



# County of Los Alamos

1000 Central Avenue  
Los Alamos, NM 87544

## BCC Agenda - Final

### LOS ALAMOS Community Development Advisory Board

*Aaron D. Walker, Chair; John Gustafson, Vice Chair; ;Anna Dillane; Nina Epperson, and Andrea Piston, Members*

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Monday, January 25, 2021

5:30 PM

ZOOM

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**Due to COVID-19, the meeting will be conducted remotely.**

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

*You are invited to a Zoom webinar.*

*When: January 25, 2021.*

*5:30 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/92636873050>*

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

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

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

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

1. [13784-21](#) Minutes from the Community Development Advisory Board Meeting on November 16, 2020.

**Presenters:** Community Development Advisory Board

**Attachments:** [A - DRAFT CDAB November 16, 2020 Minutes](#)

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

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

#### **A. FY2021 CDAB Meeting Calendar**

#### **B. Review of Cases**

#### **C. Work Group Reports**

##### ***1. Public Outreach and Communication***

*2. Voluntary Community Resources*

**III. REPORTS AND UPDATES**

**A. Chair Report**

*1. FY21 Work Plan and Tracking Report*

1. [13785-21](#) FY2021 Work Plan and Tracking Report

Presenters: Community Development Advisory Board

Attachments: [A - FINAL FY21 CDAB Work Plan](#)  
[B - DRAFT CDAB FY2021 Work Plan Tracking Report](#)

**B. Board Liaison Reports**

**C. Council Liaison Report**

**D. Staff Report**

**IV. PUBLIC COMMENT**

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

The next meeting is February 22, 2021 via ZOOM

**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.

**Community Development Advisory Board Meeting  
Draft November 16, 2020 Minutes**

**I. ADMINISTRATIVE ACTIONS**

**Members Present:** Aaron Walker, Chair; John Gustafson, Vice Chair; Anne Dillane, Andrea Pistone, and Denise Derkacs. Members.

**Member Absent:** Nina Epperson

**Council Liaison Present:** Councilor James Robinson

**Others Present:** Paul Andrus, Director CDD and Liaison; Katie Thwaites, Assistant County Attorney; Michael Arellano, CDD Building Safety Manager; David Martinez Code Enforcement Supervisor; Barbara Lai, CDD; Perry Rutherford, IT.

**A. Call to Order**

Meeting called to order at 5:31 pm by Chair Walker

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

**Agenda approved as amended by a vote of 5-0.**

**C. Approval of Minutes**

**The minutes from the September and October meetings were approved by a vote of 5-0.**

**D. Public Comment**

Mr. Andrus stated that the Governor has placed additional COVID-related limitations on meetings. Some home WiFi may not be as reliable as the County connection.

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

**A. Review of Cases**

Ms. Pistone commented on the format of the posting of cases. Mr. Gustafson said that he has no problem reviewing the cases. Chair Walker suggested that Ms. Lai include in the email the Team address every month when notifying members that the cases have been posted. Mr. Andrus suggested that IT should be contacted to resolve the issue. Member Dillane asked that the quarterly reports be distributed to board members.

Chair Walker asked for clarification of the code regarding outdoor storage on private property versus commercial property. Mr. Andrus pointed out that this is an issue for the County to resolve and will be addressed in the code revision.

**B. Work Group Reports**

Public Outreach and Communication. Mr. Gustafson reported that he and Ms. Pistone have discussed plans for the project.

Voluntary Community Resources. Ms. Derkacs stated that there is no report.

**C. CDAB Opportunities - Chapter 18 Revision**

Chair Walker stated that the board must resolve the following issues: what the board will continue to do while the revision is in progress; establish the role of the board during the work on the revision; what the board can accomplish during the revision. He pointed out that attached to this agenda is a resource list for people seeking educational opportunities. Chair Walker suggested that Members Gustafson and Pistone establish a resource list of information for residents in need of assistance. Vice Chair Gustafson agreed with the suggestion. He committed to developing a list for the board to review at the December meeting. Ms. Pistone asked for input from board members.

