

Summary Minutes of:

COMMUNITY DEVELOPMENT COMMITTEE MEETING

Monday December 21, 2009, 6:00 pm

City Hall Council Chambers

405 Paseo de Oñate, Española

Community Development Committee Members:

Councilor Danielle Duran, Chair (present)

Councilor Rosario "Chayo" Garcia (present)

Councilor Helen Kain-Salazar (present)

(One vacant position)

Agenda as Presented:

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CALL TO ORDER

APPROVAL OF AGENDA

PUBLIC COMMENTS

DISCUSSION ITEMS

1. General updates from Planning, Community Services, Police Department and Public Works.
2. Discussion of Police Department Future Location
3. Tennis Courts Update
4. General Signage for City Attractions
5. Recommendations and Update from Planning and Zoning Regarding Street Vendors
6. Update from City Manager on property issue and sharing of recommendations from the Downtown Economic Development Strategy
7. Discussion of Future Film Ordinance
8. Discussion of Job Creation

APPROVAL OF MINUTES, October 19, 2009

MATTERS OF THE CHAIR

ANNOUNCEMENTS

ADJOURNMENT

At any time during the Open Meeting, the Committee Chair may close the meeting to the public to discuss matters not subject to the New Mexico Open Meetings Act. The Committee Members may revise the order of the agenda items considered at this Open Meeting.

If you are an individual with a disability who is in need of an amplifier, qualified sign language interpreter, or any other form of auxiliary aid or service to attend or participate in the hearing or meeting, please contact the City Clerk at 747-6019 at least three days prior to the meeting.

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Call to Order:

The meeting was called to order at 6:01pm by Committee Chair Councilor Danielle Duran with the following in attendance:

Community Development Committee Members: Councilor Danielle Duran
Councilor Rosario "Chayo" Garcia
Councilor Helen Kain-Salazar

City Manager: Veronica Albin

Deputy City Clerk: Sally Baxter

Staff: Deputy Police Chief Raye Byford; Planning Director Russell Naranjo;
Public Works Director Ben Ortega

Approval of Agenda

City Manager Veronica Albin asked to move item #6 to be considered first. Councilor Duran said she wanted to add a consideration of lack of responsiveness. Councilor Garcia said she wanted to add an update on the DOT (New Mexico Department of Transportation) parking lot. Councilor Duran said those would be items #9 and #10.

Councilor Duran made a motion to approve the agenda as amended, seconded by Councilor Garcia. The motion carried 3/0.

Item #6, Update from City Manager on property issue and sharing of recommendations from the Downtown Economic Development Strategy

City Manager Veronica Albin presented:

The City Manager said regarding the update on the acquisition fund, it would not change the budget she said until the DFA (New Mexico Department of Finance and Administration) approved the budget so the fund could be created as part of the mid-year budget, and the city had the chamber property and old jail property which could be sold to get money for this fund. She said the property by the Lotaburger had not been appraised and if the city sold the chamber property it could get funds to appraise the property by Lotaburger. The City Manager said Bernadine (Martinez, Finance Department) had said she had gotten word from DFA whether or not the city could sell for less than market value, and the city could as long as it was sold through a public bid.

Councilor Duran said the city could accept the low bid. Councilor Garcia asked if the city was still buying the little piece of property behind [city hall]; Planning Director Russell Naranjo said it was being utilized as a warehouse.

Councilor Duran said regarding a condemnation ordinance, public safety should be made aware of who the owner was and whether it was being rented out or not. Mr. Naranjo said he approached the owner and the owner had said he didn't want to sell, but the city could look into condemnation.

Deputy Police Chief Raye Byford asked if there was condemnation in an ordinance; the City Manager said yes. Councilor Kain-Salazar said Albuquerque annexed everything.

The City Manager said there were a couple of properties for which the owners had asked if the city was interested in purchasing, but the city couldn't address purchasing property until there were funds, so she had asked the property owners to write letters that they were interested places that might be beneficial in the future could be considered and developers with open space properties could look at what was suitable for developing. Councilor Duran said if things changed to bring the information back to this committee.

The City Manager left the meeting at 6:15pm.

Item #1, General updates from Planning, Community Services, Police Department and Public Works.

Councilor Duran said at the previous meeting, the Police Chief talked had talked about vendors on the streets; the Deputy Chief said currently there was no enforcement. The Planning Director said there was nothing in the ordinance, and regarding vehicles, the state Motor Vehicle Division (MVD) allowed a person to sell two vehicles from their yards and the city had to allow for the sale somewhere, as is was a right given to people from the MVD.

