



# County of Los Alamos

1000 Central Avenue  
Los Alamos, NM 87544

## BCC Agenda - Final Revised

### LOS ALAMOS Community Development Advisory Board

*Chair, Aaron D. Walker; Vice Chair, Catherine Ozment; Anna Dillane; Denise Derkacs; John Gustafson; Jaime Kennedy; and Andrea Pistone, Members*

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Monday, July 20, 2020

5:30 PM

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**“Due to COVID-19 concerns, meeting will be conducted remotely.  
Public can view proceedings at <http://losalamos.legistar.com/Calendar.aspx>**

*You are invited to a Zoom webinar.*

*When: July 20, 2020*

*05:30 PM Mountain Time (US and Canada)*

*Topic: Community Development Advisory Board Meeting*

*To attend and/or give public comment, the link to join the webinar is:*

*<https://zoom.us/j/91538709734?pwd=UFJwRU5mZTFhZjRBSUM1a09oZz09>*

*Any questions, please email: [barbara.lai@lacnm.us](mailto:barbara.lai@lacnm.us)*

#### **I. ADMINISTRATIVE ACTIONS**

##### **A. Call to Order/Introductions**

##### **B. Approval of Today's Agenda**

##### **C. Review/Approval of Meeting Minutes**

Due to technical issues, the minutes are not available from the February meeting.

##### **D. Public Comment for Items Not on the Agenda**

#### **II. PRESENTATIONS AND DISCUSSION ITEMS (Action May be Taken on These Items)**

##### **A. FY 21 Draft Work Plan**

[12617-20](#)

FY21 CDAB Draft Work Plan

**Presenters:**

Community Development Advisory Board

**Attachments:**

[A - Board Comments on Work Plan](#)

[B - FY21 DRAFT CDAB Work Plan](#)

**B. RFP Update**

[12820-20](#) Community Development Board Comments on the RFP for Chapter 18  
Scope of Work

**Presenters:** Community Development Advisory Board

**Attachments:** [A - CDAB Feedback to RFP](#)

**C. Council Liaison James Robinson's Report**

[13184-20](#) Council Liaison Robinson's Report

**Presenters:** Community Development Advisory Board

**Attachments:** [A - Code Enforcement Presentation](#)

**III. REPORTS AND UPDATES**

**A. Chair Report**

**B. Board Member Reports**

**C. Staff Report**

**IV. PUBLIC COMMENT**

**V. NEXT MEETING(S)/FUTURE AGENDA ITEMS**

The next meeting is August 17 and will be conducted remotely.

**VI. 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 505-662-8040 at least one week prior to the meeting or as soon as possible.

# FY20 Work Plan for Los Alamos County Boards and Commissions

**(Fiscal Year 2021: July 1, 2020 – June 30, 2021)**

**Board and Commission Name:** Community Development Advisory Board

**Date prepared:** March 18, 2019 **Revised:** 09 March 2020

**Prepared by:** Paul Andrus, Staff Liaison; Aaron Walker, CDAB Chair

**This work plan will be accomplished in the following time frame:** July 1, 2020 to June 30, 2021

**Chairperson:** Aaron Walker **Term:** August 15, 2018 -August 14, 2020

**Members and terms:**

Denise Derkacs	NEED DATES
Andrea Pistone	NEED DATES
Jaime Kennedy	August 15, 2018 – August 14, 2020
Catherine Ozment	August 15, 2018 – August 14, 2020
Anna Dillane	NEED DATES
John Gustafson	NEED DATES

**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:** Andrew Harnden, Housing and Special Projects Manager

**Council Liaison:** James Robinson **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” and identify the greatest challenges faced by the Board or Commission.**

CDAB has been meeting since August 2018. Several items from the **FY20** Work Plan have been completed or are in progress.

Complete: Review documentation of past notices of violation and courtesy letters, including summary data and additional information at the level of detail requested by Board members. Staff provided maps of compliance cases in aggregate and over time.

Complete: Review historical and current information related to public response, including LAC Community Survey results from 2016 and 2018 related to code enforcement.