Ms. Derkacs brought up two issues for consideration in the revision: 1) the topic of criminal vs civil consequences; and 2) whether enforcement should be transferred from CDD to the Police Department.

Mr. Andrus said that the development code revision will be a nine-month project.

Ms. Dillane asked if the board could look at the cost efficacy of code enforcement. She reported that she has information that there were 238 cases since June. She asked the cost to County taxpayers in terms of salaries, vehicle costs, etc.

Mr. Andrus pointed out that such a study must be at council directive. Councilor Robinson pointed out that County functions are not profit oriented and suggested that the community survey might be a venue to gauge public opinion.

**III. REPORTS AND UPDATES**

**A. Chair Report**

Information for RFP Consultant. Chair Walker wanted the list of attachments to the agenda included so that the board can be informed on what information is going to the Development Code consultant.

Outcomes of Council meeting November 10. Chair Walker reported that Nina Epperson has been appointed to the board. Member Derkacs will be resigning in December because she is a Councilor elect. Councilor Robinson said that the FY21 Work Plan was approved.

Ms. Lai reported that the vacancies for CDAB continue to be advertised in the Daily Post and may be shared on all social media.

**B. Board Liaison Reports**

No reports.

**C. Council Liaison Report**

Councilor Robinson reported that there are only three Council meetings remaining this year; and he updated the board on the coming presentations.

**D. Staff Report**

Michael Arellano reported on the status of the RFP for a consultant. Attorney Thwaites also provided RFP review procedures.

**IV. PUBLIC COMMENT**

No public comment.

**V. NEXT MEETING/FUTURE AGENDA ITEMS**

The next meeting will be on December 21, 2020, and will be conducted remotely.

**VI. ADJOURN**

Chair Walker adjourned the meeting at 7:02 pm.



**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**

<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.**

**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.

**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>Ongoing improvement in communication and transparency, environmental sustainability, planning for appropriate levels of County services and coordination with Los Alamos National Laboratory and regional partners are overarching goals that will be components of all our efforts.</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 to new options for those interested in downsizing or moving closer to central areas of the community. The 2019 Housing Market Needs Analysis identified that needs are distributed among all income ranges but that it is particularly acute for middle- and lower-income households.	
<b>Protecting, Maintaining and Improving our Open Spaces, Recreational, and Cultural Amenities</b>	
Los Alamos County open spaces and cultural attractions are greatly valued by the community and provide opportunities for recreational and economic growth; appropriately allocating resources to ensure their health and sustainability is important to our citizens.	
<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.	X
<b>Improve Utilization and Aesthetics of Vacant Buildings and Properties</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>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>Expand Transportation and Mobility Options and Address Parking Challenges</b>	
Work with regional partners and the Laboratory to consider holistic solutions for the needs and challenges facing Los Alamos and White Rock in the context of expanded housing and employment in the County and the desire to create a walk-, ride-, and environmentally-friendly community.	
<b>Investing in Infrastructure</b>	
Appropriately balancing maintenance of existing infrastructure with new investments in county utilities, roads, facilities and amenities will help improve environmental stewardship, sustainability, and quality of life.	

Ongoing improvement in communication and transparency, environmental sustainability, planning for appropriate levels of County services and coordination with Los Alamos National Laboratory and regional partners are overarching goals that will be components of all our efforts.	FY21 CDAB Work Plan (This report tracks the projects in 2.0 of the work plan.)	Activities/Outcomes
Enhancing Support and Opportunities for the Local Business Environment		
This includes appropriate support for existing businesses, growing new businesses, and supporting technology start-ups and spin-offs.		
Improve Utilization and Aesthetics of Vacant Buildings and Properties		
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.	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.	
	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.	<ul style="list-style-type: none"><li>• Make recommendations to council based on improving the policies, procedures, and practices in place.</li><li>• Review current and past County efforts to inform the community about code requirements.</li></ul>
	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.	
	Recommend programs and policies for positive outreach activities, including but not limited to assistance programs, citizen volunteer groups, or county-sponsored clean-up activities.	