



County of Los Alamos

Los Alamos, NM 87544
www.losalamosnm.us

Agenda - Final County Council - Regular Session

*David Izraelevitz, Council Chair; Susan O'Leary, Council Vice
Chair; Christine Chandler, James Chrobocinski, Antonio
Maggiore, Rick Reiss, and Pete Sheehey, Councilors*

Tuesday, March 14, 2017

6:00 PM

Fire Station #3 - White Rock
TELEvised

1. **OPENING/ROLL CALL**

2. **PUBLIC COMMENT**

*This section of the agenda is reserved for comments from the
public on items that are not otherwise included in this agenda.*

3. **APPROVAL OF AGENDA**

4. **BUSINESS**

A. [9138-17](#) Approval of REDI Net Memorandum of Agreement (MOA)

Presenters: Brian Bosshardt, Deputy County Manager

Attachments: [A - MOA17-40 REDI Net](#)

5. **PRESENTATIONS, PROCLAMATIONS AND RECOGNITIONS**

A. [9033-17](#) Briefing to Council by Jenn Baker, Chair of the Library Board.

Presenters: Jennifer Baker, Chair of the Library Board

Attachments: [A - Library Board Presentation to County Council FY17](#)
[B - FY17 Library Board Work Plan](#)

B. [9034-17](#) Briefing to Council by Phil Gursky, Chair of the Planning and
Zoning Commission

Presenters: Philip Gursky, Chair of the Planning and Zoning
Commission

Attachments: [A - FY18 Planning and Zoning Workplan](#)
[B - FY17 P&Z Commission Work Plan](#)

C. [9130-17](#) Community Development Department Update: Building Permitting
and Code Enforcement

Presenters: Paul Andrus, Community Development Director

Attachments: [A - CDD Building Permitting and Code Enforcement](#)

6. COUNCIL BUSINESS

- A. *Appointments***
- B. *Board, Commission and Committee Liaison Reports***
- C. *County Manager's Report***
- D. *Council Chair Report***
- E. *General Council Business***
- F. *Approval of Councilor Expenses***
- G. *Preview of Upcoming Agenda Items***

7. COUNCILOR COMMENTS

8. PUBLIC COMMENT

9. ADJOURNMENT

If you are an individual with a disability who is in need of a reader, 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 County Human Resources Division at 662-8040 at least one week prior to the meeting or as soon as possible. Public documents, including the agenda and minutes can be provided in various accessible formats. Please contact the personnel in the Office of the County Administrator at 663-1750 if a summary or other type of accessible format is needed.



County of Los Alamos

Staff Report

March 14, 2017

Los Alamos, NM 87544
www.losalamosnm.us

Agenda No.: A.

Index (Council Goals): * 2017 Council Goal – Quality Governance – Intergovernmental Relations – Strengthen Coordination and Cooperation Between County Government, LANL, and Regional and National Partners

Presenters: Brian Bosshardt, Deputy County Manager

Legislative File: 9138-17

Title

Approval of REDI Net Memorandum of Agreement (MOA)

Recommended Action

I move That Council Approve MOA17-40 With REDI Net for the Purpose of Providing \$67,000 in Funding to Defray the Costs of Operating a Middle-Mile Network.

County Manager's Recommendation

The County Manager recommends that Council approve the Memorandum of Agreement as requested.

Body

County Council's approval of the FY16 Budget included \$80,000 allocated for new regional initiatives as part of Progress Through Partnering efforts. The original Progress Through Partnering effort was developed in response to Council's goal of improving intergovernmental relations within the region. Through the years the program has focused funding to the North Central Regional Transit District (NCRTD), the Regional Economic Development Initiative (REDI), and the Regional Coalition of LANL Communities (RCLC). Staff has evaluated several alternatives for the use of this separate regional funding allocation and is recommending Council consider providing assistance to REDI Net to address an operational need of the network.

REDI Net is a public organization cooperatively established by a Joint Powers Agreement among the Incorporated County of Los Alamos, Santa Fe County, the City of Española, Rio Arriba County, Ohkay Owingeh, the Pueblo of Santa Clara, the Pueblo of Pojoaque, the Pueblo of Tesuque and the North Central New Mexico Economic Development District (NCNMEDD) for operating and managing an open access middle mile broadband network in Northern New Mexico. The network uses fiber optic technology to connect and provide broadband services to community anchor institutions such as schools, libraries, colleges, hospitals, government offices, public utilities, fire and police departments.

Since its inception, NCNMEDD served as the fiscal agent for the Network in addition to providing a staff member who served as the General Manager (GM), running the day-to-day operations of the business. Approximately 18 months ago, NCNMEDD informed the REDI Net Board of its plans to discontinue its fiscal agent duties including providing a staff member to serve as the GM. NCNMEDD subsequently discontinued their provision of services in March 2016.

For the last 12 months, the Board of Directors has stepped up to continue the day-to-day operations of the network. The current Chair has assumed many of the GM-related duties with other members taking on the technical aspects of running a broadband network. Rio Arriba County now serves as the fiscal agent for the Network. However, the Board recognizes they cannot continue to meet the day-to-day demands of the operation nor is it the preferred way to operate the Network and build a successful broadband business into the future. A full-time GM charged with running the operations of the business while reporting to the Board of Directors is needed to position the network to achieve its goals moving forward.

Staff is recommending Council consideration of the attached Memorandum of Agreement that would provide \$67,000 in funding to REDI Net to defray a portion of the proposed GM costs. The MOA stipulates that REDI Net shall hire or contract with an individual or entity to serve as the General Manager to implement policies and strategies approved by the Board of Directors while overseeing the day-to-day operations of REDI Net. REDI Net will contribute an additional \$68,000 towards the total cost of securing GM services. The proposed term of the MOA is one year. The Board has agreed that part of their direction to a new GM will include generating enough new business revenue to cover this operational cost at the end of the agreement term.

The MOA further stipulates that at the end of the term REDI Net shall present to the County, covering the one-year term of the Agreement, financial information describing the use and expenditures of County funding including summary information for the following:

- Financial standing of the organization;
- Overview of new business opportunities generated by the efforts of the General Manager;
- Current status including growth of the network; and,
- Review of how the General Manager's leadership has led to new organizational structure and operations;

The County has a financial interest in the continued success of REDI Net. The original expense of building the network was funded in part by a federal Broadband Technology Opportunities Program (BTOP) grant of over \$10,000,000. Los Alamos County contributed \$400,000 toward the match requirement of the grant in addition to a \$625,000 in-kind contribution of network infrastructure. Should REDI Net the entity fail, each of the individual parties to the JPA would be responsible for paying back to the federal government the value of the REDI Net infrastructure built out in their individual jurisdictions. Staff has participated in the oversight of the Network during this time of transition and strongly agrees that this staffing need must be addressed to ensure a successful future for REDI Net. Providing this type of assistance to REDI Net would also meet the original purpose behind the additional \$80,000 allocated for new regional initiatives.

Alternatives

Council could direct staff to increase or decrease the amount the County is willing to contribute to the cost of securing GM services for REDI Net.

Fiscal and Staff Impact/Planned Item

The allocation for additional regional initiatives continues to be budgeted in the Progress Through Partnering line item found in the County Manager's Office budget

Attachments

A - MOA17-40 REDI Net

**MEMORANDUM OF AGREEMENT MOA17-40
BETWEEN THE REDI NET BOARD OF DIRECTORS AND THE INCORPORATED
COUNTY OF LOS ALAMOS**

THIS **MEMORANDUM OF AGREEMENT** (hereafter "MOA"), is made and entered into by and between the REDI Net Board of Directors (hereafter "REDI Net") and the Incorporated County of Los Alamos (hereafter the "County") to be effective for all purposes as of May 1, 2017. REDI NET and the County are sometimes referred to in this MOA individually as a "Party" and collectively as the "Parties."

WHEREAS, REDI Net is a public organization cooperatively established by Joint Powers Agreement among the Incorporated County of Los Alamos, New Mexico, Santa Fe County, New Mexico, the City of Española, New Mexico, Rio Arriba County, New Mexico, Ohkay Owingeh, the Pueblo of Santa Clara, the Pueblo of Pojoaque, the Pueblo of Tesuque and the North Central New Mexico Economic Development District (each a "Local Party" and together, the "Local Parties"), for the purpose of operating and managing an open access middle mile broadband network in Northern New Mexico; and,

Whereas, REDI net has its roots in the 2008 Northern New Mexico Regional Economic Development Initiative, which identified high-speed broadband as the region's number one infrastructure priority, resulting in an application for American Recovery and Reinvestment Act funding; and,

Whereas, REDI Net is a middle-mile network using fiber optic technology to connect and provide broadband services to community anchor institutions such as schools, libraries, colleges, hospitals, government offices, public utilities, fire and police departments; and,

Whereas, REDI Net and the Local Parties have a vested interest in the continued success of the network; and,

Whereas, REDI Net has operated without a General Manager for the last year due to organizational changes.

NOW, THEREFORE, for good and valuable consideration including the funding by County for the operation of the REDI Net middle-mile network, and mutual covenants hereinafter set forth, the parties do hereby agree as follows:

A. PURPOSE.

It is the purpose of this MOA to memorialize the agreement of the Parties that County shall provide SIXTY-SEVEN THOUSAND DOLLARS (\$67,000.00) to REDI NET for defraying some of the costs of operating a middle-mile network.

B. SCOPE OF MOA.

1. REDI Net shall:

a. Hire or contract with an individual or entity to serve as the General Manager to

implement policies and strategies approved by the Board of Directors while overseeing the day-to-day operations of REDI Net.

