



Meeting Minutes (Approved February 6, 2012)
Public Safety Committee Meeting
Wednesday, January 4, 2012
3:00 PM
City Council Chambers
Española, New Mexico

CALL TO ORDER –Meeting called to order at 3:02 pm by Chairwoman Cecilia Lujan.

Present at the meeting were:

Chairwoman Cecilia Lujan
Councilor Cory Lewis
Fire Chief Stephen Branch
Officer Orlando Cordova, EPD
Sgt. Vince Crespin, RASO

Councilor Greg Ortega
Chief Leo R. Montoya
Detective Bryan Martinez, EPD
Brenda Romero, Española Hospital

Absent: Councilor Dennis Tim Salazar

Minutes taken by Executive Secretary (EPD) Victoria Gallegos

APPROVAL OF AGENDA - Motion to approve agenda made by Councilor Greg Ortega, seconded by Councilor Cory Lewis, with motion passing.

PUBLIC COMMENTS -

Fire Chief Branch directed the attention of committee members to forms he distributed as he was speaking. Councilor Ortega notified Chief Branch that although this information provided today could be taken into consideration, there could not be a vote due to these items not being included on the meeting's agenda. Chief Branch stated he understood.

Included in the packet was a chart which included a proposal for Española Fire Department to begin charging fees for building inspections. Chief Branch stated the department currently does not charge any fees for building inspections. Chief Branch would like to create a line item from the revenue generated for the purchase of swift water rescue safety equipment.

Chief Branch explained the process behind building inspections and inspections during Fiestas and other special events. Chief Branch stated he had done research in reference to the fee amounts and are comparable to other cities the size of Española.

Councilor Ortega asked if the money generated from these fees would be for the purchase of safety equipment by the Fire Department. Chairwoman Lujan inquired if a separate line item would be created for these funds to be deposited into. Chief Branch assured the funds would be earmarked only for safety equipment purchases by the Fire Department.

Councilor Ortega stated that after he was elected, he brought up the need for swift water rescue equipment since the city has a major waterway going through it but acknowledged there was never any funding for the purchase of the equipment.

Chief Branch and Chief Montoya have been monitoring the snow. Every time it rained last fall, they would go out to see the damage created. Chief Branch thinks the spring runoff will be heavy.

Chair Lujan advised Chief Branch the Public Safety Committee does not have voting power, so this matter shall be added to the agenda for the next City Council Meeting and proposed to full council for approval.

The second item Chief Branch wanted to inform council about is Physical Fitness Policies. In order to comply with policies already in place, firefighters must be certified by a physical fitness coordinator. Chief Branch is introducing these policies in order for public to use physical fitness equipment at the Senior Center.

Councilor Greg Ortega advised Chief Branch to make sure all rules and regulations and HIPAA laws are followed and submitted to City Attorney Frank Coppler for review.

Chief Branch has heard complaints about firefighters work out all day. Chief Branch argued that fire fighters must be in top physical condition. Chief Branch has made a proposed agreement with Senior Center regarding control of the keys to the facility.

Lewis inquired about the keys to the Lucero Center. Branch clarified he was talking only about the Senior Center gym area.

Chief Branch has adopted an Incident Command System within the fire department mainly for accountability, and to assure the safety of our firefighters and other firefighters from surrounding communities who are also responding to the calls and assisting the city.

Chief Montoya and Chief Branch spent last week drafting these policies. Chief Branch stated he would email all the proposed policies to the City Attorney and to Committee Members for their review.

COUNCILOR COMMENTS – None

APPROVAL OF MEETING MINUTES

1. **September 13, 2011** - Motion to approve meeting minutes made by Councilor Greg Ortega. Seconded by Councilor Cory Lewis, with motion passing.
2. **October 3, 2011** - Motion to approve meeting minutes made by Councilor Greg Ortega. Seconded by Councilor Cory Lewis, with motion passing.

NEW BUSINESS

3. BUSINESS COALITION CONCERNS AND DISCUSSION

Brenda Romero spoke on behalf of the Española Hospital. She advised the committee that the hospital is having issues with individuals who are under the influence of drugs or alcohol. These individuals do not need to be admitted in to the hospital for medical treatment, but are not sober enough to be released in public. Ms. Romero stated that this was hardly an issue before, since the patrol officers would be called to the hospital to pick up these drunken individuals and transported to the Holding Facility to sober up.

Ms. Romero was exploring ideas and suggested the City of Española and County of Rio Arriba collaborate together in possibly opening a Detoxification Center. She has met with County officials and they have told her there is a building in Alcalde/Velarde area that could possibly be used as a site.

Ms. Romero has been told that individuals cannot be arrested unless a crime has been committed. She asked if the city must have an ordinance to detain these individuals for Detoxification.

The Española Hospital has partnered with David Bustos' Taxi Service. The taxi will pick up these individuals from the hospital and transport them to family and friend's homes. The Española Hospital paid a \$100+ bill to take a person to El Rito recently.

Chief Montoya apologized to Ms. Romero for the situation, but stated it is not against the law to get intoxicated. They cannot be arrested for that.

Ms. Romero clarified by asking if there was an ordinance that made it illegal to be intoxicated in public.

Councilor Ortega stated he knows other cities have ordinances against Public Intoxication and asked Chief Montoya to check into a Public Intoxication ordinance for the city. Councilor Ortega thinks having a joint Detoxification facility with Rio Arriba County is a great idea.

Chairwoman Lujan stated the costs being incurred right now is of great concern.

Councilor Greg Ortega asked whether or not the current holding facility would suffice as a Detoxification center and whether or not we would need special certifications or licensing.

Chief Montoya believes a Detention Officer could do it. Ms. Romero suggested that person could be trained as to when to contact paramedics. Chief suggested all entities affected by this situation could perhaps pitch in to pay this individual's salary.

