organizations to make high-impact visible improvements to promote higher economic performance of businesses and the overall area. Each project is focused on three contiguous buildings in the respective downtown districts.

The remaining $25,000 was earmarked for creative placemaking projects, which transform vacant or underutilized public areas into vibrant and functional spaces for residents to gather and celebrate.

The funds were distributed to Barelas MainStreet in Albuquerque, Clovis MainStreet and MainStreet de Las Vegas.

The Barelas project received $7,000 to help businesses renew and beautify the streetscape along Fourth Street.
Street. Among the targeted businesses is the Red Ball Café, a historic establishment that dates to 1922.

The Clovis project received $10,000 and involves an art project where community members -- as well as visitors to the New Mexico Association of Counties conference in June -- can paint windmill sails and blades that will be displayed to create a whimsical experience.

The Las Vegas project received $8,000 for a Memory Wall, a 60-foot mosaic involving repurposed materials such as broken ceramics, tiles, silverware and china. It will reflect the creativity of local artists, organizations, schools and individuals.

“Great public spaces have many real and measurable economic benefits,” said New Mexico MainStreet Co-Director Daniel Gutierrez. “New Mexico Gas has been a very valuable partner in supporting these efforts and making our downtowns great places to live and grow businesses.”

When it purchased New Mexico Gas Company in July 2016, Emera agreed to a request by the New Mexico Public Regulation Commission to provide the $5 million economic development fund. Emera is based in Halifax, Nova Scotia, and has assets in Canada, the United States and the Caribbean.

The economic development program is funded at Emera shareholder expense, which means NMGC customers will never see any rate increase because of contributions to New Mexico groups.

“For the past three years, we have distributed economic development awards to organizations across New Mexico that we believe will promote business growth and benefit our state,” NMGC President Ryan Shell said. “Our objective is simple. We want to help New Mexico communities and businesses thrive.”

NMGC is the largest natural gas distribution utility in New Mexico, serving 527,000 customers in 27 of the state’s 33 counties and maintaining customer walk-in offices in 22 communities.

During the 2019 calendar year, Emera and NMGC are supporting 28 statewide programs at a cost of just over $1 million. With two years remaining, about $1.5 million in funding is available.

Awards have been made to innovation organizations and economic development groups across New Mexico, even in locations like Las Cruces, Las Vegas and Raton where New Mexico Gas Company is not the natural gas service provider.

Contributions went to programs at the state’s research institutions -- the University of New Mexico, New Mexico State University and New Mexico Tech -- to promote technology transfer into the private sector.

“Emera and New Mexico Gas Company are committed to making our state a better place to live and do business,” Shell said. “We understand that sometimes it takes a catalyst to spur confidence and investments from others, and that’s one of the biggest reasons for the Emera economic development fund.”

New Mexico Economic Development Secretary Alicia J. Keyes (left) is shown with New Mexico Gas Company’s Mary Homan and Tom Domme during a check presentation ceremony in Santa Fe in February.
One-week course invites a deep dive into economic development

Do you care about advancing the economy of your community and state? If so, you should consider taking the New Mexico Basic Economic Development Course.

The economic development field is rapidly changing and increasing in complexity. The New Mexico Basic Economic Development Course is designed to help community leaders understand legacy economic development approaches and become current with new program initiatives and best practices.

Held on the campus of Western New Mexico University in Silver City, NM, from July 21-25, this course is one of several offered by the New Mexico-based International Academy for Economic Development that prepares students for professional certification by the International Economic Development Council.

Karen Baehr attended the course in 2018 as a former educator with a curiosity for how economic development intersects with education. Now, she is a core contributor to several frontline solutions for economic development programming.

After a career in education and systems design, I knew that economic development and education were inextricably linked,” Baehr said. “The challenge I faced was trying to figure out how these two important community elements work together. I learned of the Basic Economic Development Course surfing the internet and I was thrilled to discover that this course is offered in New Mexico by professionals from New Mexico. A bonus was that it takes place in Silver City, a place I had long wanted to visit.”