- b. Contribute an additional SIXTY-EIGHT THOUSAND DOLLARS (\$68,000.00) towards the total cost of securing the services of the General Manager.
- c. The selected General Manager and/or representatives of the Board of Directors shall provide the following deliverable:

Present to the County, covering the one-year term of the Agreement, financial information describing REDI Net use and expenditures of County funding within thirty days of the end of the agreement. At a minimum, items included should cover summary information for the following:

- i. Financial standing of the organization;
 - ii. Overview of new business opportunities generated by the efforts of the General Manager;
 - iii. Current status including growth of the network; and,
 - iv. Review of how the General Manager's leadership has led to new organizational structure and operations;
 - d. If REDI Net contracts for the performance of these services, REDI Net warrants and agrees that the procurement of the services shall be in strict compliance with the New Mexico Procurement Code, §§13-1-1, et. seq., NMSA 1978.
2. Los Alamos County shall:
- a. Review and process all invoices and supporting documentation submitted by the REDI Net related to this MOA.

C. TERM AND EFFECTIVE DATE.

This term of this MOA shall commence on May 1, 2017 and shall continue until April 30, 2018 unless sooner terminated as provided herein.

D. COSTS.

- 1. Funding by County for services will not exceed SIXTY-SEVEN THOUSAND DOLLARS (\$67,000.00) and will be paid quarterly upon receipt of an invoice.

E. TERMINATION.

The MOA may be terminated in its entirety if any party materially breaches any term of the MOA, and does not cure the material breach within THIRTY (30) days of receipt of notice from the other party that a material breach has occurred. This termination provision described herein shall not nullify obligations already incurred for performance or failure to perform prior to the date of termination.

F. LIABILITY.

Each Party shall be solely responsible for fiscal or other sanctions occasioned as a result of its own violation of requirements applicable to the performance of this MOA. Each Party shall be liable for its own actions or inactions in accordance with state law and nothing herein shall be deemed a waiver, indemnity or to otherwise create or affect liabilities between the parties. No Party to this MOA shall be responsible for the liability incurred as a result of the other Party's acts or omissions in connection with this MOA or in performance under this MOA. This MOA contains the understanding between the County and REDI Net only and shall not create or confer on any other person or entity any right or benefit, substantive or procedural, enforceable at law or otherwise against the named parties, their officers, directors, employees, agents, representatives, attorneys, contractors, subcontractors, consultants, or advisors. By entering into this MOA, neither Party shall be responsible for liability incurred as a result of the other Party's acts or omissions in connection with this MOA. Any liability incurred in connection with this MOA is subject to the immunities and limitations of the New Mexico Tort Claims Act, Sections 41-4-1. et. seq., NMSA 1978 as amended. This paragraph is intended only to define the liabilities between the Parties hereto and it is not intended to modify, in any way, the Parties' liabilities as governed by common law or the New Mexico Tort Claims Act. No provision in this MOA modifies and/or waives any provision of the New Mexico Tort Claims Act.

G. INSURANCE.

REDI NET shall maintain in full force and effect a general comprehensive liability insurance policy during the term of this MOA in an amount equal to or exceeding that required under the New Mexico Tort Claims Act at N.M. Stat. Ann. § 41-4-19 (2004) as amended or recodified in the future.

H. NOTICES.

Any notices required to be given under this MOA shall be in writing and served by personal delivery or by mail, postage prepaid, to the Parties at the following addresses:

REDI Net
P.O Box 2583
Española, NM 87532

COUNTY
County Manager's Office
1000 Central Ave., STE 350
Los Alamos, NM 87544

J. MISCELLANEOUS PROVISIONS.

1. This MOA is made under and shall be governed by the laws of the State of New Mexico, without regard to any conflicts of law principles that would require the application of the law of any other jurisdiction.
2. In the event that any of the terms and conditions of this MOA, or the application of any such term or condition to any person or circumstance, shall be held invalid by any court having jurisdiction in the premises, the remainder of the MOA and the application of such terms or conditions to persons or circumstances other than those as to which it is held invalid, shall not be affected thereby.

3. This MOA shall be subject to filing with, and to such changes or modifications as may from time-to-time be directed, by competent regulatory authority, if any, in the exercise of its discretion.
4. This MOA constitutes the entire MOA and understanding of the Parties with respect to the subject matter herein. The parties agree that no modification of this MOA shall be binding unless such modification is in writing and is duly executed by authorized representatives of the Parties.
5. Each Party represents and warrants to the other Party that it has the requisite power and authority to execute this MOA and to perform the obligations set out in the MOA. The execution and delivery of this MOA and the performance of the obligations set out herein have been duly authorized by all necessary action on the part of each Party. The obligations set out herein will, upon execution hereof by each Party, be valid and binding obligations of such Party, enforceable against such Party in accordance with the terms and conditions herein except to the extent that enforceability hereof or thereof may be limited by applicable bankruptcy, insolvency, reorganization, moratorium or other similar laws generally affecting creditors' rights and by equitable principles, regardless of whether enforcement is sought in equity or at law.
6. Each Party represents and warrants to the other Party that the execution and delivery of the MOA by such Party does not violate any applicable law or regulation by which the Party is bound, by any applicable court or administrative order or decree, or any MOA or contract to which it is a party.

IN WITNESS WHEREOF, the parties have executed this Memorandum of Agreement on the date(s) set forth below.

ATTEST

INCORPORATED COUNTY OF LOS ALAMOS

By: _____
NAOMI D. MAESTAS
COUNTY CLERK

By: _____
HARRY BURGESS
COUNTY MANAGER **DATE**

APPROVED AS TO FORM:

ALVIN LEAPHART, IV
COUNTY ATTORNEY

REDI NET

By: _____
GABRIEL MONTOYA
BOARD CHAIR **DATE**



County of Los Alamos

Staff Report

March 14, 2017

Los Alamos, NM 87544
www.losalamosnm.us

Agenda No.: A.

Index (Council Goals): * 2017 Council Goal - N/A

Presenters: Jennifer Baker, Chair of the Library Board

Legislative File: 9033-17

Title

Briefing to Council by Jenn Baker, Chair of the Library Board.

Body

Council leadership has requested that each Board/Commission Chair make a presentation to the Council once a year focused on what has been completed and what they are currently working on, and what challenges or opportunities they see coming up in the future .

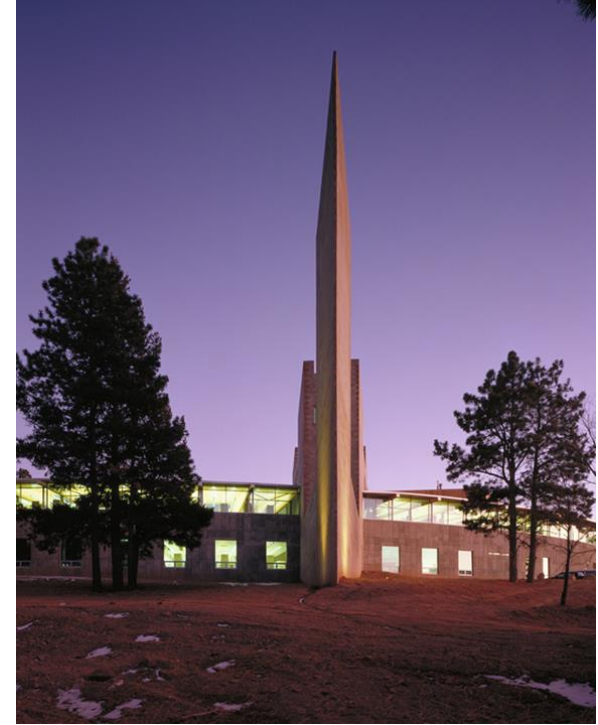
Attachments

A - Library Board presentation to Council FY17

B - FY17 Library Board Work Plan

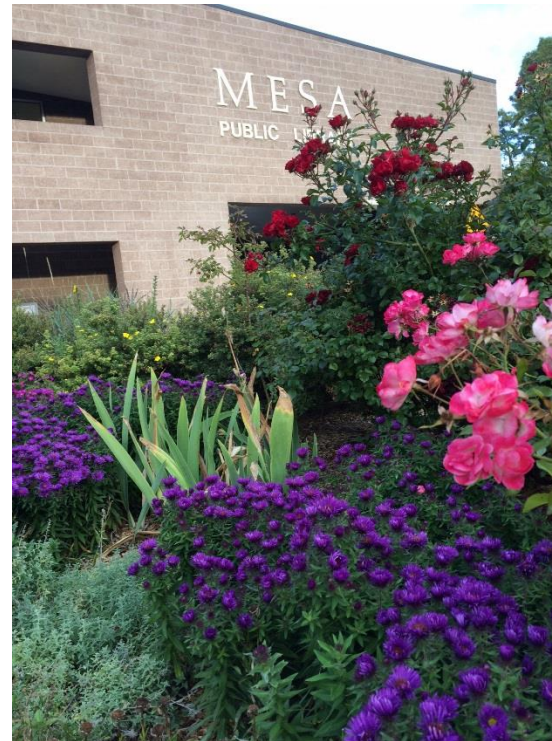
Library Board Presentation to Los Alamos County Council

MARCH 14, 2017



Library Board: Enabling Legislation

The purpose of the Library Board is to receive input from the public, and based on that input, make recommendations to Council that support the fulfillment of the Library's mission in the community.



Library Mission

The library offers opportunities for our diverse regional community to learn, know, gather and grow by providing open and equal access to a variety of ideas and information through evolving technology and services.



Library Measures

The FY 2017 Community Perception Survey showed that:

- 89% of households surveyed had used the library within the last twelve months. This was the highest percentage ever recorded.
- 98% of citizens surveyed who use the library rated library services as good or excellent.
- 75% of total respondents rated services as excellent – an 11% improvement over the division's historic high of 64% on this measure.



Library Statistical Data – Annual Usage

In FY 2016 the Los Alamos County Library...

- Checked out more than 391,000 items.
- Had more than 333,000 visitors.
- Had more than 27,000 computer uses and provided laptop access to many additional patrons.
- Answered more than 24,000 reference questions.
- Had more than 24,000 citizens attend programs at the library.