Chairwoman Lujan suggested considering going beyond only Rio Arriba County for assistance, and asked Chief Montoya to contact the pueblos and other entities affected by these individuals.

Chief Montoya stated he had the opportunity to talk to the Rio Arriba County Detention Director. Rio Arriba County Detention does not have sufficient staffing at this time.

Chief Montoya directed the committee's attention to the meeting minutes dated September 13. Lt. Christian Lopez had drafted a Public Intoxication ordinance and Chief Montoya presented it to the Public Safety Committee. Councilor Ortega asked Chief Montoya to follow up the status of the proposed ordinances with Frank Coppler.

Detective Bryan Martinez addressed the committee. He stated these individuals create a public safety issue. They are aggressive and fight with employees. It is taking resources away from people who are sick and need hospitalization. Chairwoman Lujan asked Chief Montoya to check on the status of the proposed ordinances with the City Attorney's office.

Councilor Lewis stated these are issues that have been ongoing since the holding facility closed. Officers have concerns with the closure of the holding facility. He remembers Chairwoman Lujan asking Chief Montoya to check into a Regional Jail Facility and to check if surrounding agencies would help with funding. Chief Montoya stated he had spoken to Cornell and Geo, Inc., which are two of the biggest corporations in the jail business. No one is interested right now due to the failing economy. He stated that a 200-bed facility would cost \$5M. He stated that even if the city offered the land, the investors would still not be willing to fund this project.

Chairwoman Lujan stated she believes all surrounding entities should be sharing the cost. She asked Chief Montoya to continue looking.

Chief Montoya stated there is no possible way even the current detention facility could be used as a detention center. The Chief recently had to make the decision to keep individuals overnight due to weather conditions on I-25 to Las Vegas, but he made sure they were fed while they were here. Chief stated that he has talked to Ben at Hoy Recovery and they will not accept anyone that is intoxicated. Ms. Romero stated that there is a possibility there will be changes coming soon due to a change of management at Hoy.

4. **FURLOUGH CONCERNS** – Detective Martinez stated the union opted not to talk about this item due to the issue passing. Councilor Lewis wanted clarification whether this included both the police and fire unions, and it did.

DISCUSSION / APPROVAL ITEMS

5. **WRECKER SERVICE POLICY** – Chief Montoya advised this policy is ready to go and can be presented to full council for approval. He stated that the City Attorney has reviewed it.
6. **ALL ABOARD AMERICA LEASE AGREEMENT** – Chief Montoya advised committee members that the City Attorney Frank Coppler has already reviewed this proposed policy and is ready to go before full council for approval.
7. **STOLEN MERCHANDISE** - Councilor Lewis requested this item be placed on the agenda. Chief Montoya yielded the floor to Councilor Lewis. Councilor Lewis stated his constituents are complaining about shoplifters reselling new/stolen merchandise around the city. Chief Montoya utilized the department's School Resource Officer while the schools were out of session during the holiday break. SRO Cordova went door to door to all businesses and targeted panhandlers and shoplifters. During December, patrol officers were very busy and handled 2,700 calls for service. Chairwoman Lujan commented on seeing fewer panhandlers during the holidays, which may be attributed to the weather. Councilor Lewis would like to see officers doing the same thing all day, every day, but also realizes the department is short-staffed. Chief Montoya also recognized Detective Martinez for patrolling and U.S. Marshals "SWIFT" team overtime in an unmarked police unit.
Ms. Romero also commented on the email received from Chief Montoya. Many employees were educated about the correct number to call to make a report of panhandlers, etc.
Councilor Ortega stated that he has had the opportunity to call Central Dispatch numerous times and has witnessed officer's quick response firsthand.

Councilor Lewis stated he had invited the Rio Arriba County Sheriff Tommy Rodella to attend today's meeting. Chief Montoya yielded the floor to Sgt. Vince Crespin, who was in attendance on behalf of the Rio Arriba County Sheriff's Department. Sgt. Crespin assured Chief Montoya that the sheriff's office would be willing to help out the city police department when needed. Sgt. Crespin stated that Sheriff Rodella asked him to convey that there are no boundaries in relation to the city and county.

EXECUTIVE SESSION – None

POLICE DEPARTMENT

- 8. STATISTICS REPORTS** – The department has implemented a Traffic Safety Unit which now consists of two officers; Greg Esparza and Cpl. Miguel Maez. There has been an increase in citations since the program began - 800 citations in one month. In addition to calls for service and patrol, they also complete between 50 to 80 Oversized Load Escorts each month. Chief Montoya referred to the packet and reviewed statistic numbers for the month of November.

TRANSPORT DIVISION -

Chief Montoya advised the committee members that there was a recent resignation, which has put a burden on the department.

Chief Montoya is working with Finance Division to purchase a new van for transports.

Councilor Ortega inquired about staffing at the department. Chief Montoya advised him that Officer Ernie Romero recently retired; Officer George Martinez transferred to State Police; and there is still one more vacancy left by Officer Rick Martinez. Chief Montoya also stated there is a position available through a grant award which will be filled interdepartmentally once all the other vacancies have been filled. In addition, there is one Public Safety Aide position vacancy left by former PSA Brian Romero. Councilor Ortega asked if the vacancies have been advertised. Chief Montoya stated he is awaiting a list from Human Resources for eligible applicants in order to start background checks.

FIRE DEPARTMENT

- 9. Life Safety Inspection Fee** – Already discussed at beginning of meeting.

NEXT MEETING – Monday, February 6, 2012 at 3:00 p.m. to accommodate business owners.

ADJOURNMENT - Motion to adjourn meeting made by Councilor Ortega. Seconded by Councilor Lewis with motion passing. Meeting adjourned at 3:45 p.m.