The course covers the core components of economic development, including business retention and expansion, recruitment, workforce development, real estate, finance, marketing, and ethics, said Baehr. “What I liked also was that the participants worked in teams to apply the concepts in developing a plan for one of three counties in New Mexico. I learned so much about the state and how business development actually works and how education intersects into this picture.”

Baehr continued: “With all the moving pieces and challenges involved, it can be hard to get a grasp of economic development as a whole and organize it. The course helped me organize my thinking into an ordered system that covers all aspects of economic development and gave me hands-on experience with what it means to manage the economic development of a community.”

The Basic Economic Development Course covers the fundamental building blocks of an economic development strategy. Beyond that, students are exposed to a powerful and much-needed framework and method-
ology for planning and managing the complexity of an economic development program.

Participants at the annual seminar will learn a full spectrum of approaches to practicing economic development, including new and changing dynamics of the profession through a curriculum taught by experts who represent tens of thousands of hours of field experience. They can then apply this knowledge to real-life problems from existing communities through an immersive case study.

Since last year, the case study has been updated to give students practical experience in what it takes to manage a local economic development program. The case study involves identifying what it would take to reach full employment, what program areas could be activated and how to organize the factors of production to enable the community to reach its goals on a schedule. Leaders from each of the three case-study communities assist in case development and are invited to inform participants on current conditions, challenges and opportunities to consider.

Baehr described the course as enlightening, practical and well-structured. “I enjoyed a fascinating week learning about how the economic development world works and interacting with individuals from all over the state—from cities to tribes and rural areas. In just a week I was able to work with and get to know some of the most experienced and influential people in the economic development profession. As an educator, I can attest that this course was a well-structured learning opportunity. Combining the learning lab aspect of the case study with expert lectures was a very effective way to convey an immense amount of relevant material. By the end it was obvious to me that we are very fortunate to have this class take place in New Mexico.”

The course is ideal for current or aspiring economic development practitioners, local and tribal government officials, financial institutions, chambers of commerce, public utility professionals, workforce developers, real estate professionals and others who are interested in creating jobs and improving their economies.

The $500 fee ($600 for out-of-state attendees) covers registration, books and course materials. An event fee of $200 covers all scheduled meals, field trips, and the welcoming reception. A dorm room for the five-day workshop costs $170, or participants can stay at a local hotel. Rural scholarships are available by calling 505-710-7172. Three hours of undergraduate credit are available to course participants for $150. Because enrollment is limited to 45, people are urged to register by July 9. Visit www.iaecondev.org/registration to register.

Finance New Mexico partners with the New Mexico Municipal League on the Grow It! project and other economic development initiatives. To learn more, go to www.FinanceNewMexico.org and www.GrowItNM.org.
We wouldn’t correct you if you called us “financial superheroes” because the Office of the State Auditor is at the forefront in protecting New Mexicans against fraud, waste, and abuse. The OSA serves as the state’s “financial watchdog” and protector of taxpayer dollars. How do we do this? We’ve been tasked by our state constitution to oversee the audit process of the approximately 1,000 governmental agencies. This includes 106 municipalities statewide, ensuring every village, town, and city meets its financial reporting obligations. Every agency we audit has a financial story to tell that illustrates its goals and intentions, but often the story is difficult to interpret by numbers alone. The OSA, through its oversight process, helps communicate that story. More often than not the story is well written and the ending is fine, but occasionally there are twists and turns fit for the silver screen. Still, there exist many questions as to what exactly the OSA does – most commonly: what does the OSA audit and how can I help?