Annual Usage – FY16 versus FY15



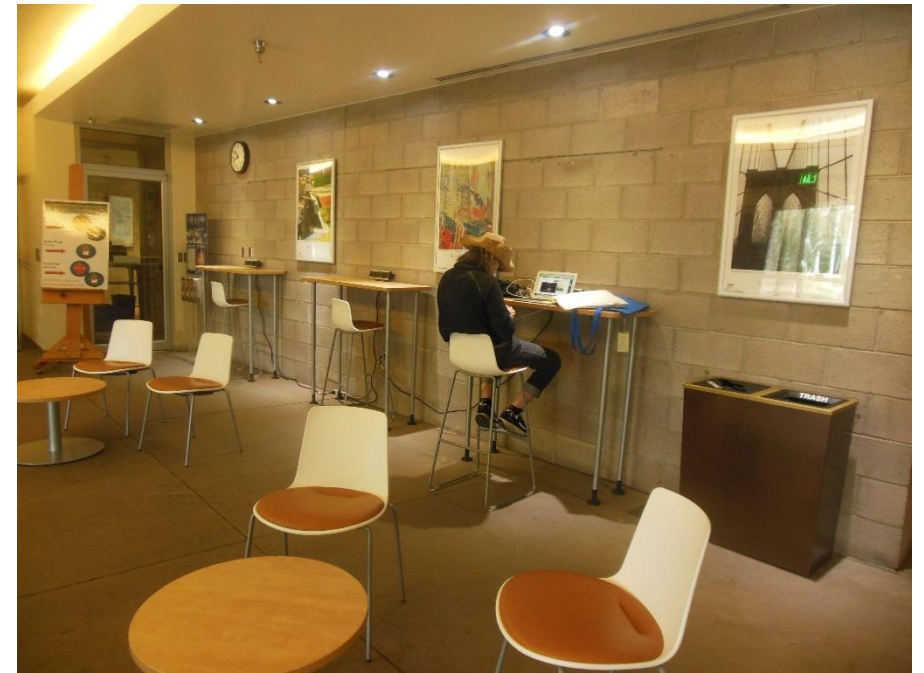
- The number of visits to the library increased by more than 30,000.
- The number of items checked out increased by about 12,000.
- Nearly 6,000 additional citizens attended library programs.
- About 5,000 additional uses of computers in the library were logged.
- The number of reference transactions stayed level.

Strategic Planning

The Library Board's most significant role in FY17 revolved around providing support and input into the library's strategic planning process.

The overall process included:

- Library staff benchmarked best practices and planning processes at libraries across the country.
- A staff survey was completed.
- Over 1,000 adult and children's surveys were returned via Open Forum, print, and email.
- A series of focus groups were held.



Strategic Planning – Key Board Activities

Key Board activities included:

- Meeting with staff to review the overall planning process.
- Leading six community focus groups targeted to the areas of facilities, technology, collections, adult services, and youth services.
- Reviewing progress on the development of goals and objectives throughout the process.

The final document will be created in 2017 and will guide library operations over the next five years.



Additional Library Board Activities

Expansion Space. The Library Board provided input into appropriate library usage for 3,000 feet of new youth services space created when the information management division vacated the space. This area has now been fully integrated into library operations and serves as a combination programming space, area for early literacy activities, and after-school area for study and social interaction.



Additional Library Board Activities

Served as Liaison to the Friends of the Los Alamos County Library. The Friends donated approximately \$65,000 to the library last year through their bookstore activities and community donations. Board members also served on the Friends scholarship committees.



Additional Library Board Activities

Toured and provided input into facilities improvements. Library Board members toured and made recommendations related to improvements to the periodicals area, reference area, lobby, and public art collection.



What's Next

In FY 2018, the Library Board plans to...

- Pilot a project in which each member attends a community event in order to promote library services and have more direct interaction with the community.
- Each board member will host at least one event annually – with primary candidates to be film showings, author talks, or art receptions.



What's Next

In FY 2018, the Library Board plans to...

- Work with the staff liaison to evaluate additional options for library promotion. As appropriate, directly communicate with the public about key library events.
- Twice annually, review staff progress on the strategic plan. Periodically review plan for areas for potential Library Board involvement that are related to gathering public input or interfacing with County Council.



What's Next

In FY 2018, the Library Board plans to...

- Host 1-2 staff/library appreciation events annually.
- Continue serving as the liaison to the Friends of the Los Alamos County Libraries. Continue serving on the Friends Scholarship Committee. Work with staff liaison to consider and explore other options for relevant community connections.



Supporting Council Goals



Some of the key Los Alamos County Council goals supported by the Library Board include:

- Implement a comprehensive range of recreational and cultural amenities that enhance the Los Alamos community.
- Partner with the Los Alamos Public Schools and the University of New Mexico – Los Alamos; and support, as appropriate, the delivery of their educational services to community standards.
- Maintain quality essential services and supporting infrastructure
- Invest in staff development to create a high performing organization.



FY17 Work Plan for Los Alamos County Boards and Commissions

(Fiscal Year 2017: July 1, 2016 – June 30, 2017)

Board and Commission Name: Library Board

Date prepared: March 1, 2016. Date approved by Council: 5/3/16

Prepared by: Library Board and Staff Liaison

**This work plan will be accomplished in the following time frame:
from July 1, 2016 to June 30, 2017**

Chairperson: Michelle Griffin Term: 9/1/2014 to 8/31/2016

Members and terms:

Janet Harris (2 nd term)	9/1/14 to 8/31/16
Michelle Griffin (2 nd term)	9/1/15 to 8/31/17
Virginia White	9/1/14 to 8/31/16
Tim Langworthy	9/1/14 to 8/31/16

Department Director: Charlie Kalogeros-Chattan, Community Services

Work plan developed in collaboration with Department Director?(Y/N?)Yes

Staff Liaison: Steven Thomas

Administrative Support provided by: Johneva Martinez

Council Liaison: Steve Girrens Reviewed by Council Liaison? Yes

1.0 Provide a brief Summary of your Board or Commission's activities over the past twelve months. Please describe your Board or Commission's accomplishments and identify constraints. List any "lessons learned."

New White Rock Branch Library

Participated in a variety of planning processes and documentation review sessions as part of the creation of a new White Rock Branch Library -- which opened in July, 2015. Participated in events related to the grand opening celebration. Gathered public input related to the building project.

Library Strategic Planning Process

Participated in the beginning phases of this project. Activities so far include: reviewing plans of other libraries, reviewing draft of public survey, and discussing an overview of the upcoming process. Upcoming activities may include such things as leading focus groups, reviewing survey results, visiting other libraries, and reviewing the final draft of the document.

Collaboration with the Art in Public Places Board

Met frequently with Steve Foltyn from the APP Board. Reviewed a variety of presentations and provided input into process and selections.

Expansion Space

The board provided input into appropriate library usage for 3,000 feet of new youth services space created when IM vacated the area.

Provided liaison to Friends of the Los Alamos County Library board.

Completed multi-year liaison to the White Rock Master Plan Implementation Committee with the opening of the new library.

Board members attended a variety of presentations related to their work including Board and Commission Luncheons, presentations from County Staff, etc.

2.0 Describe the future work plans for this Board or Commission using the following items and showing the relationship to those items: <i>(Please remember that Council approval of this work plan does not constitute official Council approval of proposed projects, assignments, or anticipated recommendations included in this work plan that have budget implications.)</i>
--

2.1 List any special projects or assignments given to this Board or Commission by Council or the Department director:
--

Participate as needed and requested by the Community Services Department Director in the development of a master plan for the Ashley Pond and Library Grounds area.

Review, discuss, and advise on library plans related to the upcoming strategic plan. This will include participating in the public survey and focus group process as well as reviewing the final document. Throughout this, the Library Board will be focused on assisting with the gathering and compilation of public input.

Review and comment on any output from additional relevant management action plans as requested by the department director.

2.2 List any special public information or involvement meetings or efforts to be conducted by this Board or Commission:

The Library Board will participate in a variety of public meetings related to the strategic planning process.

2.3 Other projects/assignments proposed by the Board or Commission: (*Any projects or activities proposed in this section should be discussed with the Council Liaison prior to listing it in this work plan.*)

Review, discuss, and advise on library plans related to the youth services expansion space. As appropriate, continue to serve as an advocate for the library in regards to the space.

Continue to provide liaisons to the Friends of the Los Alamos County Library Board. Study options for additional future partnerships and/or to address community needs and implement as appropriate.

3.0 Identify any interfaces for the goals/tasks in this work plan with County Departments and other Boards and Commissions. Specify the coordination required.

There are a number of possible interfaces related to the strategic plan. For example, if the survey is posted on Open Forum, interaction between library staff, library board, and the public information office may occur with some frequency.

In conjunction with the Ashley Pond and Library Grounds project, may interface with the Parks and Recreation Board, the Art in Public Places Board, and the Fuller Lodge Historic Districts Advisory Board.

4.0 List the current subcommittees for this Board or Commission.

Not applicable.

- 4.1 For subcommittees with members that are not members of the parent board or commission:**
List the subcommittee members and their terms.
Explain how sub- committee members are selected or appointed.
Provide a description of each subcommittee's charter or purpose.
Describe the expected duration for the subcommittee and their work plan(s) demonstrating how they support the Board or Commission:

Attachment A: Provide a copy of your Board or Commission's "Purpose" and "Duties and Responsibilities" from Chapter 8 of the County Code:

ARTICLE V. LIBRARY BOARD

Sec. 8-81. Purpose.

The library board's primary purpose is to receive input from the public and, based on that input, make recommendations to council that support the fulfillment of the library's mission in the community.

