



County of Los Alamos

1000 Central Avenue
Los Alamos, NM 87544

BCC Agenda - Final

LOS ALAMOS Community Development Advisory Board

*Denise Derkacs; Cindy Hollabaugh; Jaime Kennedy;
Catherine Ozment; Andrea Pistone; Aaron D. Walker; and
William Dai, Members*

Monday, August 20, 2018

5:30 PM

B & C Room 110

I. ADMINISTRATIVE ACTIONS

- A. Call to Order/Introductions
- B. Approval of Today's Agenda
- C. Review/Approval of Meeting Minutes
- D. Public Comment for Items Not on the Agenda

II. PRESENTATIONS AND DISCUSSION ITEMS

A. Election of Chair and Co-Chair

B. Real Estate Disclosure Form

- 1. [11108-18](#) Real Estate Disclosure Form
Presenters: Community Development Advisory Board
Attachments: [A - Real Estate Disclosure Form](#)

C. Disclosure of Outside Employment, Membership and Financial Interest Form

- 1. [11109-18](#) Disclosure of Outside Employment, Membership and Financial Interest Form
Presenters: Community Development Advisory Board
Attachments: [A - Disclosure of Outside Employment, Membership and Financial Interest](#)

D. DRAFT FY19 Work Plan

- 1. [11110-18](#) Draft FY19 Work Plan Review
Presenters: Community Development Advisory Board
Attachments: [A - FY2019 DRAFT CDAB Work Plan](#)

III. INFORMATIONAL ITEMS

V. PUBLIC COMMENT

VI. NEXT MEETING(S)/FUTURE AGENDA ITEMS

The next meeting of the CDAB is September 17, 2018 at 5:30 pm in the B & C Room 110.

VII. ADJOURN

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 Community Development Department at 662-8120 if a summary or other type of accessible format is needed.

Real Estate Disclosure

Per County Code Section 8-302 (2)

Each member of the Community Development Advisory Board shall file a complete list of real estate interests in the County held by the member and, to the extent possible, a complete list of real estate interests in the County held by any person related to the member within the third degree of consanguinity or affinity (natural or adopted children, parents, brothers, sisters, aunts, uncles, nieces, nephews, grandchildren, grandparents, great-grandchildren, great-grandparents).

The list shall include participation in partnerships, limited partnerships, syndications, joint ventures, etc., for the purpose of investment in real estate interests. The list shall be filed during the month of April of each year with the County Manager and retained as required by the state Public Records Act, NMSA 1978, 14-3-1 et seq.

A member of the Community Development Advisory Board is disqualified from participating or voting on any matter which would result in a substantial change, either increase or decrease, in the value of any real estate interests owned by the member or the real estate interests of any person related to the member within the third degree of consanguinity or affinity.

Further, a member of the Community Development Advisory Board is disqualified from participating or voting on any matter which would result in a substantial change, either increase or decrease, in the values of real estate interests owned by others with whom the member has a business or professional relationship with respect to the matter under consideration.

Descriptions of “consanguinity and affinity”:

CONSANGUINITY (blood kinship)

Two persons are related to each other by consanguinity if one is a descendant of the other or if they share a common ancestor. (In this respect, an adopted child is commonly regarded as a natural child of the adoptive parents.)

The degree of relationship by consanguinity between a person and his/her descendant is determined by the number of generations that separate them. If a person and his relative are related by consanguinity, but neither is descended from the other, the degree of the relationship is determined by adding the number of generations between the person and the next common ancestor shared by his/her relative to the number of generations between the relative and the nearest common ancestor.

- First degree of consanguinity: CDAB member’s parent or child.
- Second degree of consanguinity: CDAB member’s grandparent, grandchild, sister or brother
- Third degree of consanguinity: CDAB member’s great-grandparent, great grandchild, aunt, uncle, niece or nephew.

AFFINITY (Marriage kinship)

Two persons are related to each other by affinity if they are married to each other or if the spouse of one of the persons is related by consanguinity to the other person. Divorce or the death of a spouse terminates relationships by affinity created by marriage unless a child of the marriage is living. If a child of the marriage is living, the relationship is considered to continue until the youngest child of that marriage reaches the age of 21.

A husband and wife are related to each other in the first degree by affinity. For other relationships, the degree of relationship by affinity is the same as the degree of the underlying relationship by consanguinity.

