



Agenda

DATE 7/11/13 TIME 9:11a

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**PUBLIC SAFETY COMMITTEE**

**Tuesday, July 16, 2013**

**4:00 PM**

**City Council Chambers**

**200 Lincoln Avenue, Santa Fe, NM 87501**

1. Roll Call
2. Approval of agenda
3. Approval of Tuesday, May 21, 2013 minutes
4. Old business:
  - A. NONE
5. New business:
  - A. 2012 Santa Fe Fire Department Annual Report (Assistant Fire Chief Jan Snyder)
  - B. 2011-2016 Santa Fe Police Department Strategic Plan (Deputy Police Chief William Johnson)
  - C. Proposed ordinance relating to the sale and consumption of alcohol on city property; amending Section 23-6.2 SFCC 1987 to authorize the sale and consumption of beer only in the areas designated for concessions and seating at Fort Marcy Ballpark in accordance with state and local laws and regulations. (Councilor Trujillo and Mayor Coss) (Alfred Walker)
  - D. Proposed resolution directing City of Santa Fe public safety staff to develop a public safety apprenticeship program that will benefit residents of Santa Fe and directing the city manager to explore the options for establishing apprenticeship programs in other areas of the city. (Councilor Bushee) (Fire Chief Litzenberg)
  - E. Proposed ordinance relating to the Land Development Code, Chapter 14 SFCC 1987; amending subsection 16-6.3 (B) (2) (c) to clarify restrictions on the parking of commercial or industrial vehicles in residential districts; adding a new subsection 14-6.3 (D) (2) (c) (vii) to allow the parking of certain types of towing vehicles related to home occupation business in residential districts; and making such stylistic or grammatical changes that are necessary. (Councilors Rivera, Trujillo and Wurzburger) (Matthew O'Reilly)
  - F. Edward Byrne Memorial Justice Assistance Grant Program (Deputy Police Chief John Schaerfl)
  - G. Proposed resolution accepting the recommendations of the LEAD Santa Fe Task Force and directing staff to establish and implement a three year LEAD/Pre-Booking Diversion Program in Santa Fe, including developing an operation plan explore funding mechanisms. (Mayor Coss, Councilors Dimas, Wurzburger, Ives, Calvert, Dominguez, Rivera and Trujillo) (Terrie Rodriguez)
6. Matters from Municipal Court-Monthly report
7. Matters from Police Chief Raymond Rael
8. Matters from Fire Chief Erik Litzenberg- Update on structure fire on 355 E. Palace Avenue
9. Matters from Committee Members
10. Communications from the Floor
11. Adjournment

**For information regarding the agenda, you can call Shannon Cantu at 955-5074. Persons with disabilities in need of accommodations, contact the City Clerk's office at 955-6520, five (5) working days prior to meeting date.**

**Index Summary of Minutes  
Public Safety Committee  
July 16, 2013**

<u>INDEX</u>	<u>ACTION TAKEN</u>	<u>PAGE(S)</u>
Cover Sheet		1
Call to Order	Call to Order by Chairperson Ronald Trujillo at 4:00 pm. Meeting held in the City Council Chambers.	2
Roll Call	A quorum was declared by roll call.	2
Approval of Agenda No changes from Staff or the Committee Members	<i>Mr. Mizrahi moved to approve the agenda as presented, second by Mr. Bowen, motion carried by unanimous voice vote.</i>	2
Approval of Minutes – May 21, 2013 Corrections: Page 10, Last name Mitch Buszek	<i>Dr. Lewis moved to approve the minutes of May 21, 2013 as amended, second by Mr. Bowen, motion carried by unanimous voice vote.</i>	3
Old Business	None	3
New Business		3-15
<ul style="list-style-type: none"> <li>A. 2012 Santa Fe Fire Department Annual Report</li> <li>B. 2011-2016 Santa Fe Police Department Strategic Plan</li> <li>C. Proposed ordinance relating to the sale and consumption of alcohol on city property; amending Section 23-6.2 SFCC 1987 to authorize the sale and consumption of beer only in the areas designated for concessions and seating at Fort Marcy Ballpark in accordance with state and local laws and regulations.</li> <li>D. Proposed resolution directing City of Santa Fe public safety staff to develop a public safety apprenticeship program that will benefit residents of Santa Fe and directing the City Manager to explore the options for establishing apprenticeship programs in other areas of the city.</li> </ul>	<ul style="list-style-type: none"> <li>A. Informational</li> <li>B. Informational</li> <li>C. <i>Councilor Rivera moved to approve with the recommendation that there be Security and that there be a 3-beer limit with wrist band, that there not be any sales after the 6<sup>th</sup> inning and that this action be reviewed after next season, second by Mr. Bowen, motion carried by unanimous voice vote.</i></li> <li>D. <i>Dr. Mier moved to approve the</i></li> </ul>	