In addition, state grants-in-aid to public libraries, 4.5.2 NMAC (7/1/2000) stipulates that the library shall have a library board that is an entity separate from the political subdivision of state government or other type of entity that established it. Therefore, the existence of the library board is part of insuring that the library will be eligible to receive such funding. (Ord. No. 02-078, § 2, 10-3-2006)

Sec. 8-82. Membership, terms and qualifications.

The library board will consist of five members. The library manager shall be an ex officio member of the library board. Members will serve for two-year staggered terms beginning on September 1 and ending on August 31. (Ord. No. 02-078, § 2, 10-3-2006)

Sec. 8-83. Duties and responsibilities.

The library board shall serve in an advisory capacity to the county council and shall have the following functions, responsibilities and duties:

- (1) Review and recommend to council written public policies to support the purpose, goals and objectives of the library including the collection development policy, which authorizes the library manager and qualified staff to select all books and materials.
- (2) Ensure that library policy states and supports the intellectual freedom of all residents and provides a well-defined public challenge policy and procedure to protect the library from censorship threat.
- (3) Gather and provide public input on:
 - a. Ways and means for improving library services and programs;
 - b. The development of library service objectives and the library's long-range plan; and
 - c. Recommendations for methods and schedules for reviewing library programs and services.

For these purposes, the board shall gather public input in ways appropriate to the circumstances, which may include public hearings dedicated to specific topics.

- (4) Review all library and library-related matters submitted to the board by council.

(Ord. No. 02-078, § 2, 10-3-2006) Drafted by Library Board February 6, 2012 Approved by County Council March 27, 2012

Attachment B: Using the chart below, mark the adopted Council Goals or directives related to this Board or Commission:

Mark all that apply

Economic Vitality	
<u>Financial Sustainability/Economic Vitality:</u>	
<ul style="list-style-type: none"> • Priority Area – Maximize our opportunity with respect to the development of the Manhattan Project National Historical Park 	
<ul style="list-style-type: none"> • Promote a strong and diverse economic base through support of the current business base, recruiting additional businesses and encouraging new business growth 	
<ul style="list-style-type: none"> • Collaborate with Los Alamos National Laboratory as the area's #1 employer, and support associated spinoff businesses 	
<ul style="list-style-type: none"> • Market and brand Los Alamos as a scenic destination featuring recreation, science and history, 	X
<ul style="list-style-type: none"> • Encourage the retention of existing businesses and assist in their opportunities for growth 	
<ul style="list-style-type: none"> • Support spinoff business opportunities from LANL 	
<ul style="list-style-type: none"> • Significantly improve the quantity and quality of retail and tourism business 	
<ul style="list-style-type: none"> • Attract new tourism related business 	
<ul style="list-style-type: none"> • Revitalize and eliminate blight in the downtown areas of Los Alamos and White Rock 	
Quality of Life	
<u>Education:</u>	
<ul style="list-style-type: none"> • Support Los Alamos Public Schools' goal of ranking among the top public schools in the nation 	X
<ul style="list-style-type: none"> • Partner with Los Alamos Public Schools and support, as appropriate, the delivery of their educational services to community standards 	X
<ul style="list-style-type: none"> • Support the development of quality career, and life-long educational institutions 	X
<u>Quality Cultural and Recreational Amenities:</u>	
<ul style="list-style-type: none"> • Create and Implement a comprehensive recreational and cultural plan that includes a range of amenities that support all segments of the Los Alamos community 	X
<u>Environmental Stewardship:</u>	
<ul style="list-style-type: none"> • Enhance environmental quality and sustainability balancing costs and benefits 	
<u>Mobility:</u>	
<ul style="list-style-type: none"> • Maintain and improve transportation and mobility 	
<u>Housing:</u>	
<ul style="list-style-type: none"> • Priority Area -- Promote the maintenance and enhancement of housing stock quality while utilizing available infill opportunities 	
<ul style="list-style-type: none"> • Promote the creation of a variety of housing options for all segments of the Los Alamos community 	
<ul style="list-style-type: none"> • Support development of affordable workforce housing 	

Quality Governance		
	<u>Operational Excellence:</u>	
	• Priority Area – Simplify permit requirements and improve the overall process	
	• Maintain quality essential services and supporting infrastructure	X
	• Invest in staff development to create a high performing organization	
	• Manage commercial growth well following an updated, concise, and consistent comprehensive plan	
	<u>Communication:</u>	
	• Priority Area - Create a communication process that provides measurable improvement in citizen trust in government	
	• Improve transparency in policy setting and implementation	
	<u>Intergovernmental Relations:</u>	
	• Strengthen coordination and cooperation between County government, LANL, and the regional and national partners	



County of Los Alamos

Staff Report

March 14, 2017

Los Alamos, NM 87544
www.losalamosnm.us

Agenda No.: B.

Index (Council Goals): * 2017 Council Goal – Quality Governance - Communication – Create a Communication Process That Provides Measureable Improvements in Citizen Trust in Government

Presenters: Philip Gursky, Chair of the Planning and Zoning Commission

Legislative File: 9034-17

Title

Briefing to Council by Phil Gursky, Chair of the Planning and Zoning Commission

Body

Council leadership has requested that each Board/Commission Chair make a presentation to the Council once a year focused on what has been completed and what they are currently working on, and what challenges or opportunities they see coming up in the future .

Attachments

- A - FY18 Planning and Zoning Workplan
- B - FY17 P&Z Commission Work Plan



FY18 Work Plan for Los Alamos County Boards and Commissions

(Fiscal Year 2018: July 1, 2017 – June 30, 2018)

Board and Commission Name: Planning and Zoning Commission

Date prepared: 01/30/17 **Date approved by Council:** _____

Prepared by: Anita Barela/Tamara Baer

This work plan will be accomplished in the following time frame:
from 7/1/17 **to** 6/30/18 **(dates)**

Chairperson: Philip Gursky **Term:** ends March 2017

Members and terms:

Philip Gursky - March 2017 (end of first term)
Michael Redondo* - March 2018 (end of second term)
Larry Warner - March 2018 (end of second term)
Ashley Mamula - March 2019 (end of second term)
Catherine Mockler - March 2017 (end of second term)
Amy Woods – March 2019 (end of first term)
Philip Kunsberg – March 2019 (end of second term)
Jaret McDonald – March 2018 (end of first term)**
Vacancy

***Currently Vice-Chair; Chair as of April 1, 2017**

****Vice-Chair as of April 1, 2017**

Department Director: Paul Andrus

Work plan developed in collaboration with Department Director? (Y/N?) Y

Staff Liaison: Tamara Baer

Administrative Support provided by: Anita Barela

Council Liaison: Rick Reiss **Reviewed by Council Liaison?** Y

1.0 Provide a brief Summary of your Board or Commission's activities over the past twelve months. Please describe your Board or Commission's accomplishments and identify constraints. List any "lessons learned" and identify the greatest challenges faced by the Board or Commission.

- 1. Completion of Comprehensive Plan Update**
- 2. Site Plans (Condominiums in Quemazon, O'Reilly's Auto Parts, 80 Entrada)**
- 3. Special Use Permits (1 Accessory Apartment, Overnight dog kennels at East Gate)**
- 4. Subdivisions in Quemazon**
- 5. Rezoning on Bathtub Row**
- 6. Code Change – Historic Preservation Text Amendment**
- 7. Appeal of the Denial of a Special Use Permit on 80 Canyon Road**

Decisions were made by the Board of Adjustment on Waiver applications for 1 side yard, 2 front yard setbacks, and 2 fence height Waivers.

2.0 Describe the future work plans for this Board or Commission using the following items and showing the relationship to those items: *(Please remember that Council approval of this work plan does not constitute official Council approval of proposed projects, assignments, or anticipated recommendations included in this work plan that have budget implications.)*

Anticipated Projects include:

- 1. Subdivision and/or Site Plan review & approval for:**
 - A-19 development
 - 20th Street south of Trinity
 - Entrada Road
 - Los Alamos Visiting Nurses on Canyon Road Site Plan for Assisted Living
- 2. Rezoning-**
 - Historic District Overlay for Bathtub Row/Fuller Lodge
 - Open Space parcels as identified for rezone in Open Space Management Plan and in Comprehensive Plan
 - Los Alamos Visiting Nurses
- 3. Development Code- The following anticipated code amendments are of the highest priority and will be done first:**
 - Revisions to Review Criteria in Article IV for improved objectivity and specificity related to conformance with the Comprehensive Plan, including & especially the Future Land Use Map (FLUM)
 - Development of a Future Land Use Map Code section
 - Development of new Mixed-Use Zoning District(s)

- **Revisions to Downtown (DT) Overlays to allow all residential uses in certain districts**

In addition to the high priority amendments listed above, other code amendments and work plan items may include:

- **Revisions to Sign Code**
- **Revisions to Outdoor Lighting**
- **Adopting digital version of Official Zoning Maps in lieu of paper**
- **Revisions to Code Definitions to match Use Table**
- **Clarification of “triggers” for various processes**
- **Clarification of what constitutes a “final action”**
- **Clarification of uses in R-3-L-NC (Multiple-family residential/low density – North Community district**
- **Addressing severability one time in the code; removing redundancy**
- **Establishing automatic default zoning (e.g., R-1 or MU) with land conveyance**
- **Clarification of time frame for Appeal**
- **Definition of “effective date”**
- **Consideration of a minimum trigger for Building Permit only (not Site Plan amendment)**
- **Alignment of code terminology with construction industry standards**
- **Addressing the issue of carports and waiver requests**
- **Addition of definition for Manufactured Home**
- **Addition of parking requirement for Accessory Dwelling Units**
- **Establishing minimum distance between Manufactured Homes**
- **Increasing communication between project proposers and neighborhoods and avoiding conflict at public hearings**

4. Continued review of land use cases

2.1 List any special projects or assignments given to this Board or Commission by Council or the Department director:
--

Implementation of Development Code amendments prompted by adoption of the Comprehensive Plan in December 2016, which include possible rezoning of some parcels and correction of mapping errors.