- First degree of affinity: spouse of the CDAB member and the children (and their spouses) of the CDAB member or children (and their spouses) of the CDAB member's spouse.
- Second degree of affinity: Grandparent, grandchild, sister or brother of the CDAB member or of the CDAB member's spouse.
- Third degree of affinity: great-grandparent, great grandchild, aunt, uncle, niece, or nephew of the CDAB member or of the CDAB member's spouse.

The Real Estate Disclosure Form is required, in addition to the Code of Conduct Form.

1. NAME:

2. ADDRESS:

3. CONTACT INFORMATION: TELEPHONE NUMBER/EMAIL ADDRESS:

4. EMPLOYER:

5. PROFESSIONAL, OCCUPATIONAL OR BUSINESS LICENSES:

6. MEMBERSHIP ON BOARD OF DIRECTORS OF CORPORATIONS, PUBLIC OR PRIVATE ASSOCIATIONS OR ORGANIZATIONS:

7. LIST OF REAL ESTATE HOLDINGS: RELATIONSHIP TO MEMBER (SELF or Describe)

SIGNATURE

DATE:

INCORPORATED COUNTY OF LOS ALAMOS**HUMAN RESOURCES DIVISION**

1000 Central Avenue, Suite 230

Los Alamos, New Mexico 87544

Phone: (505) 662-8040 Fax: (505) 662-8000

www.losalamosnm.us

DISCLOSURE OF OUTSIDE EMPLOYMENT, MEMBERSHIP AND FINANCIAL INTEREST**Disclosure Statement****Disclosure Year:** _____

Membership and Financial Interest. Pursuant to New Mexico State Statutes and Los Alamos County Code of Ordinances (NMSA 1978, §10-16-1 et seq. and Los Alamos Code § 30-1 et seq.), all public officials "shall disclose in writing and submit to the county's human resources division, the following information: (1) Membership on other county boards, commissions, committees, boards of directors, or position as an officer, director, trustee or partner or any position in management or ownership of public or private corporations, associations, organizations or businesses; and (2) The nature and amount of the public official's financial interest(s) as defined in this article." (Ord. No. 02-240, § 2, 11-25-2014)

Reporting Individual			
Last Name	First Name	Middle Initial	Prefix
Address	City	State	Zip
Mailing Address (if different from above)			
Address	City	State	Zip
Office, Board, Commission, or Position held with Los Alamos County:			

☐ NEW Annual Financial Disclosure Filing☐ UPDATED Annual Financial Disclosure Filing

Membership or Financial Interest held by Reporting Individual/Public Official:	
Name or Business or Organization:	Position or Percent Ownership:

*Please use additional sheets if necessary.***Definitions:**

"Public official" means members of county council, all county employees including contract employees and all individuals appointed to a board. For purposes of subsections 30-8(f), (h), and (j), public official includes former employees for a period of one year after leaving county employment and board members for a period of six months after leaving county service.

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"Financial interest" means: (1) Holding a position in a business as officer, director, trustee, or partner, or holding any position in management, or ownership of more than five percent interest in a business; or (2) Any interest which may yield, directly or indirectly, any material benefit to a public official or to the official's immediate family other than an interest in a mutual fund or one held in a blind trust.

"Immediate family" means a public official's spouse, parents, step-parents, child, step-child, sibling, step-sibling, half-sibling, grandparent, grandchild, aunt, uncle, niece, nephew, or their in-laws, or an individual claimed by the public official or his/her spouse as a dependent under the United States Internal Revenue Code.

Other Financial or Conflict of Interests:

Please provide any other, real or perceived, financial or other issue of a conflict of interest below:

OUTSIDE EMPLOYMENT DISCLOSURE:

Pursuant to NMSA 1978, § 10-16-4.2 and LACC § 30-8, all public officials must disclosure current, contemplated, or accepted outside employment.

Are you currently engaged in outside employment of any kind other than volunteer?

Yes:

☐

No:

☐

If Yes, please provide the employer's name, address, and date you became or will become an employee.

Members of the Planning & Zoning Board pursuant to section 8-202(b) are required to disclose all real estate interests held by the member and his or her family. Please contact the Human Resources Manager for additional Disclosure forms and instructions for annual disclosures or updates. (Ord. No. 02-078, § 2, 10-3-2006)

I hereby swear and affirm, under penalty of perjury, that the foregoing information is true and correct to the best of my knowledge, belief, and understanding.