**Index Summary of Minutes  
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<p>E. Proposed ordinance relating to the Land Development Code, Chapter 14 SFCC 1987; amending subsection 16-6.3 (B) (2) (c) to clarify restrictions on the parking of commercial or industrial vehicles in residential districts; adding a new subsection 14-6.3 (D) (2) (c) (vii) to allow the parking of certain types of towing vehicles related to home occupation business in residential districts; and making such stylistic or grammatical changes that are necessary.</p> <p>F. Edward Byrne Memorial Justice Assistance Grant Program</p> <p>G. Proposed resolution accepting the recommendations of the LEAD Santa Fe Task Force and directing staff to establish and implement a three year LEAD/Pre-Booking Diversion Program in Santa Fe, including developing an operation plan explore funding mechanisms.</p>	<p><i>proposed resolution directing City of Santa Fe public safety staff to develop a public safety apprenticeship program that will benefit residents of Santa Fe and directing the City Manager to explore the options for establishing apprenticeship programs in other areas of the city, second by Mr. Mizrahi, motion carried by unanimous voice vote.</i></p> <p><i>E. Dr. Mier moved and respectfully requested that the Public Safety Committee table this matter, second by Councilor Rivera, motion carried by unanimous voice vote.</i></p> <p><i>F. Dr. Mier moved to approve the Edward Byrne Memorial Justice Assistance Grant Program, second by Mr. Harris, motion carried by unanimous voice vote.</i></p> <p><i>G. Dr. Mier moved to approve the</i></p>	
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**Index Summary of Minutes  
Public Safety Committee  
July 16, 2013**

	<i>proposed resolution accepting the recommendations of the LEAD Santa Fe Task Force and directing staff to establish and implement a three year LEAD/Pre-Booking Diversion Program in Santa Fe, including developing an operation plan explore funding mechanisms, second by Dr. Lewis, motion passed with a vote of 7 in favor -1 in opposition.</i>	
Matters from Municipal Court	Report in Packet	15
Matters from Police Chief	None	15
Matters from Fire Chief Litzenberg	Informational	15
Matters from Committee Members	Informational	15
Communication from the Floor	None	16
Adjourn and Signature Page	Chair called for adjournment at 5:50 pm	16

**PUBLIC SAFETY COMMITTEE**  
**Tuesday, July 16, 2013**  
**4:00 PM – 5:50 PM**  
**City Council Chambers**  
**200 Lincoln Avenue, Santa Fe, NM 87501**

1. The meeting was called to order by Chair Ronald Trujillo at 4:00 pm. A quorum was declared by roll call.

Roll Call

Present:

Chairperson Ron Trujillo  
Dr. Nancy Owen Lewis  
Mr. Peter Mizrahi  
Councilor Chris Rivera  
Mr. Herbert Harris  
Dr. Mike Mier  
Mr. Mike Bowen  
Douglas Nava

Not Present:

Staff in Attendance:

Alfred Walker, City Attorney's Office  
Deputy Chief William Johnson, Santa Fe City Police  
Deputy Chief John Schaerfel, Santa Fe City Police  
Chief Erik Litzenberg, Santa Fe Fire Department  
Matt O'Reilly, Director, Land Use Department  
Melissa Byers, Legislative Liaison  
Detective Sgt. Jerome Sanchez, Santa Fe City Police  
Ms. Terrie Rodriguez, Director, Human Services

Others Present:

Councilor Patty Bushee  
Abel Perez, Fire Department Intern Program  
Fran Lucero, Stenographer

2. Approval of Agenda

***Mr. Mizrahi moved to approve the agenda as presented, second by Mr. Bowen, motion carried by unanimous voice vote.***

3. Approval of Tuesday, May 21, 2013 minutes  
Corrections: Page 10: Last name Mitch Buszek

*Dr. Lewis moved to approve the minutes of May 21, 2013 as amended, second by Mr. Bowen, motion carried by unanimous voice vote.*

4. Old Business  
A. NONE

5. New Business:  
A. 2012 Santa Fe Fire Department Annual Report (Assistant Fire Chief Jan Snyder)

This year the Santa Fe Fire Department created an annual report (included in meeting packet) reflecting calendar year 2012 even though we run budgetary FY July-July. Most of all the data we collect is based on a calendar year. We did this for multiple reasons, it is going to be a good Public Relations tools for us. We wanted to bring to this to the Public Safety Committee, to City Council and post it on the city website. It will be published, whether hard copy or electronically for whoever would like to review. In all purposes this is to show the community and the governing body what we do on a daily basis on in a year. We did put in there a letter from the Chief which we will put in there every year. We have placed some bullet points indicating some strategic plans for the following year. This is not a strategic plan it is a report for our last year, it gave us an opportunity to acknowledge many of our retirees, promotions, acknowledging things we do here in the community. The last page provides a lot of stats for the Fire Department. This will be produced every year in January.