In addition, the Commission anticipates receiving yet to be determined direction from the newly formed Land Use Sub-Committee of the County Council regarding specific projects or studies to be undertaken, which may include questions concerning neighborhood priorities.

2.2 List the guiding documents/plans (with approval or revision dates listed) used by this Board or Commission.

**Los Alamos Comprehensive Plan
Los Alamos County Code of Ordinances, Chapter 16, Development Code
Development Code Appeals, Council Procedures, adopted by Council
Resolution on 04/15/16**

2.3 Other projects/assignments proposed by the Board or Commission: (Any projects or activities proposed in this section should be discussed with the Council Liaison prior to listing it in this work plan.)

3.0 Identify any interfaces for the goals/tasks in this work plan with County Departments and other Boards and Commissions. Specify the coordination required.

The Planning and Zoning Commission will coordinate with other Boards, Commissions and Committees as needed, such as the Parks and Rec board, Economic Vitality Action Team, Main Street Futures and Los Alamos Commerce and Development Corporation to implement the suggested code changes in the Comprehensive Plan adoption.

Fuller Lodge Historic Districts Advisory Board- Historic District Zoning Overlay and possible base rezoning of affected properties.

4.0 List any special public information or involvement meetings or efforts to be conducted by this Board or Commission:

As technical code changes are reviewed by the Commission, public hearings will be held. Additional public meetings may also be held on topics of general interest to the public and which may result in code changes or modifications.

5.0 List the current subcommittees for this Board or Commission.

**5.1 For subcommittees with members that are not members of the parent board or commission:
List the subcommittee members and their terms.
Explain how sub- committee members are selected or appointed.
Provide a description of each subcommittee's charter or purpose.
Describe the expected duration for the subcommittee and their work plan(s) demonstrating how they support the Board or Commission:**



Board of Adjustment (formerly Variance Board) is comprised of three members of the Planning and Zoning Commission who volunteer to serve and are appointed by the County Council. Board of Adjustment (BOA) members serve concurrent with the Planning & Zoning Commissioner's current term, including any period during which the member serves until replaced or reappointed. The BOA generally meets on Mondays when a request for a waiver is pending. Five (5) Waiver cases were heard in CY 2016.

Planning Division staff will perform an analysis of Waiver cases over the past several years to assess the type of Waiver requested; frequency/percentage of total by type; relation to code enforcement cases; recommendations; and outcomes. Following the data analysis, it is anticipated that the BOA will bring the matter to the full Commission for discussion and possible action in terms of recommended code amendments.

Current BOA Members:

- **Michael Redondo, Chair**
- **Cathy Mockler**
- **Jaret McDonald**

Note that at least two new board members will be appointed in April 2017.

Attachment A: Provide a copy of your Board or Commission's "Purpose" and "Duties and Responsibilities" from Chapter 8 of the County Code:

ARTICLE IX. - PLANNING AND ZONING COMMISSION

Sec. 8-201. - Purpose.

The county council has determined that the coordinated, comprehensive, orderly, and harmonious physical development of the county in both the short and long term will be best served through the establishment of a planning and zoning commission. Pursuant to NMSA 1978, § 4-57-1, the county council will appoint a planning and zoning commission for making advisory recommendations to the county council regarding planning and zoning for the county and for promoting the general welfare of the citizens of the county.

(Ord. No. 02-078, § 2, 10-3-2006)

Sec. 8-203. - Duties and responsibilities.

(a) The planning and zoning commission shall serve in an advisory capacity and shall have the following functions, responsibilities and duties:

- (1) From time to time, the planning and zoning commission may undertake such study, training, and investigations as may be deemed necessary to carry out the powers and duties listed in subsections (a)(2) and (a)(3) below.



(2) The planning and zoning commission shall hold a public hearing in accordance with the requirements of chapter 16 article XI of this Code and shall forward a recommendation to the county council on the following applications:

- a. Application for adoption of and amendments to the text of chapter 16;
- b. Application for adoption of and amendments to the official zoning map;
- c. Application for adoption of and amendments to the comprehensive plan. The planning and zoning commission may from time to time recommend amendments, extensions or deletions to the comprehensive plan or carry any part or subject matter into greater detail;
- d. Application for addition, deletion or change in category to the uses allowed in any district as set forth in the chapter 16 index of land uses.

(3) Provide citizen input to staff and council on ways and means for improving the county's planning and zoning functions including formulation of the comprehensive plan, changes in the official zoning map, and updates and revisions to chapter 16 of the County Code as may be required. For this purpose, the board shall gather public input in ways appropriate to the circumstances, which may include public hearings dedicated to specific topics.

(4) Review and act upon all planning, zoning, and comprehensive plan related matters submitted to the commission by council.

(b) The planning and zoning commission shall serve in a regulatory capacity and as such have the following functions, responsibilities and duties:

(1) Hold a public hearing in accordance with the requirements of Los Alamos County Code chapter 16 article XI and shall have the authority to approve, conditionally approve or disapprove the following applications:

- a. Application for approval of a site plan except an application on which the community development director acts pursuant to subsection 16-51(b);
- b. Application for special use permit;
- c. Subdivision applications: sketch, preliminary and final plats; and summary plats when referred to the planning and zoning commission by the community development director;
- d. Application or decision making authority referred to it by the community development director.

(c) The planning and zoning commission shall serve in an appellate capacity and as such have the following functions, responsibilities and duties in accordance with this article:

(1) Hear appeals from a decision or determination of the community development director with respect to any matter (except personnel) other than an interpretation of this County of Los Alamos Development Code. The planning and zoning commission shall either affirm, overturn, or modify the decision of the community development director, or remand the matter to the community development director, as appropriate.

(2) Hear appeals from a decision of the community development director requiring an interpretation of the County of Los Alamos Development Code. The interpretation of the Code made by the community development director must be in writing. The planning and zoning commission shall affirm the interpretation of this Code determined by the community development director, or remand the matter to the community development director for further consideration in accordance with the instructions of the planning and zoning commission. (Ord. No. 02-078, § 2, 10-3-2006)



Board of Adjustment

[From Chapter 16 of the Development Code]

Sec. 16-52. - Board of adjustment

(a) *Board of adjustment established.* The board of adjustment is hereby established. The board of adjustment will consist of three members of the planning and zoning commission appointed by the county council. The planning and zoning commission shall nominate members for appointment to the board of adjustment. The chairperson of the planning and zoning commission shall not be eligible to serve as a regular member of the board of adjustment. Each member of the board of adjustment shall serve a term ending concurrently with the member's then current term as a member of the planning and zoning commission, including any period during which the member serves until replaced or reappointed. The chairperson of the planning and zoning commission shall serve as an alternate member of the board of adjustment and the chairperson or the chairperson's designee may sit in place of any member of the board of adjustment that is unable to attend a regular or special meeting of the board of adjustment, or is disqualified to act on a matter due to a conflict of interest.

(b) *Powers and duties.* The board of adjustment shall hold a public hearing in accordance with the requirements of article XI and shall have the authority to approve, conditionally approve or disapprove the following:

- (1) Applications for waivers to the requirements of this chapter, except that the board of adjustment shall not consider waivers to the public works construction standards referenced in the chapter; and
- (2) Application or decision making authority referred to the board of adjustment by the community development director as set forth in subsection 16-51(c)4.

(c) *Conditions of approval.* In granting conditional approval, the board of adjustment may only impose such conditions as are reasonably necessary to meet the approval criteria of section 16-157, including the granting of waivers more restrictive than those originally requested by the applicant.

(d) *Meetings.* Two members of the board of adjustment shall be a quorum for the conduct of business and approval of a waiver or application considered by the board of adjustment shall require a motion and affirmative vote of at least two members of the board of adjustment.

(Ord. No. 02-084, § 2, 3-27-2007)

Editor's note—

Ord. No. 02-084, § 2, adopted March 27, 2007, amended section 16-52 in its entirety to read as herein set out. Former section 16-52, pertained to variance board, and derived from Ord. No. 85-301, § 1, 11-6-01.

Attachment B: Using the chart below, place an X in the column on the right if the Council Goal is related to the work of the Planning & Zoning Commission:

Mark all that apply

Economic Vitality		
	Priority Area and Priority Goals are highlighted	
	Economic Vitality:	
	<ul style="list-style-type: none"> Build the local tourism economy. 	
	<ul style="list-style-type: none"> Revitalize and eliminate blight in Los Alamos and White Rock. 	X
	<ul style="list-style-type: none"> Promote a strong and diverse economic base by encouraging new business growth. 	
	<ul style="list-style-type: none"> Collaborate with Los Alamos National Laboratory as the area's #1 employer. 	
	Financial Sustainability:	
	<ul style="list-style-type: none"> Encourage the retention of existing businesses and assist in their opportunities for growth. 	X
	<ul style="list-style-type: none"> Support spinoff business opportunities from LANL. 	
	<ul style="list-style-type: none"> Significantly improve the quantity and quality of retail and tourism business. 	
Quality of Life		
	Priority Area and Priority Goals are highlighted	
	Housing:	
	<ul style="list-style-type: none"> Promote the creation of a variety of housing options for all segments of the Los Alamos Community, including infill opportunities as appropriate. 	X
	<ul style="list-style-type: none"> Support development of affordable workforce housing. 	X
	Education:	
	<ul style="list-style-type: none"> Support Los Alamos Public Schools' goal of ranking among the top public schools in the nation. 	
	<ul style="list-style-type: none"> Partner with Los Alamos Public Schools and the University of New Mexico – Los Alamos; and support, as appropriate, the delivery of their educational services to community standards. 	
	Quality Cultural and Recreational Amenities:	
	<ul style="list-style-type: none"> Implement a comprehensive range of recreational and cultural amenities that enhance the Los Alamos community. 	
	Environmental Stewardship:	
	<ul style="list-style-type: none"> Enhance environmental quality and sustainability balancing costs and benefits including County services and utilities. 	
	Mobility:	
	<ul style="list-style-type: none"> Maintain and improve transportation and mobility. 	