Signature

Date

Printed Name



LOS ALAMOS
where discoveries are made

FY19 Work Plan for Los Alamos County Boards and Commissions

(Fiscal Year 2019: July 1, 2018 – June 30, 2019)

Board and Commission Name: Community Development Advisory Board (CDAB)

Date Approved by CDAB: TBD Date approved by Council: TBD, 2018

Prepared by: Paul Andrus, Staff Liaison, cccccccccc, CDAB, Chair

This work plan will be accomplished in the following time frame: July 1, 2018 to June 30, 2019

Chairperson: TBD

Term: TBD

Members and terms:

Denise Derkacs	August 15, 2018 – August 14, 2019
Andrea Pistone	August 15, 2018 – August 14, 2019
William Dai	August 15, 2018 – August 14, 2019
Cindy Hollabaugh	August 15, 2018 – August 14, 2020
Jaime Kennedy	August 15, 2018 – August 14, 2020
Catherine Ozment	August 15, 2018 – August 14, 2020
Aaron D. Walker	August 15, 2018 – August 14, 2020

Department Director: Paul Andrus, Director, Community Development Department

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

Staff Liaison: Paul Andrus, Director, Community Development Department

Administrative Support provided by: Barbara Lai, Senior Management Analyst,
Community Development Department

Council Liaison: Antonio Maggiore

Reviewed by Council Liaison? Xx

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.

The Community Development Advisory Board was approved by County Council on June 12, 2018. This FY19 Work Plan is the first year of a Plan for the CDAB.

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.)*

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

- Recommend policies for the development, implementation and enforcement of the County property maintenance codes.
- Recommend possible changes and definitions to the County Code and compliance efforts.
- Recommend programs and policies for positive outreach activities, including assistance programs, citizen volunteer groups, and county-sponsored clean-up activities.
- Receive all monthly property maintenance code enforcement reports including issued notices of violation and citations and photographic evidence, and review as appropriate.
- Report to County Council annually during the required B & C assigned Work Session.

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

Guiding documents include the County Boards and Commissions Ordinance; Chapter 18 (Environment) of the Los Alamos County Code of Ordinances; and Los Alamos Code Ordinance No. 02-285. In addition, portions of Chapter 10 (Buildings and Building Regulations), Chapter 16 (Development Code), and any other applicable Chapters of the County Code as they relate to property maintenance code enforcement and other purposes of this committee.

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.)* To assist with Council review of the work plans, please list the B&C’s proposed projects or assignments in priority order.

Other projects/assignments may be proposed by the Board at its first Board meeting on August 20, 2018.

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.

Goals and tasks in this work plan will be coordinated with other County departments as indicated by the County Code, including: Fire, Public Works, Public Utilities, as well as, the Community Development Building Safety and Planning Divisions.

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

Code Ordinance 02-285 specifically states the one of the primary duties and responsibilities of the CDAB will be to: Receive and provide citizen input to staff and County Council on ways and means for improving the County's property maintenance and code enforcement program. For this purpose, the community development advisory board shall gather public input in ways appropriate to the circumstances, which may include public meetings dedicated to specific topics.

The Community Development Advisory Board members may choose to conduct such outreach efforts such as the County website Open Forum surveys, hold public meetings and the like to gather public input regarding the Property Maintenance Code.

Board members may recommend additional informational activities to educate the community on property maintenance issues.

5.0 List the current subcommittees for this Board or Commission.

Not Applicable.

**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:**

Not Applicable.

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

INCORPORATED COUNTY OF LOS ALAMOS CODE ORDINANCE NO. 02-285

**A CODE ORDINANCE AMENDING CHAPTER 8 TO ADD AN ARTICLE XV TO
CREATE A COMMUNITY DEVELOPMENT ADVISORY BOARD**

WHEREAS, the Incorporated County of Los Alamos ("County") is a home rule charter municipality, as allowed by N.M. Constitution, Article X, Section 6; and

WHEREAS, New Mexico Statutes, Chapter 3, Article 18, authorizes home rule municipalities to regulate, abate, and impose penalties upon persons who create and maintain a public nuisance; and