Complete: Review Chapter 18 of the County Code and Chapters 10 and 16, and any other applicable chapters of the County Code, as relevant to code enforcement efforts. o CDAB has approved a process for this review that will lead to recommendations for Council in FY20. See 2.1 for detail.

Ongoing: Review policies, procedures, and on-the-ground practices for County staff, and other elements of the Los Alamos County Code Compliance program as requested by Board members.

- ~~• CDAB has identified several areas for additional consideration and collaboration with CDD staff, but more may emerge as this review continues. See 2.1.~~

During meetings, staff have answered many questions from the board related to the ongoing review of documentation, policies, and on-the-ground practices. As a result, county code compliance staff have made proactive improvements that did not require formal recommendations to Council.

- Clarify role of CDD vs police for enforcement on public right-of-way.
- Calibrate amount of evidence considered actionable for compliance intervention.
- Begin efforts to document areas an inspector has visited.
- Continue to refine the courtesy letter, which has resulted in more phone calls from residents to discuss issues and resolution with staff.

~~As a new board, CDAB’s first work plan provided an initial framework that included all goals from the enabling ordinance. In practice, the Board’s priority was to establish an informed foundation. Thus, the first months focused on the review of historical and ongoing code cases, presentations from CDD staff and the County Attorney’s office, and understanding how code compliance is intertwined with other issues throughout the county.~~

~~CDAB’s purpose is to recommend to Council changes to code and/or policy that will be appropriate and effective for Los Alamos County. Perhaps the most important lesson learned in our first six months is that the grey areas of interpreting and applying property maintenance codes pose the greatest challenge to accomplishing our goal.~~

~~Interactions within the board and with the public have shown us that there is often an easy path to consensus on cut-and-dried cases. However, things become murkier when we consider cases and ordinances that require subjective judgement calls. We have had to ask questions about how to define public interest, where to draw the line between public interest and personal preference, and what constitutes a true health and safety hazard. We continue to discuss what to catch in the “net” of public policy and how to balance the different circumstances and needs of various neighborhoods throughout the county. These difficult conversations highlight a fundamental challenge CDAB, and Council, must eventually confront: in many cases, property maintenance codes touch on personal priorities, economic challenges, and aesthetic preferences, and those are very difficult to legislate in a close-knit community like Los Alamos.~~

~~CDAB ambitiously seeks to facilitate a community-wide conversation about the values and expectations residents want to see drive our code compliance program. However, the Board remains aware that our recommendations to Council must also be informed by the legal, historical, and personal complexities that made implementing this program so difficult to begin with. It is with those challenges in mind that CDAB moves into FY2020.~~

Over the past year and a half the primary goal has been to review the applicable sections of the county code, identify problematic or controversial areas, formulate a plan to address these issues and make a recommendation to County Council on how to fix the issues. CDAB has identified three major areas of concern: Inoperable Vehicles, Weeds, and Outdoor Storage of Materials. The other glaring issue CDAB found with the code was how “generic” the code was. Los Alamos is a unique county with unique neighborhoods, and a “generic” code may not work well for Los Alamos. Significant effort was made by CDAB members to gather public input on how these issues should be addressed. Numerous different avenues of information gathering were pursued and attempted.

Going in to 2020, the focus and goals of CDAB are going to be shifting dramatically. CDAB will support the consultant that the county will be bringing in to perform several tasks with Chapter 16 and 18. The main focus of CDAB will shift from identifying ways to revise the code to performing public outreach and information dissemination. This has required several changes to working groups and will require further flexibility as the board adjusts to this role.