- B. 2011-2016 Santa Fe Police Department Strategic Plan (Deputy Police Chief William Johnson)

(Strategic Plan 2011-2016 enclosed in packet). The Strategic Plan was developed at the beginning of this administration but it was never put in to a formal document like this. It was included in some other presentations that you may have seen; some of the information may seem redundant or familiar to you. We opted to put this in to a formal document. It takes us through what our main goals are throughout the 5 years, it talks about where we are going, what we want to accomplish. Much like the Fire Department we have the Chief's message in there and that should be something that is included in a document like this. We did prepare a power point presentation and it will be available on the city website in lieu of limited time. It is pretty inclusive and the 4 Main goals we will strive for are:

1. Reduce crime and the perception of crime.
2. Improve organizational efficiency and prepare for annexation.
3. Build a professional and accountable Police Department. The way we represent ourselves in the community is how the community builds their trust for us.

4. Build a progressive Police Department and we have outlined objectives in your document.

Chair Trujillo: Is the Power Point on the website.

Deputy Chief Johnson: It is not currently on the website, I believe they are waiting for the transition.

Mr. Mizrahi: Can you comment on current staffing based on personnel and vacancies.

Deputy Chief Johnson: Currently we are authorized 166 and as of today we have 9 vacancies. With the upcoming retirements we have 12, we have a couple of Senior Lts. and Captains on the books schedule to retire.

Mr. Nava: Can you describe transition.

Deputy Chief Johnson: I am referring to the transition from the old website to new website design and architecture.

- C. Proposed ordinance relating to the sale and consumption of alcohol on city property; amending Section 23-6.2 SFCC 1987 to authorize the sale and consumption of beer only in the areas designated for concessions and seating at Fort Marcy Ballpark in accordance with state and local laws and regulations. (Councilor Trujillo and Mayor Coss)

Alfred Walker: This bill does propose to amend Sec. 23-6.2 by removing the reference to the beer garden and authorizing the sale and consumption of beer in the areas designated for concessions and seating at Ft. Marcy Park in accordance with the State and local laws and regulations.

Chair Trujillo: Will it secure just the grand stand?

Mr. Walker: Just the grandstand, I am not very familiar with the architecture of the ball park. I would think that there would need to be barriers in place to prevent people from exiting and entering at will essentially with alcohol. Other than that the regulations would require that the area be contained to the seating and concession area.

Dr. Mier – Why this amendment?

Chair Trujillo: We want to assure that everyone is safe. In the past 2 years we have not had one incident. We did have concerns about rowdy crowds coming to the games. There were 1,300 people who attended the last game. Received many compliment at the last game (Pecos League) compared to the Isotopes game where

you can order a beer. Not serving in stands after 6<sup>th</sup> inning, beer stand shuts down.

Dr. Lewis – Did many people use the beer garden?

Chair Trujillo: Yes Dr. Lewis; and the wrist bands only allow for 3 beers.

Dr. Lewis: How will they monitor a 3 beer limit?

Chair Trujillo: Wrist band.

Dr. Lewis: Would Security be provided?

Mr. Walker: I am not familiar with what the State regulations would require, I think certainly that if the governing body felt that security was necessary that would be possible. I do think on the 3 beer limit there would have to be some sort of wrist band system. I think perhaps that we need to be included in the ordinance because in the 6<sup>th</sup> inning language as well because the resolution that controls what happens in the beer garden refers specifically to the beer garden and if the beer garden is removed from the ordinance than I think those items could be considered removed as well.

Mr. Walker: Within the context of the ordinance, what my suggestion would be and certainly it is up to the wishes of the Committee, under sub paragraph D-1 what I would simply say is: “a. 3 beer limit b. 6<sup>th</sup> inning end of sales” to include that in the ordinance so that it is clear.

Councilor Rivera: I assume that since we are talking about this bill now that it will not go into effect before this season, is that correct?

Chair Trujillo: Yes.

Mr. Nava: Is there security there now?

Chair Trujillo: No there is not.

Mr. Nava: Regardless of the situation, whether there is beer served or not there should be security. City should take the precautions especially when there are that many people. In my experience when we had a beer garden it was required to have security.

Chair Trujillo: Mr. Walker, can you check with the Finance Committee?

Dr. Mier: I understand that there is a limit based on whatever means you establish whether it is a band or something else where a person can only purchase the drink. We should look at some way for someone not to buy for someone else.

