Small Business Regulatory Advisory Commission



**CITY OF ALBUQUERQUE**

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| **Chairman: Don Kaufman**  **Vice Chairman: Anthony Trujillo**  **Ex-Officio Commissioner: John A. Garcia** | **Commissioners: Alex Romero**  **Beverly Chavez**  **Larry Garcia**  **Larry Rainosek**  **Scott Throckmorton** |

**MINUTES from July 16, 2013**

**ATTENDEES: EXCUSED: STAFF:**

Don Kaufman Alex Romero Cheryl Rein-Borunda

Anthony Trujillo Donna Griffin

Scott Throckmorton John A. Garcia

Beverly Chavez Jenny Walters

Larry Garcia

Larry Rainosek

**Presenters:** Susie Lubar, Director, Planning

Matthew Conrad, Associate Director, Planning

Minda McGonagle, Policy Advisor, Brownstein Hyatt Farber Schreck

Attachments: Draft - Food Sanitation Ordinance Report (Donna Griffin)

Meeting called to order by Chairman Don Kaufman at 7:34 a.m.

1. No changes or additions were made to the Agenda.
2. The June minutes were approved by the commission.

MOTION BY COMMISSIONER GARCIA

SECOND BY COMMISSIONER CHAVEZ

MOTION CARRIED UNANIMOUSLY

1. Commissioner Throckmorton gave an update on the UNM Project. He suggested the board wait until August to take any action from the report. Chairman Kaufman would like to have Commissioner Throckmorton act as point person on the project. He suggests Commissioner Throckmorton invite Professor Raj Mahto, from UNM to the August meeting to give an overview of the report.
2. Cheryl provided an update on the Air Quality Control Board Meeting and the concerns and proposed resolutions that the Commission sent to the Board regarding the new proposed legislation on Construction Permits. The concerns/proposed resolutions were part of the exhibits at the meeting. Commissioners Kaufman and Rainosek as well as Donna Griffin attended the meeting. The Air Quality Control Board conducted the hearing first with technical testimony and public comment following. Chairman Don Kaufman commented on behalf of the Commission and Small Businesses. He stated the concerns and proposed resolutions Small Business brought to the Commissioners and NAIOP.
   * Cheryl advised that the Commission’s proposed resolutions were not written into the new legislation before it was approved; however the Air Quality Control Board and the City’s Air Quality Control Division were responsive to the concerns of small business and will incorporate the proposed resolutions into the oversight and granting of Construction Permits.
3. The Commissioners had an open discussion regarding the draft report of the Commission’s review of the restaurant inspection segment of the Food Sanitation Ordinance compiled by Donna Griffin. Chairman Kaufman asked for edits from the Commissioners be sent to Cheryl via email within 24 hours.
4. There was additional discussion regarding the improved relationship between the Environmental Health Department inspectors and the restaurants.
5. The Commissioners voted to send a copy of the draft report to the Environmental Health Department Director and the CEO of NM Restaurant Association immediately after the edits are submitted by the Commissioners.

MOTION BY COMMISSIONER THROCKMORTON

SECOND BY COMMISSIONER GARCIA

MOTION CARRIED UNANIMOUSLY

1. A Presentation on the City of Albuquerque Planning Department was given to the Commissioners by the Planning Director, Susie Lubar and the Associate Director, Matthew Conrad. Director Lubar advised that there are 6 divisions within the Planning Department:

* Code Enforcement, Division Manager, Brennon Williams – Zoning and Housing codes
* Building Safety , Division Manager, Land Clark – Electrical, plumbing and building plan review; building permits; enforces building, electrical, plumbing, elevator and boiler codes
* Development Review Services, Division Manager, (City Engineer Bryan Wolfe)– Hydrology, Traffic Engineering, Impact Fee program
* Urban Design and Development , Division Manager, Russell Brito - Current planning, Long range planning,
* Metropolitan Redevelopment Agency, AGIS , Division Manager Michelle Gricius– Collection of data and provides up to date and innovative online mapping capabilities and information concerning property within the City of Albuquerque
* Administration, which includes, amongst other things, the Office of Neighborhood Coordination (ONC) which oversees approximately 150 neighborhood associations, both recognized and unrecognized. ONC staff also produces the newsletter and provides notice to neighborhood associations and individual property owners that might be affected by special exceptions, liquor licenses, etc.

Director Lubar gave an overview of all of the changes being made in department divisions and how they are implementing new policies and new ways to better serve the public. For example, a one stop shop, where the plan reviewers from Solid Waste, DMD, Fire, Environmental Health, Planning, and the Water Authority are all in one building so that customers can get development plans reviewed and permitted in one location. Fast Trax is where you can pay an extra fee to get expedited plan reviews. E-Plan is an online electronic submittal system that allows for the review and commenting of building plans to be submitted online and was implemented in April 2013. Deadlines have been implemented for all planners that review plans in order to promote efficiency and timely customer service. Same day over the counter reviews of small projects like pools, porches, fences, and minor remodels was recently initiated. Finally, the department is working on changing the philosophy of the entire department to be more customer friendly and helpful. All staff recently completed a mandatory customer service training session.

1. A presentation on recyclers was given by Minda McGonagle, an in-house lobbyist for government affairs and Policy Advisor for Brownstein Hyatt Farber Schreck. She represents small business metal recycling. Responsible Metals Recyclers Initiative (RMRI) is one of her clients. RMRI is a group of metal recyclers that understand there is a problem with scrap metal theft. Minda handed out several documents. (Code of Ethics, Metal Dealer’s Registration Application, MD Purchase Record, List of Registered Recycler Businesses in Albuquerque)

Minda discussed major concerns with theft and how to deal with it:

* Sale of recycled metals is regulated by federal government-for any/all transactions the business is required to fill out a significant amount of information that must be available to law enforcement for review at any time during business hours.
* Many have suggested a cash ban on copper sales-concern with that is many customers only deal in cash and do not have a checking account, also checks lead to check fraud. Another concern is that the people who will comply with the cash ban are not the people who are known to receive stolen property.
* Suggested solution by Minda would be to enforce the “law of weights and measures” that enables the city to shut down the business if it does not comply with the law. She strongly feels that the answer to this theft problem is Code Enforcement for the Metal Recyclers.
* Another suggestion is for business to have better protection for their infrastructure; however this is costly to the business owners.

There was discussion on how to move forward from here. The commissioners want to create a task force to study the existing city ordinances regarding metal theft and metal recycling. Scott Throckmorton will head up the task force.

MOTION BY CHAIRMAN KAUFMAN

SECOND BY COMMISSIONER GARCIA

MOTION CARRIED UNANIMOUSLY

1. Meeting adjourned at 9:38 a.m.

MOTION BY CHAIRMAN KAUFMAN

SECOND BY COMMISSIONER GARCIA

MOTION CARRIED UNANIMOUSLY