

*Summary minutes of:*

**COMMUNITY DEVELOPMENT  
COMMITTEE MEETING  
Monday February 8, 2010 6:00 pm  
Public Safety Meeting Room  
1316 D Calle Adelante, Española, NM 87532**

*Community Development Committee Members:*

*Councilor Danielle Duran, Chair  
Councilor Rosario “Chayo” Garcia  
Councilor Helen Kain-Salazar  
Mayor Pro Tem Alice Lucero*

**Call to Order**

Committee Chair Councilor Duran called the meeting to order at 6:00pm with the following in attendance:

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

Deputy City Clerk: Sally Baxter

Staff: Police Chief Julian Gonzales, Planning Director Russell Naranjo

Absent: Mayor Pro Tem Alice Lucero

**Approval of Agenda**

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. Tennis Courts Update
3. General Signage for City Attractions
4. Recommendations and Update from Planning and Zoning Regarding Street Vendors

**APPROVAL OF MINUTES:** December 21, 2009 and January 4, 2010

**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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Councilor Duran said the Community Services Director and City Manager were not present; she said Public Works Director Ben Ortega was not present.

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

**Public Comments**

There were no public comments.

**Discussion Items**

Item #1, General Updates from Planning and the Police Department

Planning Director Russell Naranjo said there had been an increase in building permit activity in the city. He said the Planning Department was gearing towards the election as far as maps went and was getting requests for maps daily. He said he had talked with the *[Rio Grande] Sun* and they were going to publish the district boundary map.

Councilor Duran asked how the re-codification was going; Mr. Naranjo said he had received two proposals, but had not had a chance to review them yet. He said he had sent out an RFQ (Request for Quotation) and hoped to get the project going as soon as possible.

Councilor Garcia said she had received a couple of complaints from people regarding new businesses. She said the people had told her they would go to planning and be told one thing, and the Fire Department would tell them another thing, and it would be nice if they had a packet of information that could be given.

Mr. Naranjo said he felt the city was not user friendly so he was in the process of generating packets and had instructed his staff to review what was needed for different types of businesses and processes. He said his Department would have meeting the coming Thursday regarding this, and he wanted to put the information on the internet, so people could see what they needed to do. He said he was trying to get it so it would be completely user friendly. He said he wanted to get to the point where people could fill applications out online, and he was definitely working on that. Councilor Duran asked if he had a deadline for when he would have the packets available for businesses; Mr. Naranjo said maybe in March. Mr. Naranjo said if it was possible to make it easier, he wanted to do so.

Councilor Kain-Salazar asked who was going in the old Blockbuster building; Mr. Naranjo said Honda/Acura was moving there. He said they used to be behind the old Taco Bell. He said the facility was larger than what they currently had and was more visible. He said they were trying to run more of a high end business, only worked on high performance vehicles, and they had a very specific business. He said they had purchased all new lifts and new equipment. Mr. Naranjo said because of what they did, there would be no outdoor storage.

Councilor Duran said when new businesses came to town, what kind of checks were done, for example with the Better Business Bureau; Mr. Naranjo said this kind of check was not done. Chief Gonzales said at [bbbsw.com](http://bbbsw.com) they could check online.

The Chief asked regarding permits, if they were commercial if the city had anything that talks about alarms, and would they have one; Mr. Naranjo said that was a good idea. Councilor Duran said that was a great idea.

Councilor Garcia asked if the Planning Commission had denied the new mobile home park; Mr. Naranjo said it had been tabled, and it would be back on the agenda. He said the Public Hearing had been closed but the Chairman could reopen it.

Councilor Garcia said if they did deny and it came to the Council, she had heard the wording was weird on the bylaws. Mr. Naranjo said it could end up before the Council as an appeal; he said the applicant would have ten days to file an appeal. Councilor Garcia said a constituent who was against it had said the wording was weird.

Councilor Duran said she wanted to ask Mr. Naranjo about something in the paper. She said Santa Fe had ad out for CDBG (Community Development Block Grant), calling for city beautification projects because they were going for \$6 million, and she would like to consider doing something like that. She said there were tons of things around the city, a lot of homes, etc., which required rehabilitation, and CDBG had money for blighted areas. Mr. Naranjo asked when she had seen it; Councilor Duran said about a month ago. Mr. Naranjo said it was a good concept.

Councilor Duran said if they were serious about beautifying, this was a way to use what funding was out there; she asked Mr. Naranjo to develop steps to do this.