Chair Trujillo: I agree.

***Councilor Rivera moved to approve with the recommendation that there be Security and that there be a 3-beer limit with wrist band, that there not be any sales after the 6<sup>th</sup> inning and that this action be reviewed after next season, second by Mr. Bowen, motion carried by unanimous voice vote.***

Discussion:

Dr. Lewis: I would feel more comfortable if the bill would come back to the Public Safety Committee.

Melissa Byers: This bill is scheduled to go to Public Works on July 29<sup>th</sup>, Finance Committee on August 5<sup>th</sup> - 3<sup>rd</sup> week in August with amendments. If it was to come back to Public Safety it would be the 3<sup>rd</sup> week in August, it will still have time to come back to Public Safety before the Public Hearing on Sept. 11<sup>th</sup>.

Dr. Lewis: I would like to have time to go through the amendments.

Mr. Walker: As I understand the motion, the Page 2 of the Bill in packet on this issue, Paragraph D, sub-paragraph 1, there would be inserted a sub-paragraph *a* which would refer to the limit of 3 beers with wrist band. There is language in the resolution. What the resolution says and I think the language should be the same or similar: "Persons desiring to consume beer shall be required to wear a wrist band that restricts consumption to a maximum of 3-12 oz. beers during the course of a professional baseball game. Sub-paragraph *b* under that sub-paragraph 1 would be: "the sale of beer shall terminate at the end of the 6<sup>th</sup> inning of the professional baseball game." Another provision added at the end of the ordinance under Sub-paragraph D, paragraph 3 would be language requiring a review of this particular subsection after the end of the next season. We would add another provision requiring that security be provided. Correction: Mr. Walker will check with the state on security requirement and report at the next committee meeting.

***Chair called for the question: Motion passed unanimously.***

***Councilor Rivera moved to approve with the recommendation that there be Security and that there be a 3-beer limit with wrist band, that there not be any sales after the 6<sup>th</sup> inning and that this action be reviewed after next season, second by Mr. Bowen, motion carried by unanimous voice vote.***

- D. Proposed resolution directing City of Santa Fe public safety staff to develop a public safety apprenticeship program that will benefit residents of Santa Fe and directing the City Manager to explore the options for establishing apprenticeship programs in other areas of the city. (Councilor Bushee) (Fire Chief Litzenberg)

Councilor Bushee: I introduced this on behalf of this fine young man who wants to be

a firefighter. The concept came from Youth Works; Cathy Zacker wanted to help promote the idea of Abel Perez joining our firefighters. The idea was not only to have a tool in getting people interested and wanting to serve as a Public Safety Officer, so we put it in general terms for public safety first. I would like to have Chief Litzenberg speak first, he has already interviewed Abel and I believe he is set to do some type of prototype of the program as this goes forward.

Chief Litzenberg: We appreciate this concept, it is directing exploration. We have looked at variations of doing this, and it seems like a great idea. We were a little bit ahead of the game and it seemed right to use specifically Abel and Youth Works as part of the pilot. Abel will actually start on Monday with us and go through a proposed 3 months apprenticeship. The program in general will be a good opportunity for us to get our message out and to use as a recruiting tool. It is a good way to get an idea of what exists out there and promote our idea. We will see how it works with Abel, we support it. I think the direction is we have 60 days to come up with a model program. We already have the model in place, within 90 days we will have a good idea of how well it works.

Councilor Bushee stated that Abel got his GED recently and he is enrolled in the Santa Fe Community College in EMT training. We also know how hard it is to get police officers and we are hoping we can use the same prototype in the Police Department.

Deputy Chief Schaerfel: As Councilor Bushee has commented we are struggling to recruit officers with public safety experience. We are going to watch real closely on how this pilot program works for the SFFD and hopefully we can learn from their concepts and role them in to the Santa Fe Police Department. We have a new LEAD appointed member to our Community Relations Division who is being tasked as Ombudsman to the Santa Fe Public Schools. We don't ever want to reduce standards. Fire and Police are career jobs. We look forward to this program and we will support it.

Mr. Harris: What is the age limit?

Chief Litzenberg: For us, we are using the same standards as we do for our hiring process, 18 or older, high school diploma or GED.

Mr. Harris: Is there any city funding required for this>

Councilor Bushee: Again, I think it is going to be a personnel time; it is up to each department to decide how elaborate they want to do this. This pilot project is what we are basing it on when they come back to us.

Councilor Rivera: While you are going through this process, I think it would be beneficial to the people who participate in the apprentice program that when you go

through the hiring process that it plays a role in their ability to get hired in to the department if they complete the apprenticeship program. We tried this in the past at the Fire Department, and there are higher hopes of them getting a job afterwards.