**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:**

CDAB’s primary goal, as stated in the enabling ordinance, is “to make recommendations to County Council regarding the development, implementation, and enforcement of county property maintenance codes within the corporate boundaries of the county.” County Council provided direction in November

2019 for CDAB to shift its focus to community outreach and information dissemination. There is also an RFP being constructed for a consultant to review and revise the appropriate sections of Chapters 16 and 18 to bring the code in line with what the county needs. CDAB will work closely with the consultant to ensure the needs of Los Alamos County are being met. ~~The FY19 Work Plan clarifies that these recommendations may include “possible changes and definitions to the County Code and compliance efforts.”~~

#### Projects in progress from ~~FY19~~/FY20 Work Plan:

- Review all monthly property maintenance code enforcement reports including courtesy letters, notices of violation, citations, and photographic evidence, and receive additional information on these reports, including quarterly summaries, from staff as requested. (This is an on-going process)
- ~~• Review Chapter 18, relevant ordinances from Chapters 10 and 16, and other relevant sections of County Code. o CDAB approved a process for this review that begins with open-ended discussion of a few ordinances at each meeting, in which board members consider ideal goals of an ordinance and identify unintended consequences of certain policies. These discussions draw on both philosophical perspectives and examples from actual code cases. The review process continues with extensive public outreach and a consideration of codes in other communities, and ends with informed recommendations to Council. Identification of relevant ordinances outside Chapter 18 is ongoing.~~
- Review policies, procedures, and on-the-ground practices for County staff, and other elements of the Los Alamos County Code Compliance program as requested by Board members.
  - o Make recommendations to council based on improving the policies, procedures, and practices in place.
  - ~~o As a result of this ongoing review, CDAB has identified a number of areas for additional inquiry to determine whether recommendations to Council are appropriate at this time. For example, the board is looking closely at how complaints are handled, how best to achieve “equal enforcement,” and how different zoning and neighborhood types affect enforcement efforts.~~
- ~~• Review codes, policies, and procedures from other cities and counties. o A subquorum working group has been assigned to conduct this preliminary research (see 5.0). The group will report back with context from other communities before the board begins drafting possible changes to LAC Code and/or recommendations to Council.~~

#### ~~Projects from FY19 Work Plan expected to begin in FY20:~~

- Recommend programs to inform the community about property maintenance code requirements.
  - o Review current and past County efforts to inform the community about code requirements.
- Recommend programs and policies for positive outreach activities, including but not limited to assistance programs, citizen volunteer groups, or county-sponsored clean-up activities.

## **New Projects for FY2020:**

### **~~When opportunity arises:~~**

- Work with county contractor to address Board findings, community outreach, utilizing best practices/success lessons learned from other communities. ~~and of course reaching out to the Board to use their perspective and clarify issues as needed.~~
- Post contractor work: ~~(6-12 months)~~ Support initial roll-out of the updated Chapter 18 code with a focus on outreach to inform and educate the community and on collecting input from the community to provide feedback to Council regarding the impact, effectiveness, clarity and fairness of the updated code and associated compliance practices and policies.

## **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.**

## **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.**

**Environmental Sustainability Board:** FY2020 brings CDAB a variety of opportunities to collaborate with and learn from ESB. CDAB hopes to work with ESB to coordinate projects, such as community clean up days, that advance shared goals. Additionally, ESB can help identify existing resources to assist community members with property maintenance and may be able to collaborate if CDAB recommends new programs. ESB also oversees programs that can affect residents' ability to comply with property maintenance codes—such as brush collection and reduced access to recycling—so it will be essential for the two boards to understand how those issues interact. ~~The ESB liaison to CDAB is Warren Mazanee.~~

**Planning & Zoning:** Per recommendation from Attorney's office, any recommendations that would change Chapter 16 will be presented to P&Z before Council. P&Z oversees issues that can affect residents' ability to comply with Chapter 18 property maintenance codes, so it will be essential for CDAB to ensure any solutions recommended to Council are properly contextualized with P&Z's concerns.

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

~~CDAB plans to schedule frequent public involvement meetings to gather input from the community about possible changes to the code. Options include the County's farmer's market and summer concert booths and use of the County's Open Forum web interface, as well as town halls, forums, and other opportunities for in-person outreach.~~

Working with code compliance staff, CDAB may hold public meetings to inform the community of property maintenance requirements and processes for resolving issues.

CDAB will work with the consultant to assist with input gathering from the community.