Councilor Duran said she had been out in the community and a lot of people asked why the city didn't condemn abandoned buildings. She said she didn't remember talking about the land management fund in the mid-year budget review. She said people were living in substandard buildings around the city, and some of the buildings which had been empty for years attracted criminal elements into what otherwise would be good neighborhoods.

Chief Gonzales said Albuquerque had an ordinance to clean up and they reduced crime that way. Mr. Naranjo said the Archuleta Building almost fell in that criteria; he said it was an historic building that was vacant and boarded up. Councilor Duran asked Mr. Naranjo to talk about the process at the next meeting.

Councilor Kain-Salazar said next Monday would be the second Monday, and they might want to change the meeting day. She said the Public Safety meeting would be in April.

Councilor Duran said the second Monday was after the election.

Chief Gonzales said he and Deborah Torres (Chamber of Commerce Director) would be in Albuquerque at one o'clock the next day to discuss their crime-stopper program. He said he would bring ideas back to the next coalition meeting. He said regarding alarms, he wanted to look at updating the alarm ordinance, with respect to false alarms, for example if a business owner could be charged if there were more than five per month.

The Chief said late last week he had learned there was \$600 million in new COPS (Community Oriented Policing Services) grants, and he thought the city would be asked to resubmit. He said prior to Deputy Chief Byford leaving they had been working on a new parking schedule, people had complained it was too high, and he would try to come up with something more reasonable. The Chief said they knew they were high but it was on the record. Councilor Garcia said those were business parking lots.

The Chief said in the ordinance there was no distinction. He said he had told Judge Salazar establishments signed permission to ticket on their premises. He said he would be working on the schedule of fees with the Judge.

The Chief said he had submitted \$165,000 to Congressman Lujan's office, and had asked him to support funding for digitizing records. He said the Congressman's assistant sent him an application for federal funding, and she had said she would ask Senator Bingaman's office for help with that.

The Chief said he had asked for all the money needed, and submitted the request today. The Chief said regarding recruiting he was using funds identified as extra, and would advertise in the Journal North and Santa Fe New Mexican newspapers with bonuses for lateral transfers and new officers.

Councilor Garcia said most people read the Sunday paper. The Chief said on the 19<sup>th</sup> the Police Department would have 4 or 5 people testing for officer positions, these were recruits, and they could train cadets. The Chief said he wanted to avoid people not staying, people who went from department to department. He said he would look at qualified laterals.

The Chief said the Española Police Department had been asked to be on the Training Standards Board for police and sheriffs for the state. He said the board looked at standards, qualifications, etc, and had been pushing to have a committee and he would be on the Board. He said they would be meeting sometime this month.

Councilor Garcia said the Business Coalition meeting had been rescheduled to the 25<sup>th</sup> of February at 6pm.

The Chief said regarding businesses moving into town he wanted the Fire Department to make contact with them up front.

Councilor Duran asked if the COPS grant funds could go to existing police officers or new positions. The Chief said would have to check, but probably the grants were not for existing salaries, more likely new positions because they wanted to create jobs.

Councilor Duran said regarding recruiting efforts what had been worked out regarding bonuses; the Chief said he was trying to mirror Santa Fe and Albuquerque with half upon being hired, and half one year later. He said once they were here and off probation, they were part of the Department; he said that was what he was thinking about doing.

#### Item #2, Tennis Courts Update

Councilor Duran said she had spoken with the school superintendent, the city had looked at how much [it would cost] to improve the school's courts, and she had issues that the superintendent was getting quotes without an RFP (Request for Proposals). She said she had talked to Board members who didn't know the city thought the school should take the lead. She said she talked to the superintendent and the superintendent had given a name of a person to lead the project. Councilor Duran said she thought the school should take the lead so the city was not in the procurement process.

#### Item #3, General Signage for City Attractions

As Public Works Director Ben Ortega was not present, the item was tabled.

#### Item #4 Recommendations and Update from Planning and Zoning Regarding Street Vendors

Mr. Naranjo said he had had a meeting scheduled for the 10<sup>th</sup>, but it had to be rescheduled and he was still trying to finalize the date.

Mr. Naranjo said regarding street-side vending and the *Rio Grande Sun*, and how to handle vendors selling wood and piñon, they were viewed as two different things, and also private property and rights-of-way.

Mr. Naranjo said his impression regarding street vendors was regarding vendors selling piñon, wood, and Christmas tress and regarding these types of vendors there was a push at the American Planning Association (APA) to try to create more vending within municipalities because with the economic downturn people were using this, creating jewelry, etc., to make ends meet. He said the APA said it was against what they've looked at, the blight issue in Española and selling everything out of backs of trucks.