The Deputy Chief said if the city did designate a place for people to sell their vehicles, there might be an opportunity for vandalism and stealing vehicles but they also should think about what kind of eyesores would be parked on peoples' property. He said anytime there were vehicles parked on rights-of-way or city property, the Police Department would send Public Safety Aides (PSAs) to get license plate numbers and so the department could notify the people to move the vehicles.

Mr. Naranjo said an example of private property was along Riverside Drive. The Deputy Chief said the police couldn't cite them but code enforcement could contact the property owners; he said the city had car lots popping up all over the place. Mr. Naranjo said he didn't know the answer to that as some properties had driveways that were roadways, and for example, would have a vehicle they hadn't used in ten years

with a “for sale” sign. He said in this example it was a police issue if the vehicle was on a roadway.

The Deputy Chief said they could only be there a certain amount of time in a right-of-way, and in some cases the police could tell them to move the vehicle. He said this was one reason the department hired PSAs, for illegally parked or abandoned vehicles. He said in lieu of citing everybody, they could also draft a form letter to send to vehicle owners.

Mr. Naranjo said the city had to allow people to sell vehicles on their properties but could have an ordinance for a timeframe; the Deputy Chief said without a timeframe, there was not a lot they could do unless they got complaints from neighbors for traffic, etc, and then it would be a code enforcement issue.

The Deputy Chief said there were ordinances they could beef up, or could adopt ordinances to help improve the look of the community.

Councilor Duran asked if someone at the Police Department could get list of things to look at; the Deputy Chief said he could. Mr. Naranjo said he could look at code enforcement as well as there were crossover issues.

Councilor Garcia asked what the city could do about break-ins; the Deputy Chief said the Police Department was currently working on possible suspects that could be involved in some of the break-ins, all were tied to drug trading, and if the city didn't have any problems with drug trade there wouldn't be such a problem with break-ins.

Councilor Garcia asked what the city could do to help alleviate the problem; the Deputy Chief said the city needed a neighborhood watch program and needed an officer who basically had this assigned as their duties. He said they could give businesses information as to how to better protect themselves and could help develop a network where everyone got on the team.

Councilor Duran asked if the Chief had said anything about hiring someone; the Deputy Chief said the biggest issue was finding candidates who could pass the background check; he said the department had just tested four applicants in the past month and two had passed the background check. He said one applicant was a retired police officer from Santa Fe but had had too much history. The Deputy Chief said it was not fair to the rest of the officers or the community to hire someone not up to the standards of the department.

The Planning Director asked where the break-ins had occurred; Councilor Garcia said all over the place. Councilor Duran said cars had been broken into at the library. Councilor Garcia said car windows had been broken.

Ben Ortega, Public Works Director, said public works was changing the lighting at the Lucero Center to improve the lighting, and had changed two lights because they weren't giving off enough light.

Councilor Garcia said the sad thing regarding new development was that people came and left with a sour attitude.

Russell Naranjo, Planning Director, said he had sent a request for an RFQ (Request for Qualifications) for re-codifying the development code including amendments, changes, and changes to roadway standards.

Councilor Duran asked if the Planning Department did business licenses or if it was the clerk; Mr. Naranjo said Planning and Zoning check the applications then forward the applications to the clerk.

Councilor Duran said she had received complaints regarding collecting taxes; Councilor Garcia said she had not received the notice of the meeting regarding this as

her computer was not working. Councilor Duran said the notice had been emailed, and to check with the City Manager regarding the GRT (Gross Receipt Taxes); she said apparently there was a disconnect with the state and city regarding business licenses.

Councilor Garcia said the City Clerk had sent a letter to businesses that they couldn't get licenses without proof they had been paying GRTs, and GRTs were being charged different amounts in different places.

Mr. Naranjo said regarding business licenses, there had been a discussion that a letter needed to be sent regarding the North Central Solid Waste Authority, businesses not having a trash account and the Authority losing revenue, and the impact this had for code enforcement. Mr. Naranjo asked if such a letter had been sent out; the Deputy City Clerk said no.

Public Works Director Ben Ortega said Public Works had completed striping north and south McCurdy, had added a "Blind Curve" sign at Pacheco and Highway 76 to slow down traffic, had completed an inventory of missing signs and found there were 29 missing on the west side, 52 on the east side and the department would order replacement signs, add more signs throughout town, and had added a sign at the hospital.