Chief Litzenberg: I appreciate the comments, they are very appropriate. We will consider that. Abel is going to have a great opportunity where he will be doing this pilot program and his hope is the opportunity to test for a position within the Fire Department.

Mr. Nava: I would like to make the suggestion that at every Public Safety Committee meeting we get feedback both positive & negative on this pilot program.

Dr. Lewis: It would be nice to have a presentation to Public Safety after the resolution passes.

Councilor Bushee: We can do that.

Chief Litzenberg: The resolution is asking for a plan in 60-days. To really assess this pilot project well; we need a 90 day apprenticeship.

Dr. Lewis: That will be great.

Dr. Mier asked if at the next Public Safety Committee meeting if Chief Litzenberg could share the specifics of the model.

***Dr. Mier moved to approve the proposed resolution directing City of Santa Fe public safety staff to develop a public safety apprenticeship program that will benefit residents of Santa Fe and directing the City Manager to explore the options for establishing apprenticeship programs in other areas of the city, second by Mr. Mizrahi, motion carried by unanimous voice vote.***

Councilor Bushee expressed her thank you for the time and consideration of this resolution and pilot program.

- E. Proposed ordinance relating to the Land Development Code, Chapter 14 SFCC 1987; amending subsection 16-6.3 (B) (2) (c) to clarify restrictions on the parking of commercial or industrial vehicles in residential districts; adding a new subsection 14-6.3 (D) (2) (c) (vii) to allow the parking of certain types of towing vehicles related to home occupation business in residential districts; and making such stylistic or grammatical changes that are necessary. (Councilors Rivera, Trujillo and Wurzbarger, (Matthew O'Reilly)

Mr. O'Reilly: This ordinance has basically has 2 parts to it. I believe the 2nd part of the ordinance is the section of the ordinance that is most germane to the Public Safety Committee. The first part of the ordinance deals with clarifying by adding some

definitions and lists of which vehicles are in need, commercial and industrial vehicles. Currently the land development code has a prohibition against the storage or parking either continuous or intermittent of commercial and industrial vehicles as the memo in your packet mentions. That sometimes causes difficulties for staff and constituents where a vehicle type or use is in question. That would be the first section of the ordinance. That section of the ordinance was actually part of a large technical correction bill to Chapter 14 which is the City Land Development Code that was approved recently by the City Council. The particular section dealing with Section 1 of this bill was pulled out for the purpose of addressing towing vehicles which is our most addressed in Section 2 of the ordinance. There are a number of provisions that would allow the parking of the towing vehicle in a residential district with certain restrictions which are described in the bill. This bill was before the Planning Commission last week. The Planning Commission recommended postponement of action on the bill and directed staff to look in to some items related to the bill, some other options in dealing with this. It was decided that although the Planning Commission postponed the bill and asked for more information that we should come before the Public Safety Committee to get the Public Safety Committees input on the bill as it related to public safety. The Police Department is here to answer questions if there is any pertaining to the city's rotation list for calling tow trucks to the scenes of accident. With that, I would be happy to answer any questions.

Chair Trujillo: What prompted this? We were at City Council one night and we had some Tow Truck Company's come in and addressed their situation on the time that the Police take to get to the scene of the crime.

Mr. O'Reilly - Good synopsis of where this came from. I would again stress that Section 1 of the bill is something that we have wanted to do for quite a while. It doesn't have a lot to do with towing vehicles, but more so definitions of other kinds of commercial/industrial vehicles. There have been, unfortunately a number of very severe and blatant violations of this section of the code in the last 12-18 months which has prompted the city to take actions and file criminal complaints in municipal court to force compliance. There are also, apparently, a number of tow truck companies that operate inside the city limits who we have never received a complaint about. You are correct that at one point a meeting was held here in City Hall where we included members of law enforcement, county sheriffs, member of state and city police and a number of tow truck operators who gave their input and described some of the difficulties they have not only with the current Land Development Code but also with their response times under the city's rotation list and ordinance. The ordinance of the bill in front of you tonight was an attempt to balance their concerns with concerns of the neighborhoods where some of these activities take place. Quite frankly, those are the concerns that come before the Land Use Department. Those are the calls and the complaints we get from neighbors in regard to tow trucks. This bill is an attempt to balance those two needs. The Planning Commission wanted more data and wanted us to check in to how things work in other cities and possibly other remedies and approaches to allow this to other land use processes such as requiring a

tow truck operator go through what is called a special use permit which is a quasi judicial land use case where a Public Hearing is required. That would give members of the public the opportunity to testify about a particular location. Currently the way that the bill approaches the problem is allow this in the case of a home occupation, and under that scenario there aren't public hearings. The city does have a home occupation ordinance that permits a wide variety of commercial activities to take place in residential districts in a limited way. This bill is an attempt to add a tow truck operator to that sort of list of things could happen as a home occupation.