The mission of the OSA is to hold local and state government accountable in its use of public funds. It’s best to start with the basics. Pursuant to the New Mexico Audit Act and the 2019 Audit Rule, every government agency in New Mexico that receives or expends public funds is required to account for that money daily and submit a report to the OSA annually. Typically this is done through an audit or though other review options applicable for smaller agencies and local public bodies. An audit consists of a thorough examination of the financial accounts and transactions of an entity conducted by an independent public accountant. Essentially, it’s an independent objective evaluation of an agency’s financial reports by an auditor. What is of particular importance is the OSA has the authority, granted by state law, to conduct both financial and special audits. This authority allows the OSA a unique organizational operating opportunity and when you delve into the structure of the OSA you can see how each of the five divisions that comprise the OSA offer ways to protect through accountability, transparency, and excellence.

The OSA is comprised of five divisions: Financial Audit, Regulation and Compliance, Administrative, Special Investigations Division (SID), and the Government Accountability Office (GAO). The Financial Audit Division performs financial compliance audits and performs a number of functions that uphold OSA’s...
regulatory responsibility. The Regulation and Compliance Division assists with components of the tier system reporting, firm profile management, and contracting. The Administrative Division consists of Information Technology, budget and finance, and human resources. The SID performs special audits and examinations, performance audits, forensic audits and evaluates allegations of governmental fraud, waste, and abuse. The GAO is focused on bringing transparency and accountability to the agencies that receive and spend public money with the important task of translating information and data collected to stakeholders statewide and beyond in an accessible and comprehensible manner. One substantial benefit to the public produced by the GAO are its Risk Advisories. These are published reports shared with stakeholders, including the general public, concerning risks the OSA has discovered relating to potential fraud schemes that could negatively impact New Mexicans.

Above all else, the OSA is committed to bringing accountability, transparency, and excellence to the taxpayers of New Mexico. Our best work comes from the cooperation with our stakeholders and individuals like you who work in the trenches every single day. This highlights why it’s so important we cultivate a culture of partnership. We can’t be “financial superheroes” without our most trusted sidekicks – YOU! If you suspect an issue of waste, fraud, or abuse, report it to our office. Reports may be made anonymously through the OSA Hotline at https://www.saonm.org by submitting a complaint through the online portal or by calling 1-866-OSA-FRAUD (1-866-672-3728). You may also speak to an OSA investigator by calling OSA’s direct line 505-476-3800.
Join us as we host hundreds of the world’s ambitious collegiate rocketeers at the third annual Spaceport America Cup **June 18-22, 2019**. The event brought to you by the Experimental Sounding Rocket Association and the Spaceport America Crew, is the world’s largest intercollegiate rocket engineering conference and competition.

The Spaceport America Cup will kick off on June 18th with the Spaceport America Cup Conference at the Las Cruces Convention Center in Las Cruces, NM. Spectators are invited to see the rockets displayed and interact with the rocket teams. The event is FREE.

June 19th will be flight preparation day where teams will have the entire day to assemble their rockets in the field and test components while being judged. (NOT OPEN TO THE PUBLIC)

Teams will be launching and recovering rockets June 20-22 at the Spaceport America Vertical Launch Area. (OPEN TO THE PUBLIC) Gates open: 8 am- 4 pm. If you are planning to attend as a spectator, you must purchase a spectator pass.

**Spectators may purchase tickets at:**
https://www.spaceportamericacup.com/buy-your-ticket.html

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Brought to you by the Experimental Sounding Rocket Association and the Spaceport America Crew.
EMPLOYERS ADJUST TO SALARY-HISTORY BANS

LAWS FORBIDDING QUESTIONS ABOUT PAST PAY ARE SPREADING ACROSS THE U.S.

By Joanne Sammer

The number of states and cities banning employers from asking job seekers to reveal their salary history is growing so fast that two states, Michigan and Wisconsin, have reacted by passing a ban against such bans.

Those moves are bucking a much broader trend, however, as 15 states and several localities now have some form of prohibition against salary-history questions.

For HR professionals and hiring managers, this growing patchwork of laws requires vigilance and training so that everyone involved knows what they can and cannot ask a job candidate.