Mr. Ortega said he had had a good meeting with the DOT regarding slow/pedestrian crossing signs at McCurdy and near schools, and they were not able to fund flashing lights. Mr. Ortega said flashing lights at school zones were in the next years' budget; Mr. Naranjo said the school district was required to pay for the flashing lights in the school zones; Councilor Duran said a letter had been sent to the school board.

Councilor Duran said LED (Light Emitting Diode) lights didn't get hot so they didn't melt snow so when traffic lights got snow on them the snow didn't melt so there were accidents.

The Deputy Chief asked about "No Parking" signs and said it would help the Police Department if those could be posted because if they were not posted, the Police Department couldn't issue citations. Mr. Naranjo said the city had to be able to maintain the signs, as signs got tagged.

Mr. Ortega said the city did get some new "No Parking" signs across from El Paragua Restaurant, had worked out an agreement, the signs disappeared, and new signs directing customers where to park had been added. He said Public Works would add some fencing, but the problem was that it was an oversized paved area. The Deputy Chief asked about striping and painting the traffic lane so people knew it was a lane; Mr. Ortega said the Chief had attended a meeting regarding this and it seemed like they needed to wean people off their old habits. Councilor Kain-Salazar asked about concrete barriers; Mr. Ortega said it is a wide lane and hopefully the situation would improve in the next couple of months as people got used to not being able to park there.

Councilor Duran said McCurdy was narrow in some places; she asked how it could be striped. Mr. Ortega said double yellow, but it was narrow. Councilor Kain-Salazar said there were some areas where only one car could fit. Deputy Chief Byford said for state roads, the state should do a study for possible one-ways.

Mr. Naranjo said when Transportation Secretary Giron had been shown some of these areas, he had said the state did want to address this at some point, but didn't want to knock down historic buildings. The Deputy Chief said possibly caution lights could be added to these areas.

Mr. Ortega said regarding the image of the city, he was looking at changing light poles in the historic district and wanted to take that approach so people arriving in

Española knew they were in a specific place; he said the DOT was open to those modifications.

Councilor Garcia asked Mr. Ortega to elaborate on the Park and Ride; Mr. Ortega said he had not talked with Mr. White (at the DOT) because Councilor Duran had said she would talk with him; Councilor Duran said she hadn't talked with him either.

Councilor Kain-Salazar said she had talked with Armando (Armendariz at the DOT) and he had said he didn't have anything to do with it and evidently they had talked with the City manager. She said they should ask the City Manager at the next day's Council meeting.

Mr. Ortega said Public Works was going to go to troubled spots where there had been street repairs to repave and areas with heavy vehicles where the streets had been damaged, and if there wasn't any money it would be in the next year's budget. Councilor Kain-Salazar asked if there were weight limits in some streets, like North Prince. Mr. Naranjo said the city did have an ordinance regarding jake brakes but it was not enforced as it was a safety issue, but the city did have an ordinance on the books.

Councilor Kain-Salazar said when address numbering changed, it started at the river, which seemed weird; Mr. Naranjo said it was grid oriented.

Item #2, Discussion of Police Department Future Location

Deputy Chief Raye Byford presented:

The Deputy Chief said the city had spent money for the current location and it fit the department's needs, however, at some point if there was a serious look at creating a new facility, he and the Chief would like to remain in the same area because there was so much room; he said they had room for training, parking, and for now it served their purpose.

Councilor Duran said there had been a discussion about a five year plan. The Deputy Chief said he thought they were fine for now. He said the center portion of the building, which the DOT had at one time planned to move into but hadn't was available to give the department room to grow. Councilor Kain-Salazar said the agreement with the DOT had not been broken. Councilor Duran said she would ask the City Manager if the DOT was going to move in.

Item #3, Tennis Courts Update

Councilor Duran said she didn't know where Len (Cata, Community Services Director) was but even though there had been a lot of work on the project, it still needed more work. She said from her point of view it had never been worked out with the school who should be the lead on the project, the city needed to work with the school, and she felt the project needed to be started over.

Item #4, General Signage for City Attractions

Mr. Ortega asked if there were any specific attractions.

Councilor Duran said she had met with the DOT a week and a half prior, and the Mayor was advocating bringing people to Española using signs to show what the city had to offer. She said other cities in northern New Mexico had signs that showed where in the city people were, and signs as people approached the city to get people excited about what was there. She said Española had "Don't Drink and Drive" and "child abuse" signs and it seemed like there was an image problem, so she suggested a multi-pronged approach.