WHEREAS, a public nuisance is defined by State law in NMSA 1978, § 3-8-1, as knowingly creating, performing, or maintaining anything that affects any number of citizens without lawful authority that is injurious to public health, safety, morals or welfare, or interferes with the exercise and enjoyment of public rights, including the right to use public property; and

WHEREAS, Chapter 3, Article 21 of New Mexico statutes grants County the authority to zone and regulate land use by code ordinance within its jurisdiction, including the right to regulate or restrict the erection, construction, reconstruction, alteration, repair or use of buildings, structures or land in each zone or district; and

WHEREAS, County has enacted code ordinances that regulate the use of land within its jurisdiction, including the regulation of erection, construction, reconstruction, alteration, repair or use of buildings, structures or land in each zone or district; and

WHEREAS, such code ordinances are found in Chapter 10 (Buildings and Building Regulations), Chapter 16 (Development Code), and Chapter 18 (Environment) of the Los Alamos County Code of Ordinances ("Code"); and

WHEREAS, the County Council ("Council"), as part of its strategic goals in 2016 and 2017, directed the Community Development Department (CDD), through its Code Enforcement Division ("Code Enforcement"), to enhance its property maintenance inspections to remove blight within the County; and

WHEREAS, various citizens of the County have voiced concern that such enhanced enforcement of Chapters 10, 16, and 18, have not adequately taken into account the concerns of some affected citizens; and

WHEREAS, Council, in an effort to provide maximum public input to the process of Code Enforcement activities, hereby believes that it is in the public's health, safety and welfare to create a citizen board that can receive public input, review enforcement efforts by CDD Code Enforcement, and provide citizen concerns and possible informal resolution to the alleged violation(s) to Council, and provide recommendations to Council on the appropriate application of the Ordinance with regard to enforcement efforts; and

WHEREAS, the board will advise the Council for potential applicable changes to the Ordinance in clarity and content so as to address the needs of the community.



BE IT ORDAINED BY THE GOVERNING BODY OF THE INCORPORATED COUNTY OF LOS ALAMOS, the Los Alamos County Code of Ordinances is hereby amended as follows:

Section 1. Article I, Chapter 8, Section 8-4 of the County Code is hereby amended as follows:

Sec. 8-4. Standing advisory boards or commissions; terms of existence.

- (a) The following standing boards or commissions are hereby continued or established although not all are governed by the provisions of this chapter: arts in public places board; board of public utilities; historic preservation advisory board; labor management relations board; library board; lodger's tax advisory board; parks and recreation board; personnel board; planning and zoning commission; environmental sustainability board; transportation board; valuation protests board, variance board, and the youth advisory board and the community development advisory board.
- (b) All standing boards and commissions will continue to function indefinitely, unless specifically discontinued by the county council or as otherwise provided by county ordinance. Boards or commissions shall be terminated only by express action of the county council. A board or commission may be assigned more than one task concurrently, but the absence of one or more assigned tasks at any time shall not affect the board or commission's continuing status.

Section 2. An Article XV is hereby enacted to be added to Chapter 8 creating the "Community Development Advisory Board" as follows:

ARTICLE XV. - COMMUNITY DEVELOPMENT ADVISORY BOARD

Sec. 8-301. - Purpose.

A community development advisory board is established in order to make recommendations to County Council regarding the development, implementation, and enforcement of County property maintenance codes within the corporate boundaries of the County.

Sec. 8-302. - Membership, Terms and Qualifications.

(1) The community development advisory board shall be composed of seven (7) citizens with an attempt to provide equal representation from both the Los Alamos townsite and the White Rock community. No board member shall be appointed that is an employee of the County, either as staff or by contractor. Members shall be appointed by the County Council for staggered terms of three (3) years. Three (3) initial appointments shall expire after one (1) year. The determination of which initial expiring appointments will be decided

by the Council Chairperson at the time of appointment. Vacant board positions will be appointed by the County Council. The remaining four (4) members on the board will expire their term after two (2) years and rotation of appointments shall continue. Board members can be reappointed for no more than two (2) terms.