Now that it's increasingly common for people to work remotely—and in different states—it may simply be too much effort for multi-state employers to track these bans.

"Best practice is to have one approach for handling salary negotiations," said Carolyn Cowper, vice president of performance and rewards with The Segal Group consultancy in New York City. "Shift the conversation to the candidate's salary expectations rather than salary history, then move on to focus on the candidate's skill set and qualifications for the role," she advised.

To read more click [here](#).

NMML Compensation Survey Training

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Or, contact Mike at 801-269-8977 [mike@comp-survey.com](mailto:mike@comp-survey.com)
WASHINGTON, June 3, 2019 – Acting Assistant to the Secretary for Rural Development Joel Baxley today kicked off National Homeownership Month by highlighting USDA’s ongoing role to help residents of America’s small towns and cities purchase homes in rural areas.

“Homeownership provides a strong foundation for hard-working people to build household wealth and climb the ladder of prosperity,” Baxley said. “By helping rural Americans achieve the dream of homeownership, USDA is supporting benefits that extend far beyond the home, resulting in stronger, more prosperous rural communities.”

In announcing this year’s celebration USDA Rural Development State Director Arthur A. Garcia said, “Since the National Homeownership Month celebration began in 1997 we’ve had great success in helping families buy a home throughout rural New Mexico. The first week in June we’ll honor some of the newest homeowners in southern New Mexico and at Zuni Pueblo and in Los Lunas. Later in the month we’ll also travel to Pecos, New Mexico to honor another family that just moved into their new home.”

Garcia added, “Joining us for our celebration will be six of the top housing officials from Rural Development in Washington, D.C. During their visit they’ll tour four self-help housing projects in southern New Mexico and at Zuni Pueblo. Their trip will finish when they help present a U.S. flag to a new homeowner and his family in Los Lunas.” (See event listing below.)

USDA Single Family Housing programs have served more than 4.4 million families in rural America since President Truman signed the Housing Act in 1949. Throughout June, USDA employees will celebrate National Homeownership Month with events across the Nation that demonstrate USDA’s commitment to provide access to affordable housing for rural Americans.

Rural Development has several programs that support rural homeownership, including:
- USDA partnerships with private-sector lenders to help rural families buy homes. Providing loan guarantees for lenders working with low- to moderate-income families is the key to opening up private-sector homeownership opportunities.
- Direct home loans for very-low- and low-income applicants. Some borrowers qualify
for program benefits that effectively reduce the interest rate on their monthly mortgage payments to one percent.

▪ Repair loans and grants that help people improve access to their homes and remove health and safety hazards such as poor wiring or plumbing.

▪ Mutual Self-Help Housing Technical Assistance grants are available to nonprofit organizations to help very-low- and low-income families build their own rural homes.

To learn more about USDA’s observance of National Homeownership Month, contact a Rural Development State Office near you.

In April 2017, President Donald J. Trump established the Interagency Task Force on Agriculture and Rural Prosperity to identify legislative, regulatory and policy changes that could promote agriculture and prosperity in rural communities. In January 2018, Secretary Perdue presented the Task Force’s findings to President Trump. These findings included 31 recommendations to align the federal government with state, local and tribal governments to take advantage of opportunities that exist in rural America.

To view the report in its entirety, please view the Report to the President of the United States from the Task Force on Agriculture and Rural Prosperity (PDF, 5.4 MB). In addition, to view the categories of the recommendations, please view the Rural Prosperity infographic (PDF, 190 KB).

USDA Rural Development provides loans and grants to help expand economic opportunities and create jobs in rural areas. This assistance supports infrastructure improvements; business development; housing; community facilities such as schools, public safety and health care; and high-speed internet access in rural areas. For more information, visit www.rd.usda.gov.
“access barriers” that inhibit a disabled person’s access to goods and services. Generally, any private business with more than 15 employees is subject to the ADA, including the requirements in Title III. Just like the analysis of Title II, Title III does not directly address whether places of public accommodation include websites, mobile applications, or other web-based technologies. Very often, a single Plaintiff’s attorney and sometimes the same disabled individual will file dozens or more lawsuits against many different companies alleging technical violations of Title III. These lawsuits have targeted businesses across a number of industries, including retail stores, restaurants, health care providers, and e-commerce companies. But make no mistake, due to the relative success of these lawsuits, it is only a matter of time before the eye is turned toward governmental entities.