Councilor Duran said in the meeting, she had asked what the DOT could, and was willing, to do in its rights-of-way. She said the city could come up with its own signs and this involved the City Council. She said they had also talked about blue and white signs where people entered Española.

Mr. Ortega said an example was Las Vegas which had big blue sign that said “City Limits”, and listed a number of hotels and restaurants; he said between there and Pueblo (Colorado) there were not a whole lot of businesses so they captured business, and also they had a lot of way-finding signs, they were on top of things, and represented a good example. He said it could be worthwhile for the committee members to take a drive to see the signs. Deputy Chief Byford said Santa Fe signs gave distances.

Mr. Ortega said Santa Fe had all of those things, museums, etc., and Española was similar to Las Vegas, and something he felt the city was not taking advantage of was that Española was on a beaten path to Taos, Los Alamos, Chama, and from Española people could go to those different points.

The Deputy Chief said Española had the convento, the college, the Santuario, and a number of other things in and around it. Councilor Duran said there were Bandolier and two casinos.

Mr. Ortega said if they were serious, a task force needed to be formed. Councilor Garcia said the Lodgers Tax Board was working on this, had ideas, and could help fund signs. Mr. Ortega said he felt they had the right plan, and just had to get organized.

Councilor Duran said she would take the recommendation to the council at the next day’s meeting.

Item #5, Recommendations and Update from Planning and Zoning Regarding Street Vendors

Planning Director Russell Naranjo presented:

Mr. Naranjo said he had sent code enforcement officers, he wanted to improve compliance, and permits had increased substantially. He said the committee could look at this as “the glass half full or half empty” as the city still had vending on the side of the roads, and it hadn’t decreased but was more in compliance with code. He said the city had an ordinance which allowed local people to sell local products with a free permit, this had been created in the 1980s and did the city want to continue allowing it or not allow it. He said he was looking for suggestions from the committee.

Councilor Kain-Salazar said coming into town it was just not what it should be, near Lowes it was terrible with vendors selling burritos, wood, and in another place, grapefruit and oranges. She said it looked tacky.

Mr. Naranjo said when he looked into this; there were some local products people had always sold such as corn and apples in season, Christmas trees, wood and piñons. He said for example, someone with wood would sell it then spend the money in Española, but the city couldn’t police it as it was currently as there was too much going on. Mr. Naranjo said for example, Santa Fe didn’t allow road side vending. He said if Española didn’t, people would just go outside the city limits like south of the Dreamcatcher Theater, and that area was the gateway into Española, which would look bad. He said it was an unusual situation.

Councilor Duran said another thing, for vending local goods the city could consider allowing people to sell only at the tienditas or at a licensed flea market.

The Deputy Chief said they had talked about changing the image of Española, and not allowing road side vending, but if they looked at gross receipts they didn’t stop the vending. He said a possibility was allowing vending in a specific location.

Mr. Ortega showed a picture of a person stopping traffic vending and said it was a public safety issue; Councilor Duran said it was someone selling the *Rio Grande Sun*. Mr. Ortega said it was a safety issue for the seller and cars were not making it through the intersection which was creating a bottleneck which could be a liability.

Councilor Kain-Salazar said the Police Chief was supposed to look at code enforcement.

Deputy Chief Byford said Santa Fe had specific locations designated where newspapers could be sold and areas where they couldn't be sold based on the volume of traffic, vendors were not allowed to walk into traffic and could only sell to vehicles on the side of the roadway they were on and with traffic control. He said if the light was green they had to stop, it had been an issue early on, and the police would contact the paper to let them know there were issues and ban them from the site if they didn't follow the rules.

Councilor Duran said at the stoplight people could buy the paper, if the light was green, not sell. Mr. Ortega this would be better for safety and traffic.

Councilor Duran said regarding vending, the city could ban it or not and asked for any recommendations for the council.

Councilor Garcia said banning would be her choice, local businesses paid taxes and fees for licenses; she said an example was Mothers' Day when roadside vendors had a big impact on local businesses. She said however, were they that desperate to bring in business, for example, crime rate could go up if people couldn't sell. She said an example was a big truck with oranges and the vendors were just trying to make a living.

Councilor Duran left at 7:08pm and returned at 7:10pm.

Councilor Kain-Salazar said roadside vending had gotten rampant.

Councilor Garcia said Santa Clara allowed roadside vending and the city couldn't do anything about it but people thought it was Española. She said another issue was that roadside vendors didn't pay Gross Receipt Taxes (GRT). Mr. Ortega said they were straining the system.