Mr. Naranjo said he told the APA that Española had an ordinance with the intent to protect the local person by having high fees for outsiders, but free to locals. Mr. Naranjo said there was funding through the APA for options, how to deal with things, it was a weird type of plan, and it would be to look at a pilot program in Española. He said Española was in between Santa Fe and Taos, the city was looking for ways to get people to stop here, GRTs (Gross Receipt Taxes) are low, and from the APA standpoint and his looking at the ordinance, the problem was that areas looked bad. He said one way to look at it was to embrace the problem. He said there were flea markets, people went to Albuquerque to shop and to vend, and people used to go there.

Mr. Naranjo said the city looked at the possibility of a flea market here, it didn't work for the individuals here, and looking at this push across the country, a possibility was to allow vending to take place. He said it could create a stopping point for people. He said there were places that sold ristras and oranges, the tourists were always there, and when he talked about embracing the vending, he was looking at it from the standpoint of any Saturday in summer allowing people to sell along Riverside Drive. He said the city could have time parameters, and he envisioned a billboard saying that in Española you could find it all. He said if the city could get people to stop, people

were spending money. He said this hadn't been looked at from that standpoint, a flea market was tried and it didn't work.

Mr. Naranjo said there were a couple of options and one was to stop vending altogether and the vendors would sell in the county outside the city. He said they needed to look at what was economical for the city, and looking at Santa Fe, he had always had the impression they didn't allow vending but they do except access is difficult to Cerrillos Road. He said locals sold off the old Las Vegas Highway. He said Albuquerque was the same way, Taos didn't have ordinance, and Las Vegas had an area people used, so it turned into an aspect of the city. He said he checked with the APA, and arguably when there was B-2 zoning for example, the use allowed is business. He said his thought was to have a public meeting and look at whether the city was missing the boat on this. He said was it something that should be outlawed, or use the ordinance in place and just consider if the fees are high enough and recognize enforcement hasn't been there. He said something to consider was should the existing ordinance be amended and should the city eliminate sales through the course of the week. He said there were different ways to look at this and there was money for a pilot program. He said one option might be to try it for a summer. He said this was one option.

Mr. Naranjo said option two would be to amend the ordinance.

Mr. Naranjo said option three would be to find an area the city ran, but he had not found anywhere the city had property that might be used and a private flea market was tried and didn't succeed.

Councilor Duran said regarding the idea of opening it up, she didn't think this was off the wall; she said some people like the vendors. She said right now there was a lot of sympathy for the vendors, people stopped for ristras and oranges, and she wanted see how the city could get them to stop somewhere else in city for example to eat lunch in town and check out the convent. She said if someone bought a ristra it was great for that vendor but what is the long term goal, to help that one vendor or help the city by making it a place people want to stay.

Councilor Duran said also regarding people stopping curbside, there was a public safety issue. She said a flea market would require more marketing and the existing ordinance probably needed to raise fees anyway, but for a pilot program to improve how it looked in the city, the bigger picture was important. She said if they wanted to create Española as a destination they needed to get people to the other attractions in the city.

Mr. Naranjo said he envisioned for instance, in front of the water store for example, at that store they sold ice cream and people were there buying something. He said the parameters would be location, how far from street they could be, limiting the number of people, and the issue of cleanup. He said initially this could be a concept and if it didn't work, it didn't work. He said they could consider if it helped the public, got people to stop, and once they were out of the car, maybe realized the city has the mission and a museum.

Councilor Duran asked if the pilot program could include that if they were vending in the city, they helped promote the city. Councilor Kain-Salazar said the problem was that vending was scattered all over town and that was what made it look bad. She said on Riverside she wanted to know if it would be one area or the length of Riverside. Councilor Garcia said in Madrid, they had vending area, she liked going to Madrid, and she was picturing that. She said she wanted to consider this for a while.

Councilor Kain-Salazar said she did understand they had to embrace it, it was part of the vendors' livelihood, and she thought the city should embrace them but she pictured the city becoming one big flea market which would be a problem. She said the city could give the pilot project a try, but she would like a public meeting to hear their side. She said the vendors might have good ideas.