Take the initiative:
Take a look at your website, (or have an expert look at it) to determine the level of compliance. Automated testing is available to assist in this determination:
- Achecker: achecker.ca/checker/index.php
- Cryptzone Cynthia Says: cynthiasays.com
- Tenon: tenon.io
- Power Mapper: powermapper.com
- WAVE: wave.webaim.org
- Web Accessibility: webaccessibility.com

Appoint an ADA Coordinator:
If you have not already appointed an ADA Coordinator to deal with physical accessibility barriers and employment-related ADA issues, now it the time to appoint one. Nearly 5,000 ADA lawsuits were filed in federal court for alleged website violations in the first six months of 2018, according to an analysis by Seyfarth Shaw, a law firm that specializes in defending such cases. The firm predicted that the number of lawsuits will climb to nearly 10,000 by the end of the year, a 30% increase from 2017.6

Acknowledge the importance of Compliance
A statement on your website will go a long way in assuring the public that your municipality is serious about ADA compliance. If you choose to adopt such a statement it should include your commitment to becoming compliant, a process for addressing problems or concerns, a statement of the efforts being undertaken to achieve compliance, and contact information to the ADA Coordinator. A great example is Islamorada, Village of Islands: http://www.islamorada.fl.us/about_us/ada_accessibility_statement/index.php

Involve your Attorney:
Don’t keep your attorney in the dark. Although your attorney might not understand the finer points of this issue, your attorney can keep you and your IT expert apprised of new developments in the law. Cases are being decided and rules may be implemented giving guidance to website users. There have been several attempts over the years to adopt regulations outline the criteria required to bring website into compliance, but none have come to fruition. Since the federal rulemaking process is so cumbersome, it may be several years before a definitive rule as adopted and implemented.

Watch you mail:
Be on the lookout for individuals or organizations that express concerns or criticism over website accessibility. Be ready to address them directly with efforts you have undertaken or plan to undertake to move forward towards compliance. This will go a long way in allaying any concerns, and might very well stave off a lawsuit. Now is not the time to put your head in the proverbial sand.

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IN MEMORIUM

LAWRENCE C. GALLEGOS

70, a resident of Questa, passed away peacefully surrounded by his loving family on Saturday, June 1, 2019. He was preceded in death by his parents, Chris and Eva Gallegos; in-laws, Tony and Candida Trujillo; brother/padrino and sister-in-law, Tony Valdez and Christine Trujillo. Lawrence served in the US Army and was honorably discharged after serving in the Vietnam War. Lawrence was well known for his services to his community and as a long time business owner. He especially cared and loved his entire family. He will be greatly missed by all who knew him.

Lawrence is survived by his wife of 48 years, Alice Gallegos; children, Mark (Christina), Domingo, Candida (Armando), Daniel (Jacky) Gallegos, and Consuelo Salazar (Ronnie); grandchildren, Brandon, Marisa, Derek, Marika, Jose, Jason, Kaylee, Brian, Cieara, Karlicia, Ariana, Jeremiah, and Amelia; siblings, Bernadette Weldon (Ken), Robert (Evelyn), Thomas (Sharon), David, and Donald “Tono” Gallegos; 8 brothers-in-law and 3 sisters-in-law, along with many nieces, nephews, relatives, and friends.

SANTA FE FIRE DEPARTMENT TO CREATE EMS DIVISION

By Ari Burack
Public Safety Reporter, The New Mexican

For years, most of the Santa Fe Fire Department’s work has not been fighting fires but delivering emergency medical services. It’s finally working on a long-awaited reorganization to better reflect that.