#### **5.0 List the current subcommittees for this Board or Commission.**

CDAB has assigned the following subquorum working groups, but may create more as the need arises:

Public outreach and communication: ~~Aaron Walker~~, Denise Derkacs, Anna Dillane, Jaime Kennedy

Volunteer and Community Resources: Andrea Pistone, Catherine Ozment, John Gustafson

A working group for coordinating with the consultant may be created when the need arises.

~~Review of codes in other communities: Denise Derkacs, Jaime Kennedy~~

~~Inspection routes: Jamie Kennedy \*This group's goal is to consider policy and procedure recommendations to address concerns about selective enforcement, including possible inspection routes and other alternatives to the current process. CDAB views this as a relatively short term project. After drafting recommendations for the Board to consider bringing to Council, this group will shift their attention to identifying volunteer and community resources.~~

~~Volunteer and community resources: Andrea Pistone, Jaime Kennedy, \*This group's goal is to identify resources from the County as well as local volunteer groups that are available to help residents resolve property maintenance issues. Combined with~~

CDAB's insight gained from ongoing review of cases, this information will enable the board to identify gaps in support and recommend new programs if needed.



**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:**

**Attachment A: Provide a copy of your Board or Commission’s “Purpose” and “Duties and Responsibilities” from Chapter 8 of the County Code:**

**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 CDAB:**

**Mark all that apply on the chart on the following page.**



**LOS ALAMOS**  
where discoveries are made

## **FY21 Work Plan for Los Alamos County Boards and Commissions**

**(Fiscal Year 2021: July 1, 2020 – June 30, 2021)**

**Board and Commission Name: Community Development Advisory Board**

**Date prepared: February 18, 2020**

**Date approved by Council: TBD**

**Prepared by: Paul Andrus, Staff Liaison; Aaron Walker, CDAB Chair**

**This work plan will be accomplished in the following time frame: July 1, 2020 to June 30, 2021**

**Chairperson: Aaron Walker**

**Members and terms:**

<b>Member</b>	<b>Start/End Dates</b>	<b>Term</b>
<b>Denise Derkacs</b>	<b>8/15/2019 – 8/14/2022</b>	<b>1</b>
<b>Andrea Pistone</b>	<b>8/15/2019 – 8/14/2022</b>	<b>1</b>
<b>Aaron Walker</b>	<b>8/15/2018 – 8/14/2020</b>	<b>1</b>
<b>John Gustafson</b>	<b>8/15/2019 – 8/14/2022</b>	<b>1</b>
<b>Anne Dillane</b>	<b>8/15/2019 – 8/14/2022</b>	<b>1</b>
<b>Vacant</b>	<b>8/15/2020 – 8/14/2023</b>	
<b>Vacant</b>	<b>8/15/2020 – 8/14/2023</b>	

**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: TBD**

**Council Liaison: James Robinson**

**Reviewed by Council Liaison? Yes**

<b>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.</b>
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CDAB has been meeting since August 2018. Several items from the FY20 Work Plan have been completed or are in progress.

- Complete: Review documentation of past notices of violation and courtesy letters, including summary data and additional information at the level of detail requested by Board members. Staff provided maps of compliance cases in aggregate and over time.
- Complete: Review historical and current information related to public response, including LAC Community Survey results from 2016 and 2018 related to code enforcement.
- Complete: Review Chapter 18 of the County Code and Chapters 10 and 16, and any other applicable chapters of the County Code, as relevant to code enforcement efforts.
  - CDAB has approved a process for this review that will lead to recommendations for Council in FY20. See 2.1 for detail.
- Ongoing: Review policies, procedures, and on-the-ground practices for County staff, and other elements of the Los Alamos County Code Compliance program as requested by Board members.

During meetings, County staff have answered many questions from the board related to the ongoing review of documentation, policies, and on-the-ground practices. As a result, county code compliance staff have made proactive improvements that did not require formal recommendations to Council.

- Clarify role of CDD vs police for enforcement on public right-of-way.
- Calibrate amount of evidence considered actionable for compliance intervention.
- Begin efforts to document areas inspectors have visited.
- Continue to refine the courtesy letter, which has resulted in more phone calls from residents to discuss issues and resolution with staff.