Chief Gonzales said he did agree with Councilor Kain-Salazar that if there wasn't a specific area there would be people coming through town, jumping lanes, and people encroaching other people's are. He said the city needed to control these things, and he recommended for a pilot program finding one location and letting all the vendors know about it, promoting it, and having the Chamber of Commerce assist. He said the spot by Santa Clara wasn't a bad spot but they hadn't advertised. He said when he travels he stops for fruit or a trinket, but he wasn't sure about chrome rims. He said the city needed to find the right vendors.

Councilor Kain-Salazar said unless it was contained to one spot, it would be like a drive through flea market and that didn't sit well with her. Chief Gonzales said also the city didn't collect gross receipts taxes from the vendors.

Mr. Naranjo asked what the Committee wanted him to discuss at the public meeting; Councilor Kain-Salazar said he could discuss anything to get all input. Chief Gonzales said the meeting should also include business owners. Councilor Garcia said her concern was with Valentine's Day coming, there were people undercutting her business, they weren't licensed, didn't pay taxes, workers' comp, etc., and didn't pay overhead. Councilor Garcia said it was stressful to business owners.

Councilor Kain-Salazar said she was thinking of Councilor Garcia's concerns too.

Mr. Naranjo said it was a complicated issue.

Councilor Kain-Salazar said the city was not the only ones struggling with this, she had seen a man in Albuquerque selling cotton candy near a school, but usually didn't see it in Albuquerque because there were many streets; she said it was more noticeable in Española because there was one main street.

Councilor Duran said she agreed that Councilor Kain-Salazar was right, Española had one main street and it gave a bad impression. She said people who live here said it was a great town, but for people passing through did they want them to buy a ristra and go on their way. She said she wanted them to know there were great restaurants, the misión, etc., and she wanted to know what the public thought.

Councilor Kain-Salazar said like Councilor Garcia had said, this did undercut [Councilor Garcia's business], and she had a business that paid their dues.

Councilor Duran said there needed to be a public meeting with vendors and business owners invited. She said some members of the public felt badly for the vendors, but the Committee needed to think about local people versus out-of-towners. Mr. Naranjo said they could limit the number of permits and have a lottery for example.

Councilor Garcia said it would not be a quick fix; Mr. Naranjo said it was not an easy fix.

Councilor Kain-Salazar said that was the reason there needed to be a public meeting. March 24<sup>th</sup> was agreed on as the tentative meeting date.

Councilor Kain-Salazar asked if they would also look at newspaper vending. She said she was concerned about safety and people jumping into traffic. She said she wanted people to be safe and her only concern was safety. Chief Gonzales said newspaper vending had caused an accident about three weeks prior, and he had told the vendors to wear safety vests and stay out of the road. Councilor Kain-Salazar said she didn't think the city had an ordinance to address this; Mr. Naranjo said the city didn't. Councilor Kain-Salazar said Santa Fe had a good ordinance. She said she didn't want to stop it but safety was a priority.

Mr. Naranjo said this is a case where the city could say not to sell newspapers because it was in the right-of-way of a state road; he said that was an option. He said what Santa Fe did was allow people to sell along streets owned by the city but not

state owned. Chief Gonzales said the program in Santa Fe was run by the Police Department.

Councilor Duran said this issue was supposed to have been heard at a previous Public Safety meeting, Bob Trapp Jr. [*Rio Grande Sun*] was there, but had stormed out. She said if they had an issue of where and how newspapers were vended, she thought he would be willing to have a conversation about this.

Chief Gonzales said he had had a conversation with Mr. Trapp, and Mr. Trapp said they washed their hands of the vending. The Chief said regarding not wearing vests, Mr. Trapp had said the vendors were all told. Councilor Kain-Salazar said the city needed an ordinance. Mr. Naranjo said it needed to also involve police support. Councilor Duran said she wondered what kind of liability issue there was for the city and him; the Chief said Mr. Trapp had none as he just sold papers to the vendors.

Councilor Duran said the city should have a conversation first and if there were still problems, then talk about telling people they couldn't sell in the rights-of-way. She said the city should talk with Braiden Trapp at the *Rio Grande Sun*.

### **Approval of Minutes**

This item was not discussed.

### **Matters of the Chair**

Councilor Duran asked Chief Gonzales who would look at ordinances that needed improvement as the Deputy Chief had resigned his position; the Chief said he would work with the Planning Department on the matter.

### **Adjournment**

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

The meeting adjourned at 7:19pm.

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

**APPROVED AND ADOPTED THIS 12<sup>th</sup> DAY OF April, 2010**

*ELECTRONIC COPY – SIGNATURES ON FILE*