Dr. Mier: I appreciate the approach that the Planning Commission has taken; tabling this matter would be the best resolution. I am curious in terms of neighbor notification on where tow truck operators currently reside, how aware are the neighbors of this intent to change.

Mr. O'Reilly: Like most ordinances that are passed, they start off as Bills that are advertised in the city website and published in local papers. We have not sent out letters to the public in general, it would be a difficult thing to do. This ordinance affects the entire city. That has not been done and that said, at the Planning Commission there were quite a few members of the public who showed up to express their interest, concern and give comments on this particular issue. I would imagine that it will continue to happen and probably that level of interest will grow as the ordinance moves forward.

***Dr. Mier moved and respectfully requested that the Public Safety Committee table this matter, second by Councilor Rivera, motion carried by unanimous voice vote.***

***Discussion:***

Councilor Rivera: Asked if this would affect the 15 neighborhoods.

Chief Schaerfel: I believe we have 15 in the amended ordinance for towing companies; we have 15 that have met all the requirement of PRC, received business licenses.

Councilor Rivera - Can we get a list of the name of the tow companies and their locations? Are they required to give their addresses?

Chief Schaerfel: Yes they are. We have a 30 minute response time, which most drastically affected some of the very liberally enforced rules of the past where someone could be coming from 40 miles. With the lateness of responding to calls it was not safe for the public. With this new ordinance there will be a 10 mile limit. Even the people who are living outside of the city limits are going to be affected by that 30 minute response time.

Councilor Rivera: I am not sure if you would know this or not, but there are some tow companies that say they are at the residences and that early morning it makes it difficult for them to respond. What happens to them if they don't respond in 30 minutes?

Chief Schaerfel: The 30 minute time frame is from a public safety perspective. I guarantee you that no one is going without service. If we get a call at 2:00 am and I have a crash and we need a tow truck and the time is approaching, the officer will contact dispatch and they will look at the time was placed and record it and we will make subsequent calls. If they are on their way we do not cancel the call, it would take us longer to cancel if they can't be there in 10 minutes and we would need to start over to call the next person on rotation. Having said that we are looking at 35-45 minutes and if this person cannot be seen or we can't get through to them, then we are stuck contacting the next tow company on rotation. Regardless of any time or location, we have the officer on the scene. Even though they may not be impeding traffic the officer still cannot leave the scene of the accident or answer any other calls.

Dr. Mier: If we are looking at tow truck companies utilizing their residences for parking and if the company has an employee would they be able to park the tow truck at their resident?

Mr. O'Reilly: The way that the ordinance is written, it would not allow that. The only way as the bill is currently written is that the person who has the tow truck would have to be the owner of the home occupation business and the truck; one truck would be at their residence. They could have other trucks if they were a larger tow company and put them somewhere else in a commercially zoned area or industrial zone area, but not a residentially zoned area. They could have one truck that they own as the owner of the business at their residence.

Mr. O'Reilly: This has been very informative learning about this topic for me. The New Mexico Administrative Code (in the packet, page 3) describes towing services and classifies them according to the towing equipment and what they can tow. The bill proposes that the one truck that could be kept at a home occupation would be either a Class A or Class B piece of equipment and the description of those are in the ordinance. The gross vehicle weight of those vehicles does include the weighting, the cargo and my understanding is that the classification of equipment doesn't always coincide with the vehicle design. In other words it is very possible that what we commonly think of as the slider may not be a Class A or Class B vehicle or then again it may be depending on its size and its towing capacity. I would think that most of the small tow trucks that we use to see everywhere that you hook in the back are probably going to fall in the Class A – Class B vehicles. Although, in researching these different types of tow trucks that are available in this country, there are some very large trucks that look like a hook truck but they are very large, some of them have 3 axels in the rear and are designed to haul something that is very large. Those would likely be Class C or Class D vehicles. In researching how this is done in other

cities there are some cities that do restrict vehicles on their size meaning their dimensions rather than their weights or their classifications gross vehicle weights. Our bill goes by our own New Mexico Administrative code and segregates them according to their class.

Councilor Rivera: if the neighbors complain say Mr. O'Reilly's staff goes out and they validate the complaint, does he have the authority to remove the vehicles.

Mr. Harris: What information do we need?

Dr. Mier: Based on Mr. O'Reilly's information, I think the other information we received from other communities to what they do in these situations, I would like to know specifically what tow truck companies are talking about.