Quality Governance		
	Priority Areas and Priority Goals are highlighted	
	Operational Excellence:	
	<ul style="list-style-type: none"> Implement the Comprehensive Plan with an emphasis on neighborhoods and zoning. 	X
	<ul style="list-style-type: none"> Simplify permit requirements and improve the overall development and building code processes to become easier to work with for all participants. 	X
	Operational Excellence:	
	<ul style="list-style-type: none"> Maintain quality essential services and supporting infrastructure. 	
	<ul style="list-style-type: none"> Invest in staff development to create a high performing organization. 	
	<ul style="list-style-type: none"> Manage commercial growth well following an updated, concise, and consistent comprehensive plan. 	
	<ul style="list-style-type: none"> Establish and implement a mechanism for effective Utility policy setting and review. 	
	Communication:	
	<ul style="list-style-type: none"> Improve transparency in policy setting and implementation. 	
	<ul style="list-style-type: none"> Create a communication process that provides measurable improvement in citizen trust in government. 	
	Intergovernmental Relations:	
	<ul style="list-style-type: none"> Strengthen coordination and cooperation between County government, LANL, and the regional and national partners. 	
	<ul style="list-style-type: none"> Actively pursue land transfer opportunities. 	



FY17 Work Plan for Los Alamos County Boards and Commissions

(Fiscal Year 2017: July 1, 2016 – June 30, 2017)

Board and Commission Name: Planning and Zoning Commission

Date prepared: 01/26/16 **Date approved by Council:** 5-3-16

Prepared by: Anita Barela/Tamara Baer

This work plan will be accomplished in the following time frame:
from 7/1/16 **to** 6/30/17 **(dates)**

Chairperson: Phillip Gursky **Term:** ends March 2017

Members and terms:

Phillip Gursky - March 2017 (Chair)
Michael Redondo (Vice Chair) - March 2018 (end of second term)
Larry Warner - March 2018 (end of second term)
Ashley Mamula - March 2016 (end of first term)
Fred Brueggeman - March 2017 (end of first term)
Catherine Mockler - March 2017 (end of second term)
Amy Woods – March 2016 (end of first partial term)
Phil Kunsberg – March 2016 (end of first partial term)
Jaret McDonald – March 2018 (end of first term)

Department Director: Paul Andrus

Work plan developed in collaboration with Department Director? (Y/N?) Y

Staff Liaison: Tamara Baer

Administrative Support provided by: Anita Barela

Council Liaison: Kristin Henderson **Reviewed by Council Liaison?** Y

1.0 Provide a brief Summary of your Board or Commission's activities over the past twelve months. Please describe your Board or Commission's accomplishments and identify constraints. List any "lessons learned" and identify the greatest challenges faced by the Board or Commission.

- 1. Site Plans (Assisted living facility in White Rock, YMCA Community Garden, Visiting Nurses, Del Norte Credit Union).**
- 2. Special Use Permits (Los Alamos Nature Center, Dog Day Care, Assisted living facility in White Rock, Hospital Helipad, Unitarian Church, 2 Accessory Apartments).**
- 3. Initiation of Comprehensive Plan update. Review and approval of RFP for consultant services for public outreach and participation on comprehensive plan.**
- 4. Decisions were made by the Board of Adjustment on cases involving waivers for 1 side yard, 3 front yard setbacks, and 1 height waiver.**

2.0 Describe the future work plans for this Board or Commission using the following items and showing the relationship to those items: *(Please remember that Council approval of this work plan does not constitute official Council approval of proposed projects, assignments, or anticipated recommendations included in this work plan that have budget implications.)*

- 1. Comprehensive Plan Land Use Maps, including:**
 - Actual vs. zoned residential densities
 - Existing land uses
 - Consolidation of draft land use categories
 - New or proposed land uses
- 2. Comprehensive Plan**
- 3. Anticipated Projects include subdivision and/or site plan review & approval for:**
 - A-19 development
 - 20th Street south of Trinity
 - Entrada Road
 - Los Alamos Visiting Nurse on Canyon Road
- 4. Rezoning- Possible consideration of Historic District Overlay to Bathtub Row, and/or Fuller Lodge**
- 5. Development Code- Making various changes to Chapter 16 (Municipal Code) to increase the ease of use and administration of the Code as well as better support the Comprehensive Plan goals**
- 6. Continued review of land use cases**
- 7. Possible discussion of proposed changes to the Sign Code**

2.1 List any special projects or assignments given to this Board or Commission by Council or the Department director:

Complete an update to the Comprehensive Plan by the end of CY2016.

2.2 List the guiding documents/plans (with approval or revision dates listed) used by this Board or Commission.

**Los Alamos Comprehensive Plan
Los Alamos County Code of Ordinances, Chapter 16, Development Code
Development Code Appeals, Council Procedures, adopted by Council
Resolution on 04/15/16**

2.3 Other projects/assignments proposed by the Board or Commission: (*Any projects or activities proposed in this section should be discussed with the Council Liaison prior to listing it in this work plan.*)

3.0 Identify any interfaces for the goals/tasks in this work plan with County Departments and other Boards and Commissions. Specify the coordination required.

As each element of the Comprehensive Plan is developed, the Planning and Zoning Commission will coordinate with other relevant Boards, Commissions, and Committees such as the White Rock Master Plan Implementation Advisory Committee, Economic Vitality Action Team, Main Street Futures and others.

Fuller Lodge Historic Districts Advisory Board- Historic District Zoning Overlay (quasi-judicial), and possible base rezoning of affected properties

4.0 List any special public information or involvement meetings or efforts to be conducted by this Board or Commission:

As the Comprehensive Plan is updated, public meetings will be held to gather input on policies, elements, goals and priorities. A complete public participation and outreach plan is under development per the terms of the approved contract with ARC, Architectural Research Consultants, Inc., of Albuquerque.

5.0 List the current subcommittees for this Board or Commission.

**5.1 For subcommittees with members that are not members of the parent board or commission:
List the subcommittee members and their terms.
Explain how sub- committee members are selected or appointed.
Provide a description of each subcommittee's charter or purpose.
Describe the expected duration for the subcommittee and their work plan(s) demonstrating how they support the Board or Commission:**

Board of Adjustment (formerly Variance Board) is comprised of three members of the Planning and Zoning Commission who volunteer to serve and are appointed by the County Council. Board of Adjustment (BOA) members serve until they resign from the Board, or their term expires. The BOA generally meets on Mondays when there is request for a waiver pending and 05 waiver cases were heard in CY2015.

Current BOA Members:

Michael Redondo (Chair) - Term expires March 2018

Catherine Mockler - Term expires March 2017

Jaret McDonald - Term expires March 2018

Attachment A: Provide a copy of your Board or Commission's "Purpose" and "Duties and Responsibilities" from Chapter 8 of the County Code:

ARTICLE IX. - PLANNING AND ZONING COMMISSION

Sec. 8-201. - Purpose.

The county council has determined that the coordinated, comprehensive, orderly, and harmonious physical development of the county in both the short and long term will be best served through the establishment of a planning and zoning commission. Pursuant to NMSA 1978, § 4-57-1, the county council will appoint a planning and zoning commission for making advisory recommendations to the county council regarding planning and zoning for the county and for promoting the general welfare of the citizens of the county.

(Ord. No. 02-078, § 2, 10-3-2006)

Sec. 8-203. - Duties and responsibilities.

- (a) The planning and zoning commission shall serve in an advisory capacity and shall have the following functions, responsibilities and duties:

(1)

From time to time, the planning and zoning commission may undertake such study, training, and investigations as may be deemed necessary to carry out the powers and duties listed in subsections (a)(2) and (a)(3) below.

(2)

The planning and zoning commission shall hold a public hearing in accordance with the requirements of [chapter 16](#) article XI of this Code and shall forward a recommendation to the county council on the following applications:

a.

Application for adoption of and amendments to the text of [chapter 16](#);

b.

Application for adoption of and amendments to the official zoning map;

c.

Application for adoption of and amendments to the comprehensive plan. The planning and zoning commission may from time to time recommend amendments, extensions or deletions to the comprehensive plan or carry any part or subject matter into greater detail;

d.

Application for addition, deletion or change in category to the uses allowed in any district as set forth in the [chapter 16](#) index of land uses.

(3)

Provide citizen input to staff and council on ways and means for improving the county's planning and zoning functions including formulation of the comprehensive plan, changes in the official zoning map, and updates and revisions to [chapter 16](#) of the County Code as may

be required. For this purpose, the board shall gather public input in ways appropriate to the circumstances, which may include public hearings dedicated to specific topics.

(4)

Review and act upon all planning, zoning, and comprehensive plan related matters submitted to the commission by council.

(b) The planning and zoning commission shall serve in a regulatory capacity and as such have the following functions, responsibilities and duties:

(1)

Hold a public hearing in accordance with the requirements of Los Alamos County Code [chapter 16](#) article XI and shall have the authority to approve, conditionally approve or disapprove the following applications:

a.

Application for approval of a site plan except an application on which the community development director acts pursuant to subsection [16-51\(b\)](#);

b.

Application for special use permit;

c.

Subdivision applications: sketch, preliminary and final plats; and summary plats when referred to the planning and zoning commission by the community development director;

d.

Application or decision making authority referred to it by the community development director.

(c) The planning and zoning commission shall serve in an appellate capacity and as such have the following functions, responsibilities and duties in accordance with this article:

(1)

Hear appeals from a decision or determination of the community development director with respect to any matter (except personnel) other than an interpretation of this County of Los Alamos Development Code. The planning and zoning commission shall either affirm, overturn, or modify the decision of the community development director, or remand the matter to the community development director, as appropriate.