Over the past year and a half the primary goal has been to review the applicable sections of the county code, identify problematic or controversial areas, formulate a plan to address these issues and make a recommendation to County Council on how to fix the issues. CDAB has identified three major areas of concern: Inoperable Vehicles, Weeds, and Outdoor Storage of Materials. The other glaring issue CDAB found with the code was how “generic” the code was. Los Alamos is a unique county with unique neighborhoods, and a “generic” code may not work well for Los Alamos. Significant effort was made by CDAB members to gather public input on how these issues should be addressed. Numerous different avenues of information gathering were pursued and attempted.

Going in to 2020, the focus and goals of CDAB are going to be shifting dramatically. CDAB will support the consultant that the county will be bringing in to perform several tasks with Chapter 16 and 18. The main focus of CDAB will shift from identifying ways to revise the code to

performing public outreach and information dissemination. This has required several changes to working groups and will require further flexibility as the board adjusts to this role.

**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:**

CDAB's primary goal, as stated in the enabling ordinance, is "to make recommendations to County Council regarding the development, implementation, and enforcement of county property maintenance codes within the corporate boundaries of the county." County Council provided direction in November 2019 for CDAB to shift its focus to community outreach and information dissemination. There is also an RFP being constructed for a consultant to review and revise the appropriate sections of Chapters 16 and 18 to bring the code in line with what the county needs. CDAB will work closely with the consultant to ensure the needs of Los Alamos County are being met.

#### Projects in progress from FY20 Work Plan

- Review all monthly property maintenance code enforcement reports including courtesy letters, notices of violation, citations, and photographic evidence, and receive additional information on these reports, including quarterly summaries, from staff as requested. ( This is an on-going request).
- Review policies, procedures, and on-the-ground practices for County staff, and other elements of the Los Alamos County Code Compliance program as requested by Board members.
  - Make recommendations to council based on improving the policies, procedures, and practices in place.
- Recommend programs to inform the community about property maintenance code requirements.
  - Review current and past County efforts to inform the community about code requirements.
- Recommend programs and policies for positive outreach activities, including but not limited to assistance programs, citizen volunteer groups, or county-sponsored clean-up activities.

**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.*

**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.**

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**Planning & Zoning:** Per recommendation from Attorney's office, any recommendations that would change Chapter 16 will be presented to P&Z before Council. P&Z oversees issues that can affect residents' ability to comply with Chapter 18 property maintenance codes, so it will be essential for CDAB to ensure any solutions recommended to Council are properly contextualized with P&Z's concerns.

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

Working with code compliance staff, CDAB may hold public meetings to inform the community of property maintenance requirements and processes for resolving issues.

CDAB will work with the consultant to assist with input gathering from the community.

**5.0 List the current subcommittees for this Board or Commission. (Work Groups, not subcommittees)**

CDAB has assigned the following subquorum working groups, but may create more as the need arises:

**Public outreach and communication:** Denise Derkacs, Anne Dillane

**Volunteer and community resources:** Andrea Pistone, John Gustafson

A working group for coordinating with the consultant may be created when the need arises.

CDAB’s insight gained for ongoing review of cases, this information will enable the board to identify gaps in support and recommend new programs if needed.

**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:**

**Attachment A: Provide a copy of your Board or Commission’s “Purpose” and “Duties and Responsibilities” from Chapter 8 of the County Code:**

**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 CDAB Board**

**Mark all that apply on the chart on the following page.**

(From 2019 Strategic Leadership Plan)

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.

(Ord. No. 02-285, § 2, 5-15-2018)

Sec. 8-302. - Membership, terms and qualifications.

- (1) The community development advisory board shall be composed of seven 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 years. Three initial appointments shall expire after one 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 members on the board will expire their term after two years and rotation of appointments shall continue. Board members can be reappointed for no more than two 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.

(Ord. No. 02-285, § 2, 5-15-2018)

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.