Mr. O'Reilly: Mr. Chair, if I may, the Planning Commission has requested information very similar to what Committee Member Mier just asked for. They want to know how the rotation list works, who is on the rotation list, they want the criteria beyond the rotation list, they had questions about lights on vehicles; how they turn on, when they turned off. They are interested in, again, if there are other avenues within the Land Development Code for approving these things as an alternative such as requiring a special use permit at a public hearing. They were interested in looking at potentially restricting only those companies that are in good standing on the rotation list and they also wanted to know in general how are other communities doing that. The thought was I believe one of the commissioners made the comment, not wanting to necessarily reinvent the wheel. They were looking for a lot of different information. We will have to do a great amount of work before we go back to the Planning Commission and I would imagine that when we come back to them, unless there is something specific that in addition to that list that most of those items will address your concerns as well.

Chair Trujillo: Will you be able to provide us with a list of the neighborhoods where they are located?

Mr. O'Reilly: Mr. Chair, Committee Members, absolutely we can do that. We will get the current rotation list and the information on the companies from the Police Department we can easily determine where they are in the city and create a map.

***Dr. Mier moved and respectfully requested that the Public Safety Committee table this matter, second by Councilor Rivera, motion carried by unanimous voice vote.***

- F. Edward Byrne Memorial Justice Assistance Grant Program (Deputy Police Chief John Schaerfel)

Chief Schaerfel: The Edward Byrne Memorial Justice Assistance Grant is an annual

grant application that we get from JAP (Justice Assistance Program). It is shared between the Santa Fe Police Department and the Santa Fe County Sheriff's. We have participated in it for several years, it is about a 2/3 – 1/3 split between the city and the county and that is based on size. The grant total amount is \$40,000. The grant itself is structured to request funds for equipment replacement for officer efficiency and public safety.

***Dr. Mier moved to approve the Edward Byrne Memorial Justice Assistance Grant Program, second by Mr. Harris, motion carried by unanimous voice vote.***

- G. Proposed resolution accepting the recommendations of the LEAD Santa Fe Task Force and directing staff to establish and implement a three year LEAD/Pre-Booking Diversion Program in Santa Fe, including developing an operation plan explore funding mechanisms. (Mayor Coss, Councilors Dimas, Rebecca Wurzberger, Peter Ives, Chris Calvert, Carmichael Dominguez, Chris Rivera and Ronald Trujillo) (Terrie Rodriguez)

Jerome Sanchez, Detective Sgt. from the Santa Fe Police Department and Supervisor of the Property Crimes Unit. Det. Sgt. Sanchez has worked on the detective side for the majority of his career and has been involved in investigations that involve narcotics for the past 13 years. It was immediately apparent that their unit has dealt with an epidemic of opiate addiction. Through investigation of property crimes and dealing with suspects on a daily basis it was evident of their history and drug use. In the last year we have not dealt with anybody that has not been addicted to heroin. Literally every person we come in contact with has been addicted to heroin in some shape or form. In working with property crimes for the past year and being involved in the Judicial process and studying various police methods, it was apparent for us that waiting for a judicial process to take care of this issue was not working and we had to try something different and needed to look for something different, alternative methods in dealing with the heroin use.

What LEAD is; basically a Law Enforcement Assisted Diversion project. Basically what happens is criminals with low level drug arrests are converted pre-arrest so prior to being booked in to jail they are sent through a diversion program. In the diversion program they meet with a LEAD officer, the LEAD officer than meets with a case manager as well. Prior to doing all of this they come up with an individual plan based on the needs of this individual. After going through diversion the person receives wrap around services, treatment and so forth.

Today at our meeting, Terrie Rodriguez, Director with the Children and Youth Services for the City of Santa Fe can explain more in depth the program itself. Mr. Chair, members of the Committee, I ask that you provide us your support so we can continue this work. The work involves many, many community members who include law enforcement, prosecutors, defense attorneys, treatment professionals,

Doctors and citizens; all who have come together on their own time to be a part of this task force to try to battle this heroin addiction that is closing in our community.

Chair expressed his sincerest of thanks for this presentation.

Mr. Bowen: I don't have a question just a statement, I will vote against this. I spent 24 years in law enforcement, half of that was in narcotics. I am not a supporter of treatment. It has been my experience that this is more of a method to stay out of jail.

Dr. Lewis: I would like to know more about the screening, what programs have been reached out to and how compliance will be tracked.