(2) Each member of the community development advisory board shall file a complete list of real estate interests in the county held by the member and, to the extent possible, a complete list of real estate interests in the county held by any person related to the member within the third degree of consanguinity or affinity (natural or adopted children, parents, brothers, sisters, aunts, uncles, nieces, nephews, grandchildren, grandparents, great-grandchildren, great-grandparents). The list shall include participation in partnerships, limited partnerships, syndications, joint ventures, etc., for the purpose of investment in real estate interests. The list shall be filed during the month of April of each year with the county manager and retained as required by the state Public Records Act, NMSA 1978, 14-3-1 et seq. A member of the community development advisory board is disqualified from participating or voting on any matter which would result in a substantial change, either increase or decrease, in the value of any real estate interests owned by the member or the real estate interests of any person related to the member within the third degree of consanguinity or affinity. Further, a member of the community development advisory board is disqualified from participating or voting on any matter which would result in a substantial change, either increase or decrease, in the values of real estate interests owned by others with whom the member has a business or professional relationship with respect to the matter under consideration.

Sec. 8-303. - Duties and Responsibilities.

The community development advisory board shall serve in an advisory capacity to the County Council and shall have the following functions, responsibilities and duties:

- (1) Making of recommendations to the County Council regarding:
 - a. Policies for the development, implementation and enforcement of County property maintenance codes;
 - b. Recommend possible changes and definitions to the county code relating to CDD and Code Enforcement efforts; and
 - c. Recommend programs and policies for community development with regard to positive outreach activities, such as assistance programs, citizen volunteer groups, and county sponsored clean-up activities.
- (2) Receive and provide citizen input to staff and County Council on ways and means for improving the County's property maintenance and code enforcement program.

For this purpose, the community development advisory board shall gather public input in ways appropriate to the circumstances, which may include public meetings dedicated to specific topics.

- (3) Recommend ways to involve and educate the community on property maintenance issues.
- (4) Receive all monthly property maintenance code enforcement reports including issued notices of violation and citations and photographic evidence, and review as appropriate.
- (5) Report to County Council as requested by Council on community development advisory board findings, activities, and recommendations.
- (6) Such other activities, duties and responsibilities related to Community Development Department activities as may be assigned by the County Council.

Section 3. Severability. If any section, paragraph, clause or provision of this Code Ordinance shall for any reason be held to be invalid or unenforceable, the invalidity or enforceability of that section, paragraph, clause or provision shall not affect any of the remaining provisions of this Code Ordinance.

Section 4. Effective Date. This Code Ordinance shall become effective thirty (30) days after publication of notice of its adoption.

Section 5. Repealer. All other ordinances or resolutions, or parts thereof, inconsistent herewith are hereby repealed only to the extent of such inconsistency. This repealer shall not be construed to revive any ordinance or resolution, or part thereof, heretofore repealed.

PASSED AND ADOPTED this 15th day of May, 2018.

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 Community Development Advisory Board:

Mark all that apply

Economic Vitality	
<u>Economic Vitality:</u>	
• Priority Area – Build the local tourism economy	
• Priority Area - Revitalize and eliminate blight in Los Alamos and White Rock	X
• Promote a strong and diverse economic base by encouraging new business growth	
• Collaborate with Los Alamos National Laboratory as the area's #1 employer	
<u>Financial Sustainability</u>	
• Encourage the retention of existing businesses and assist in their opportunities for growth	
• Support spinoff business opportunities from LANL	
• Significantly improve the quantity and quality of retail business	
Quality of Life	
<u>Housing:</u>	
• Priority Area -- Promote the creation of a variety of housing options for all segments of the Los Alamos Community, including infill opportunities as appropriate	
• Priority Area -- Support development of affordable workforce housing	
<u>Education:</u>	
• Support Los Alamos Public Schools' goal of ranking among the top public schools in the nation	
• 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	
<u>Quality Cultural and Recreational Amenities:</u>	
• Implement a comprehensive range of recreational and cultural amenities that enhance the Los Alamos community	
<u>Environmental Stewardship:</u>	
• Enhance environmental quality and sustainability balancing costs and benefits including County services and utilities	
• Maintain and improve transportation and mobility	

Quality Governance		
	<u>Operational Excellence:</u>	
	<ul style="list-style-type: none"> • Priority Area – Implement the Comprehensive Plan with an emphasis on neighborhoods and zoning 	X
	<ul style="list-style-type: none"> • Priority Area – Simplify permit requirements and improve the overall development and building code processes to become easier to work with for all participants 	
	<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 	
	<u>Communication:</u>	
	<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 	
	<u>Intergovernmental Relations:</u>	
	<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 	