Councilor Duran said those people were trying to make a living, for those products, Christmas trees, etc., they could let their customers know where they would be. Councilor Garcia said she agreed this was "all or nothing"; she said they couldn't say this was ok but not that.

Councilor Kain-Salazar said that was why the Plaza was a perfect place. Councilor Duran said it could be first come, first served, and they could set up a certain time.

Mr. Naranjo said they could pretend to stop it all together but would still have issue with Lowes and Wal-Mart where merchandise is outside; he asked did that apply and what about if businesses in town allowed someone to sell on their property. Councilor Duran said vending on the side of the road looked junky.

Mr. Ortega asked if the state cracked down on roadside vending; Councilor Duran said the state might not do anything about it.

Mr. Naranjo said the city could look at what was being sold, for example, Christmas trees or wood, and there could be a point where the city charged a nominal fee. Councilor Duran said they could have a public meeting.

Councilor Duran said they needed to make recommendations to the Council, and they could recommend having a public meeting; Councilor Garcia said she concurred.

Item #7, Discussion of Future Film Ordinance

Councilor Duran said Andrew Herrera (Plaza Director) was not present and she had asked him to be a part of the discussion as he had made films.

Item #8, Discussion of Job Creation

Councilor Duran presented:

The Councilor said the Mayor had brought up job creation and asked if they wanted to address the issue; she said her experience working in economic development was that it was hard to create jobs, it required business support and development and the Community Development Corporation (CDC) was on board but there weren't any recommendations.

Mr. Ortega said it needed to be organized and he had talked with Margaret (Montaño, CDC) and she had said she would make a report to the Council in January. He said Ms. Montaño needed to be given specific direction and information on how they could help her succeed. He said she was a facilitator who helped businesses get out of the home and into shops.

Councilor Garcia said the city needed to change its image; Councilor Duran said Bruce Poster (Southwest Planning and Marketing) would be recommending hiring a part-time person to be tasked with these duties and she would support the recommendation.

Councilor Duran said regarding [the loss of] Bealls, they had made the decision and were looking for an excuse to leave. Mr. Naranjo said they were interested in returning to Española but wanted a free building. Councilor Duran said the city could not give them a free building. Councilor Kain-Salazar said these things were decided at the top [of the business].

Councilor Duran asked Mr. Naranjo to have an update at the next month's meeting; she said it would be the fourth or fifth [of January 2010]. Councilor Kain-Salazar said that was the same as the Public Safety meeting and she couldn't be at both meetings.

Item #9, Lack of Responsiveness

Councilor Duran said she had heard that procurement and other departments were not responsive to people who wanted to sell the city things like toilet paper. She said she had been told they left messages and never got a return call. Councilor Garcia said she had received a complaint on that also. She said she had been told that Bernadine (Martinez, Finance) hadn't returned a call, and the city could do business with a company that was a sole-source without bidding the purchase and someone needed to tell Ms. Martinez that.

Councilor Duran said someone needed to tell Ms. Martinez to tell her she could go to Veronica (City Manager Veronica Albin) in that sort of situation; Councilor Garcia said if they went to her, it would be micro-managing.

Councilor Duran said this was not just regarding Ms. Martinez, but all city employees needed to be responsive to clients, and if employees didn't return calls, the Councilors received complaints. She said the City Manager needed to be managing these things and someone needed to bring it up with her. Mr. Ortega said he would mention it to her the following morning.

Councilor Duran said overall City Hall being responsive to citizens should be managed to ensure phone calls were returned, people were speaking politely to citizens, and there was an overall level of professionalism.

Mr. Ortega asked what the sole source had been; Councilor Garcia said it was an electrician. Mr. Ortega said Public Works maintained city facilities; Councilor Garcia said it was a special type of electrical work. Mr. Ortega asked Councilor Garcia to have the person call him and he would look into the matter.

Mr. Naranjo asked if the committee members wanted him to present information at the next day's Council meeting regarding roadside vending; Councilor Duran said she would do a presentation for the Council for the committee.

Adjournment

Councilor Garcia made a motion to adjourn, seconded by Councilor Kain-Salazar. The motion carried 3/0.

The meeting adjourned at 7:32pm.

*Minutes taken and transcribed by Sally Baxter
Deputy City Clerk/ Public Information Officer*

APPROVED AND ADOPTED THIS 12th DAY OF April, 2010

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