(2)

Hear appeals from a decision of the community development director requiring an interpretation of the County of Los Alamos Development Code. The interpretation of the Code made by the community development director must be in writing. The planning and zoning commission shall affirm the interpretation of this Code determined by the community development director, or remand the matter to the community development director for further consideration in accordance with the instructions of the planning and zoning commission.

(Ord. No. 02-078, § 2, 10-3-2006)

Board of Adjustment

[From Chapter 16 of the Development Code]

Sec. 16-52. - Board of adjustment

(a) *Board of adjustment established.* The board of adjustment is hereby established. The board of adjustment will consist of three members of the planning and zoning commission

appointed by the county council. The planning and zoning commission shall nominate members for appointment to the board of adjustment. The chairperson of the planning and zoning commission shall not be eligible to serve as a regular member of the board of adjustment. Each member of the board of adjustment shall serve a term ending concurrently with the member's then current term as a member of the planning and zoning commission, including any period during which the member serves until replaced or reappointed. The chairperson of the planning and zoning commission shall serve as an alternate member of the board of adjustment and the chairperson or the chairperson's designee may sit in place of any member of the board of adjustment that is unable to attend a regular or special meeting of the board of adjustment, or is disqualified to act on a matter due to a conflict of interest.

(b) *Powers and duties.* The board of adjustment shall hold a public hearing in accordance with the requirements of article XI and shall have the authority to approve, conditionally approve or disapprove the following:

- (1) Applications for waivers to the requirements of this chapter, except that the board of adjustment shall not consider waivers to the public works construction standards referenced in the chapter; and
- (2) Application or decision making authority referred to the board of adjustment by the community development director as set forth in subsection 16-51(c)4.

(c) *Conditions of approval.* In granting conditional approval, the board of adjustment may only impose such conditions as are reasonably necessary to meet the approval criteria of section 16-157, including the granting of waivers more restrictive than those originally requested by the applicant.

(d) *Meetings.* Two members of the board of adjustment shall be a quorum for the conduct of business and approval of a waiver or application considered by the board of adjustment shall require a motion and affirmative vote of at least two members of the board of adjustment.

(Ord. No. 02-084, § 2, 3-27-2007)

Editor's note—

Ord. No. 02-084, § 2, adopted March 27, 2007, amended section 16-52 in its entirety to read as herein set out. Former section 16-52, pertained to variance board, and derived from Ord. No. 85-301, § 1, 11-6-01.

Attachment B: Using the chart below, place an X in the column on the right if the Council Goal is related to the work of the Planning & Zoning Commission:

Mark all that apply

Economic Vitality	
<u>Financial Sustainability/Economic Vitality:</u>	
<ul style="list-style-type: none"> • Priority Area – Maximize our opportunity with respect to the development of the Manhattan Project National Historical Park 	X
<ul style="list-style-type: none"> • Promote a strong and diverse economic base through support of the current business base, recruiting additional businesses and encouraging new business growth 	
<ul style="list-style-type: none"> • Collaborate with Los Alamos National Laboratory as the area's #1 employer, and support associated spinoff businesses 	X
<ul style="list-style-type: none"> • Market and brand Los Alamos as a scenic destination featuring recreation, science and history, 	
<ul style="list-style-type: none"> • Encourage the retention of existing businesses and assist in their opportunities for growth 	X
<ul style="list-style-type: none"> • Support spinoff business opportunities from LANL 	X
<ul style="list-style-type: none"> • Significantly improve the quantity and quality of retail and tourism business 	
<ul style="list-style-type: none"> • Attract new tourism related business 	
<ul style="list-style-type: none"> • Revitalize and eliminate blight in the downtown areas of Los Alamos and White Rock 	X
Quality of Life	
<u>Education:</u>	
<ul style="list-style-type: none"> • Support Los Alamos Public Schools' goal of ranking among the top public schools in the nation 	
<ul style="list-style-type: none"> • Partner with Los Alamos Public Schools and support, as appropriate, the delivery of their educational services to community standards 	
<ul style="list-style-type: none"> • Support the development of quality career, and life-long educational institutions 	
<u>Quality Cultural and Recreational Amenities:</u>	
<ul style="list-style-type: none"> • Create and Implement a comprehensive recreational and cultural plan that includes a range of amenities that support all segments of the Los Alamos community 	X
<u>Environmental Stewardship:</u>	
<ul style="list-style-type: none"> • Enhance environmental quality and sustainability balancing costs and benefits 	X
<u>Mobility:</u>	
<ul style="list-style-type: none"> • Maintain and improve transportation and mobility 	X
<u>Housing:</u>	
<ul style="list-style-type: none"> • Priority Area -- Promote the maintenance and enhancement of housing stock quality while utilizing available infill opportunities 	X
<ul style="list-style-type: none"> • Promote the creation of a variety of housing options for all segments of the Los Alamos community 	X
<ul style="list-style-type: none"> • Support development of affordable workforce housing 	X

Quality Governance		
	<u>Operational Excellence:</u>	
	• Priority Area – Simplify permit requirements and improve the overall process	X
	• Maintain quality essential services and supporting infrastructure	X
	• Invest in staff development to create a high performing organization	X
	• Manage commercial growth well following an updated, concise, and consistent comprehensive plan	X
	<u>Communication:</u>	
	• Priority Area - Create a communication process that provides measurable improvement in citizen trust in government	X
	• Improve transparency in policy setting and implementation	X
	<u>Intergovernmental Relations:</u>	
	• Strengthen coordination and cooperation between County government, LANL, and the regional and national partners	X



County of Los Alamos

Staff Report

March 14, 2017

Los Alamos, NM 87544
www.losalamosnm.us

Agenda No.: C.

Index (Council Goals): * 2017 Council Goal – Economic Vitality – Revitalize and Eliminate Blight in Los Alamos and White Rock; * 2017 Council Goal – Quality Governance – Operational Excellence – Simplify permit requirements and improve the overall development and building code processes to become easier to work with for all participants.

Presenters: Paul Andrus, Community Development Director

Legislative File: 9130-17

Title

Community Development Department Update: Building Permitting and Code Enforcement

Body

Paul Andrus, Community Development Director, will provide an update on the current status and future plans for process improvements with the County's Building Permitting and Code Enforcement functions.

Attachments

A - CDD Building Permitting and Code Enforcement

COMMUNITY DEVELOPMENT DEPARTMENT

BUILDING PERMITTING AND CODE ENFORCEMENT

MARCH 14, 2017

2 OVERVIEW

- Where we've been
- Where we're going
 - Process improvements
 - Integrated Customer Service Goals across Divisions
 - Council Priorities for 2017 impact all 3 Divisions
- Specific objectives for Building Safety and Code Enforcement
- Innovations (and modernization)
- CDD is in transition



3 WHERE WE'VE BEEN

- 92 commercial building permits issued in 2016, valuation \$3,754,837.
- 570 residential building permits issued in 2016, valuation \$9,923,000.
- Residential permit turn-around times have reduced from 7 to 2 days (CDD review only)
- Over the counter permits began in November (re-roofs and window/doors)
- Streamlined windows and door permit review
- Created some flexibility for commercial signs under certain circumstances
- 334 code enforcement cases

4 WHERE WE'VE BEEN

- Building Community Outreach
 - Contractor Meetings - monthly
 - Homeowner DIY meetings - quarterly
 - Property Owners – to be determined
- Code Enforcement
 - Trailer enforcement
 - Vacant home database (clean and lien)



5

WHERE WE'RE GOING - COUNCIL PRIORITY GOALS

- *Revitalize and eliminate blight in Los Alamos and White Rock*
- *Support development of affordable workforce housing*
- *Implement the Comprehensive Plan with an emphasis on neighborhoods and zoning.*
- *Promote the creation of a variety of housing options for all segments of the Los Alamos Community, including infill opportunities as appropriate.*
- *Simplify permit requirements and improve the overall development and building code processes to become easier to work with for all participants.*

6 BUILDING PERMITS

Simplify permit requirements and improve the overall development and building code processes to become easier to work with for all participants.

7 NEW PERMIT PROCESS IMPROVEMENT

- Siding / Stucco permits are counter permits and be issued the same day.
- Residential and Commercial construction seismic is changed from Seismic D to Seismic C.
- Extended office hours - open 7am to 5pm
- Eliminated limited walk-in times to meet with an inspector - during hours of operation there will be an inspector available.
- Inspection requests will be taken until 5pm for next business day inspections – previously 3pm.
- Discontinued inspection request voicemail line - you will now talk to a live person.
- 2 hour window request for inspections will be accepted via email if received the day of the needed inspection by 8:00am.
- Plan review turn-around goals

8 OTHER ACTIVITIES AND POLICIES

- Updating permit forms and creating policies and procedures for the Building Division.
- No longer requiring ice and water shield to be installed on metal roofs - metal shingles still require ice and water shield.
- Smoke Alarm requirement changes – Physical interconnection of smoke alarms shall not be required where UL listed wireless alarms are installed and all alarms sound upon activation of one alarm.
 - New home construction will have to be hardwired and interconnected.
- Eliminating drywall screw inspections on residential
- No longer require face nailing of batt insulation
- Window installation instructions and flashing details no longer have to be submitted for review with the permit application
 - but they will need to be on site for the inspections.
 - Window flashing and final done at the same time

9 BUILDING SAFETY AND PERMITTING GOALS FOR THIS YEAR

- Electronic plan review
- Further reduce plan review times
 - Consistent inspections and plan review
- Policies and procedures
- Start process on accreditation
- Public outreach on codes
- Citizen Self Service Portal
- Enhance Building website as a customer resource
- Chapter 10 Code Revision (adoption of 2015 IBC)
- Fillable Permit Applications
- Weekly meetings with other departments/divisions on plan review

10 ENERGOV PERMITTING SYSTEM CONTRACT RENEWAL

- \$724,561 (plus GRT) for continued subscription and associated training and support.
 - 5 year term
- Citizen Self Service
- Electronic plan submission
- On-line inspection scheduling, payments
- Plan review status and messaging
- Code case submittals and status reporting
- GIS functionality – case/permit lookup, etc.