(Ord. No. 02-285, § 2, 5-15-2018)



<b>Communication and Transparency</b>	
<b>Ongoing Improvement in Communication and Transparency in County Policy Setting</b>	
<b>Increasing the Amount and Types of Housing Options</b>	
This includes a variety of housing options for all segments of the community, from affordable, entry level, and live-work housing to new options for those interested in downsizing or moving closer to central areas of the community.	
<b>Enhancing Support and Opportunities for the Local Business Environment</b>	
This includes appropriate support for existing businesses, growing new businesses, and supporting technology start-ups and spin-offs.	
<b>Addressing Long-Term Building Vacancies in Key Areas of Our Community</b>	
Land availability in Los Alamos County, and in particular the downtown areas, is limited and there is a desire to work towards better utilization, opportunities for new businesses, and improved aesthetics.	X
<b>Protecting and Maintaining Our Open Spaces, Recreational, and Cultural Amenities</b>	
Los Alamos County open spaces and cultural attractions are greatly valued by the community provide opportunities for recreational and economic growth; appropriately allocating resources to ensure their health and sustainability is important to our citizens.	
<b>Supporting Social Services Improvement</b>	
Behavioral, mental and physical health and social services are important quality of life components; there are key areas where appropriate types and levels of county support could help address current needs.	
<b>Investing in Infrastructure</b>	
Appropriately balancing maintenance of existing infrastructure with new investment in county utilities, roads, facilities and amenities will help improve environmental stewardship, sustainability, and quality of life.	
<b>Planning for Appropriate Levels of County Services</b>	
Making sure we understand the level of services our citizens want will allow us to make appropriate investments in processes and staff to achieve them.	X

## CDAB RECOMMENDED CHANGES FROM THE FEBRUARY MEETING

- Use public feedback that has already been provided to CDAB and to Council (both public comments on video from Council meetings and written comments submitted via email, at CDAB outreach events, etc.)
- Ch 18 re-write must be comprehensive, not just the 3 major topics CDAB has identified (there is conflicting information on this in the first two sections of the RFP)
- Make feedback from the public and from CDAB a vital aspect (move it to the top of the document and emphasize it)
- Include possibility of removing sections, not just revising or updating
- Use research already conducted by CDAB, including using the comparative analysis, as a starting point for a more comprehensive study
- Under "Property Compliance Process," add "Recommend training practices for compliance officers"
- Establish performance metrics for CDD
- Identify priorities of the county when it comes to code enforcement (what are the values and intended outcomes?)
- Include analysis of having a complaint-driven vs proactive code enforcement program
- Study and account for differences among neighborhoods in LAC, including recommendations on how to address those differences in a property maintenance code
- Presentation of final report to Council comes from both consultant and a member of CDAB
- Remove the phrase "clean and lien" and use "programs for vacant properties" or something similarly neutral. If clean and lien is the best policy, it will come up naturally during the consultant's work and appear as a recommendation.
- Identify high to low priority issues and clarify how enforcement officials should handle them
- CDAB recommends asking to see examples of the consultant's work in other communities to ensure the consultant provides custom, community-specific code recommendations, not just "cookie cutter" or "copy/paste" from other communities
- Amend the third bullet under "Program Process Monitoring" point to clarify that "amount of time" refers to "how long is appropriate to allow for response to a letter"

The background features abstract green geometric shapes. On the left, a solid green trapezoid points upwards. On the right, a complex arrangement of overlapping translucent green triangles and polygons creates a layered, crystalline effect. A thin, light gray line extends from the bottom right towards the center of the page.

# Code Enforcement Path Forward

# Issues

- ▶ Ch 18 is vague and does not provide needed detail for the citizens or enforcers.
- ▶ Council has failed or been reluctant to provide clear direction for the CDD or CDAB.