When Fire Chief Paul Babcock took over the department in the fall, he made it a priority to create a new EMS division alongside the operations and support services divisions. He is in budget discussions to fill out staffing to oversee emergency response, training and data management, as well as outreach and diversion services to some of the city’s most vulnerable residents.

The division’s head, Assistant Chief Greg Cliburn, started with the department as a firefighter/EMT in 1998, and became the medical officer in 2014.

“Our call volume has gone up. The health-care system locally has become richer and more complex,” Cliburn said. “I’m excited. I’ve advocated for this pretty much throughout my time as the medical officer.”

Cliburn says the number of calls for service has risen from about 8,000 a year two decades ago to about 16,000 a year now. About three-quarters of those calls are for emergency medical services, including vehicle crashes, falls, heart attacks, behavioral health issues and drug or alcohol overdoses, he said. A much smaller proportion of calls are for structure fires.

The Santa Fe Fire Department has about 160 uniformed firefighters, including command staff, all of whom are required to have some form of EMT certification. Each of the five fire stations throughout the city has one or two ambulances and is staffed by at least one paramedic and one firefighter/EMT at all times.

When Cliburn began at the department, there were four fire stations and four ambulances total.

The department’s Mobile Integrated Health Office (MIHO) also falls under the EMS division, and the importance of its work also contributed to the reorganization, Cliburn said. Staffed by a battalion chief, paramedics, an EMT and a contract social worker, the office provides case management for frequent 911 users to connect them with behavioral health services or shelters, and tasks as varied as help getting prescriptions filled, signing up for Medicaid, or getting veterans benefits.

“All sorts of things that can help address their real needs in a more direct way, rather than having them go...
through a cycle of calling 911, getting out an ambulance, generating an ambulance bill, going to the ER, generating an ER bill, [or] maybe because they were intoxicated, wind up going to jail, spend time in jail, then get turfed back out to the street where they call 911 again,” Cliburn said. “And it’s this cycle that they’re sort of stuck in and don’t really have a good way out.”

MIHO also does followups with opiate overdose survivors to offer harm reduction training, distribute anti-overdose medication and connect them with treatment services. And it has recently taken over the city’s Law Enforcement Assisted Diversion (LEAD) program, which aims to stem the cycle of arrest and incarceration by referring low-level offenders who are receptive to receiving addiction, mental health or homelessness services in lieu of jail.

“It’s doing good work,” Cliburn said of MIHO.

The evolution of Santa Fe’s health care system — which has grown from one hospital and one emergency room to two hospitals and three emergency rooms as of last year — is another factor calling for a separate EMS division within the department, Cliburn said.

The proposed EMS division would have the assistant chief overseeing a medical officer and two EMS captains, the MIHO unit and two LEAD staff, and administrative staff.

Babcock told the city’s Public Safety Committee on Tuesday that the reorganization would work with existing positions and not result in an increase in its budget. Budget proposals are expected to be finalized in late May.

The department is also looking to join a federal Medicaid program to secure money to help reimburse the fire department for unpaid ambulance transport fees. The department also needs staff in its EMS division to administer that program and help “spearhead” that effort for other emergency medical services agencies in New Mexico, according to Cliburn.

The department also hopes to join a national “emergency triage, treat and transport” pilot program run by Medicare that would study how EMS agencies can better serve Medicare enrollees when they have called an ambulance but it is then determined that they don’t need to go to an emergency room. The fire department would arrive, assess the patient, consult with a medical practitioner and decide whether to take them to urgent care, their primary care physician or nowhere.

The program would allow the ambulance company to recover the cost of that service from Medicare. Currently the fire department is only paid by Medicare if it transports someone to the emergency room, according to Cliburn.

“There’s just so much that we can do, around quality, around improving our services, around doing better cost recovery, and more,” Cliburn said. “Keeping us clinically up to date. Just delivering better services in a smarter way.”
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