II BUILDING WEBPAGE

- Citizen Self Service
 - On-line permit application submission
 - Real-time status and inspection request
 - Code Enforcement Complaints and status
 - Contractor resources
 - Fillable forms
- Project Templates – decks, garages, additions, etc.
- Resources for DIY – interactive interface
 - <http://www.cityofcarrollton.com/departments/departments-a-f/building-inspection/virtual-information-kiosk/residential-development-process>
- Commercial signage useful information
- Building codes clearinghouse

Dashboard

New ▾

View ▾

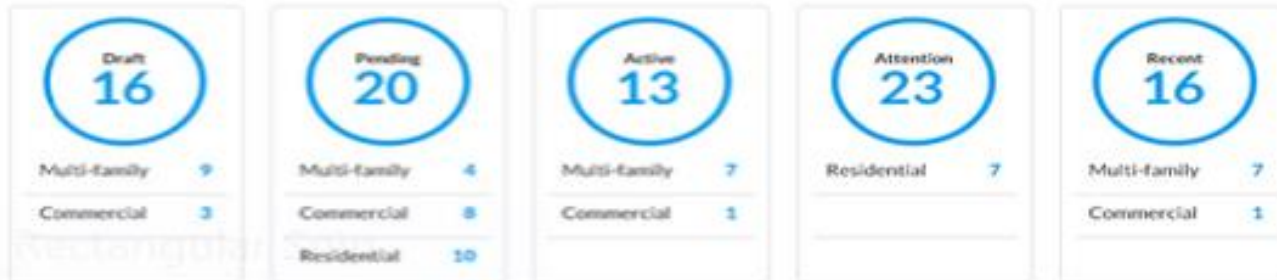
Map

Search



Permits

Show: All ▾



View Full List

+ Request Inspection

+ New Permit

Inspections

Show: Recent ▾



View Full List

Cancel Requests

Invoices

Show: Recent ▾

Current	13	\$900.00	Add to Cart
Past Due	8	\$334.00	Add to Cart
Total	21	\$1234.00	Add to Cart

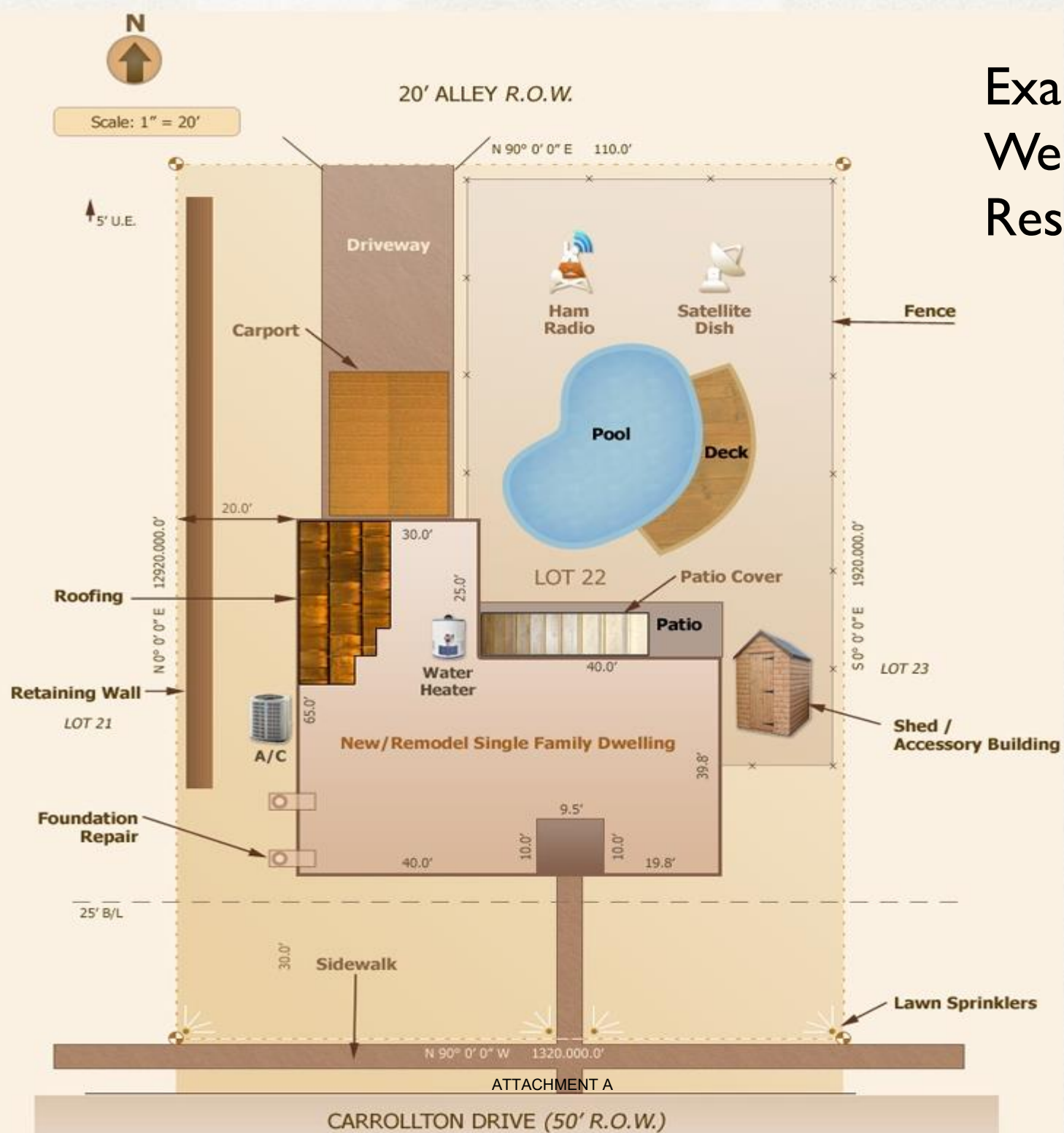
View Full List

Licenses



View All (7)

Citizen
Self
Service
(CSS)



14 CODE ENFORCEMENT

Revitalize and eliminate blight in Los Alamos and White Rock

15 CODE ENFORCEMENT

- Policies and Procedures Manual with Performance Measures
- Training curriculum for Compliance Officers
- Oversee the Clean and Lien program
- Monitor and update vacant house list as needed
- Expand the code to include all (or additional) of the ICC property maintenance standards
- Other Chapter 18 (Environment) updates
 - Approved parking surface
 - Chronic/repeat offenders policy
 - Outdoor Lighting
- Commercial properties and blight challenges – downtown area
- Sign code enforcement – chapter being re-written to comply with Supreme Court ruling
- 1,000 inspections per year per officer

16 CHRONIC/REPEAT OFFENDERS



- On-going or re-occurring, “x” offenses within a specific period of time
- Current code does not address this issue
- Can allow for different penalty/fine structure
- Some municipalities maintain a database of repeat violations per property
 - If no offenses within a period of time, then taken off
- Cases can be referred more directly to Court
- Can be tied to the Clean and Lien program
 - Highlighting when subsequent violations occur within one year that the County without further notice may correct the violation at the owners expense and assess the expense against the property

17 CLEAN AND LIEN

- Staff has developed a draft program strategy and ordinance
- County may perform work and charge expenses. The expenses incurred by the County pursuant to the correcting of conditions as set forth in this article, shall be assessed against the real estate on which the work is done or improvements made.
- Expenses of compliance. In the event that it becomes necessary for the County to go onto the following expenses shall be charged, levied, assessed and collected against such property:
 - Actual costs of necessary work;
 - \$X administrative fee; and
 - “X” percent interest per year.

18 CLEAN AND LIEN (DRAFT LANGUAGE)

- Assessments of expenses – after “x” days of non-payment for abatement work completed by the county, the County can file with the County Clerk of Los Alamos County a lien statement which describes the expenses the County has incurred.
- This lien is security for the expenditures made and interest occurring at the rate of “x” percent on the amount due from the date of payment by the County. This lien is inferior only to tax liens and liens for street improvements.

19 OUTDOOR LIGHTING/EXTERIOR GLARE

- Clarification – our code is vague on light pollution and from where to measure.

Potential new language/clarifications:

- Defining/clarifying what the nuisance is, e.g: Exterior lights placed or erected on private property shall be shielded, placed or erected so as not to create a traffic hazard or a public nuisance.
- Defining how and where the nuisance can be measured.

20 CHAPTER 18: PROPERTY MAINTENANCE STANDARDS

- Partially adopted in 2014 – expand to include the entire 2015 ICC Property Maintenance Code



- Add more tools to our current efforts

21 COMMERCIAL CODE ENFORCEMENT: *eliminate blight*

- Issues: vacant storefronts, dilapidated structures, signage, illegal or unsafe storage (interior and exterior), unsecured properties, graffiti, outdated signage, parking surfaces, assorted health and safety hazards.
- Commercial blight was a priority topic during Comp Plan downtown meetings
- Policy: proactive enforcement vs complaint driven
 - LA Lodge example
- Commercial sign code enforcement challenges



22 RECAP – BUILDING SAFETY AND CODE ENFORCEMENT

- Clean and Lien – with Budget Request
- Adoption of 2015 IBC Building Code
- Proposal to expand Property Maintenance Standards
- Citizen Self Service and new website content for customers
- Chronic Code Offenders policy and associated code language
- Other code updates, e.g. outdoor lighting, parking surfaces
- Continued outreach to customer bases
- Broadening of process improvements and enhancements
- Apply improved code enforcement procedures to commercial blight

23

QUESTIONS