# Recommendation

- ▶ Council decides to maintain the level of code enforcement as reflected in the 2018 Community Survey
  - ▶ Update as necessary depending on 2020 Community Survey

# SHORT TERM IDEAS

## (6 to 18 months)

### ► Update Ch. 18

- Move forward with RFP
- Once consultant is chosen
  - Utilize information already gathered from the CDAB
  - Prioritize codes to focus on health and safety and environmental factors with aesthetics and property values being less.
  - Write the code to be visual. Include pictures of what a violation would look like.
  - Include list of “weeds” similar to other communities like Albuquerque. List can be derived from PEEC, Master Gardeners and extension office.
  - Include definition of outside storage and rubbish similar to other communities.
  - Include sentencing guidelines that escalate to the General Penalty

# SHORT TERM IDEAS

## (6 to 18 months)

### ► Community Development Department

#### ► Revise current documents to reflect the new Ch. 18

- Include a handbook that code enforcers can carry on them that includes visual examples of what merits a friendly letter, and captures lessons learned.
- Clean up the process to reflect other communities like Espanola and Las Cruces
- Develop a robust training program for inspectors
- Include a budget option or revision to Council for additional funding for training and materials

#### ► Develop a Property Condition Survey of Los Alamos County

- Savannah GA as an example
- Determine the unique nature and condition of each neighborhood
  - Strengths, Weaknesses, Opportunities
- Partner with Public Works and Utilities to develop a plan to address the neighborhoods
- Presented to Council during budget sessions
- Updated bi-annually

#### ► Provide CDAB with a quarterly summary report on Code Enforcement Activities.

- Similar to the metric presented in the budget summary.
- Breakdown the ordinances cited.

# SHORT TERM IDEAS

## (6 to 18 months)

### ► Community Development Advisory Board

- Provide comment on the Ch. 18 redevelopment process, and recommendation to council on the final product.
- Partner with the CDD on education and outreach for the implementation of the new Ch. 18 code.
- Provide comment on the CDD training and handbook for code enforcers.
- Review and assist CDD in developing a strategic plan to address the Property Condition Survey
- Partner with Los Alamos County Environmental Services, Environmental Sustainability Board to look at volunteer/proactive methods for weeds, rubbish/trash.
- Assist in the development of a list of volunteers and organizations that CDD can ask to assist those who can prove a hardship.
- Produce an annual survey that can be presented to council on the community's feedback on code enforcement.



## Long Term Idea (3 to 5 years)

- Continue investigating the transfer Ch. 18 from the criminal court to civil court (Prosser WA, for example)

Advantages	Challenges
Citations would not result in a criminal complaint	<ul style="list-style-type: none"><li>• Need to create a new court system</li><li>• Hire additional FTE's to manage and staff the court.</li><li>• Need to appoint a board to determine the rules of the court and sentencing guidelines for violations.</li><li>• No wiggle room for sentencing. Monetary fines are the only form.</li><li>• Recouping fines could take many man-hours and could still end up in Municipal Court</li></ul>
Could set up a quasi judicial board of appeal similar to Ch. 16	<ul style="list-style-type: none"><li>• Still subject to the sentencing guidelines set out by the court and in the code.</li></ul>

## Long Term Idea (3 to 5 years)

- Investigate the transfer code enforcement to LAPD (Las Cruces for example)

Advantages	Challenges
LAPD might be better equipped to handle the criminal proceeding	Community perception
Already handle the areas of Ch. 18 and Ch. 6 - Animal Control enforcement without much complaint	Risk of escalation of force (unlikely)
Transfer of FTEs could free up CDD to focus on building inspections	

# Next Steps

- ▶ Incorporate comments from CDAB into presentation
- ▶ Present to council when kicking-off Ch.18 update
- ▶ If approved, incorporate tasks into CDAB work plan
- ▶ Work on Short Term Ideas pre and post Ch. 18 update
- ▶ Work on plan for addressing Long term Ideas

# Open Discussion



# References

Ammons, David N. *Municipal Benchmarks: Assessing Local Performance and Establishing Community Standards*. 3rd ed., Routledge, Taylor & Francis Group, 2015

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Codes Enforcement. (n.d.). Retrieved July 08, 2020, from <https://www.las-cruces.org/1264/Codes-Enforcement>

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# Additional Resources

- ▶ Citizen input
- ▶ Review of information gathered by CDAB
- ▶ Review of council sessions and media
- ▶ Interviews with CDD, CDAB members, County Attorney's Office, Sub-Quorum of Council