Det. Sgt. Sanchez: There are many criteria that they need to have prior to coming into this program. Part of the criteria is that they are not violent, that they are not drug dealers, that they are not involved with any type of prostitution, that they are not involved in any type of child trafficking or exploitation. Together with the task force they have set parameters that will allow these people in to the program. To address Mr. Bowen's concerns, this is not a program that we are going to take lightly, I am on the task force, and I am Co-Chair of this committee. I will not allow people to walk all over me. They will be given a chance and we want to reach out to those who have an addiction, with that they will be given an opportunity to go through the program. If they are not successful in the program the report will be taken back to the task force and the decision will be made there if we allow the person to continue, are they using this as a tool to get out of jail, then they are ultimately released from the program and then we go in to the judicial process.

Dr. Lewis: What is the screening being done, what are their problems that they keep on getting arrested? What programs are you going to use in this community? One of the most critical things is compliance, how it is tracked.

Det. Sgt. Sanchez: There are several programs now; in the pre-booking diversion they meet with a case manager as well as the LEAD officer who is on call. There is a case manager assigned to the offender throughout this process. Going through this process with people we realize that once they are in jail they are ok even though they can access drugs in jail, some of them stay sober in jail. The case manager will track them, make sure that they are doing what they are supposed to be doing, make sure that they are going to meetings and all of this is set forth in their treatment plan. The LEAD task force officer is also involved in this process with the Case Manager. The first strict guidelines with the case manager and the LEAD officer is to make sure that need to comply, they can't walk away from this program. This is not a way for them to take advantage of our system. Treatment services vary; it is not a black and white situation with addiction. Every person is different and every person needs different treatment services.

Opiate addiction is totally a different piece. The statistics are not great; however, the wrap around services is key. We have in-patient programs, we are looking at intensive out-patient programs which are months long, we are also looking at sober living so they can make a transition directly from treatment in to a sober living facility. The wrap-around services they are going to be provided are pretty intense. As far as measuring the success this model is based on a model that comes from Seattle. Seattle pretty much in their third year, unfortunately we don't have statistics to show a success rate.

Dr. Lewis: I see that you have put a lot of effort on this program and commend you for the incorporation of Treatment and Tracking System.

***Dr. Mier moved to approve the proposed resolution accepting the recommendations of the LEAD Santa Fe Task Force and directing staff to establish and implement a three year LEAD/Pre-Booking Diversion Program in Santa Fe, including developing an operation plan explore funding mechanisms, second by Dr. Lewis, motion passed with a vote of 7 in favor -1 in opposition.***

6. Matters from Municipal Court - Monthly report in file.
7. Matters from Police Chief Raymond Rael - No more to report.
8. Matters from Fire Chief Erik Litzenberg- Update on structure fire at 355 E. Palace Avenue, Santa Fe, New Mexico. Chief Litzenberg reported that they received 1 crime stopper tip and investigated.

Saturday - July 20th (10:00 am – 3:00 pm) - Healthy Kids Festival at the Santa Fe Convention Center.

One of our Paramedics father will be pitching against the Fuego.

9. Matters from Committee Members

Mr. Nava: Informed the Public Safety Committee members that today would be his last meeting and he would step down from the Public Safety Committee due to personal reasons. Mr. Nava comes from a Public Safety family who has served law enforcement for 50 years. Mr. Nava expressed his thanks to those in Law Enforcement, Public Safety and Fire Department for their dedicated work in protecting our community. Mr. Nava shared his gratitude and honored the respect for those in Law Enforcement.

The Chair and members of the Public Safety Committee and Staff all expressed their thanks to Mr. Nave for his service and interest in public safety. Best of luck.

10. Communications from the Floor

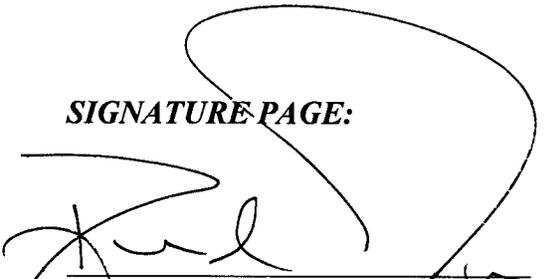
Chief Litzenberg informed the committee of a tree that was struck by lightning on the plaza. The Fire Department kept everyone safe and calm. Good job and thank you to the Fire Department for providing excellent public safety.

Question regarding Police on Plaza and Motorcycle parking. Are there restrictions related to the parking for motorcycles? Chief Schaerfel will provide additional clarification and information at next PSC meeting. Chief noted that on the Old Santa Fe Trail side it is a No Parking zone in order to accommodate emergency vehicles. Palace side available for parking of vehicles that are unloading for the bandstand live nights on the plaza.

11. Adjournment

There being no further business to come before the Public Safety Committee, the meeting was adjourned by the Chair at 5:50 pm.

**SIGNATURE PAGE:**



*Councilor Ron Trujillo, Chair*



*Fran Lucero, Stenographer*