AGENDA

Tuesday, July 16, 2019 - 4:00 p.m.
HQ, 119 W. Main Street
Farmington, NM

1. Call to Order
2. Approval of the June 11, 2019 Minutes
3. Discussion: Vacant Building Ordinance White Paper
4. Brownfield Workshop Discussion – Jill Tanis
5. Main Street Complete Streets Update – Sherry Roach
   a. Right-of-Way Dedications on Downtown Main St.
6. Downtown Farmington Update – Michael Bulloch
7. Business From:
   a. Floor
   b. Chair
   c. Members
   d. Staff
8. Adjournment

ATTENTION PERSONS WITH DISABILITIES:
The meeting room and facilities are fully accessible to persons with mobility disabilities. If you plan to attend a meeting and need an auxiliary aid or service, please contact the City Clerk’s office at 599-1101 or 599-1106, prior to the meeting so arrangements can be made.
# Table of Contents

- **Problem** ........................................................................................................................................................................... 4
- **Needs and Challenges** ........................................................................................................................................................................ 5
- **Solutions: Registration, Tracking, and Penalties** ......................................................................................................................... 7
- **Progressive Fees for Vacant Commercial Buildings** .................................................................................................................. 9
- **Metropolitan Redevelopment Area - MRA** ................................................................................................................................. 10
- **Tax Assessment** .............................................................................................................................................................................. 10
- **Case Studies** .................................................................................................................................................................................. 11
- **Conclusion and Recommendations** .................................................................................................................................................. 12
- **Appendix A: Vacant Building Ordinance Comparison** ............................................................................................................... 14
- **Appendix B: Sample Vacant Property Registration Form** ............................................................................................................ 17
**PROBLEM**

Vacant commercial buildings once housed vibrant storefront commercial businesses that at one point generated a profit. Examples of these commercial or retail uses include “five and dime” stores, offices, and restaurants. Now vacant, many of these commercial buildings are either historic, architecturally significant, or located within designated historic districts. These buildings contribute to a MainStreet’s unique character and its potential to revitalize. The challenge for potential property developers is that these vacant commercial buildings, which were once banks, hotels, department stores, churches, and theaters, may be costly to adapt, rehabilitate and repurpose for other uses.

When commercial buildings stay vacant, their declining status leads to blight, discourages economic development, diminishes property values, and can act as fire hazards and magnets for crime. Some vacant commercial property owners use their buildings for storage, in the same way a residential neighbor might use their broken car or RV for storage. In many cases, the building is “under-utilized,” in that it does not economically perform as a commercial structure would in generating income for the business/property owner and gross receipts tax (GRT) for the local government.

Unmaintained vacant commercial buildings in New Mexico MainStreets’ commercial corridors create a negative and unwelcoming impression. Property owners of vacant commercial buildings and properties need to be held accountable for maintaining their buildings and properties, however motivating them to either lease their spaces or seek buyers to purchase their buildings is a complicated challenge for municipalities. Additionally, many property owners live outside the community, or even in other states. Some property owners may also purposely maintain the vacant status of their buildings by inflating the lease rates beyond what the market can support to report lost revenue and decrease their personal tax liabilities.

Properties that are vacant over time become the victims of deferred maintenance, leading to problems with the building’s roof, foundation, electrical, plumbing, and HVAC systems. Under such conditions, buildings become dilapidated and irreparable and can be declared a public nuisance, or even demolished, further burdening taxpayers with the demolition and vacant lot remediation costs. In fact, “vacant lots can remain undeveloped for decades.” Local governments are forced to prioritize whether to undertake the costs associated with removal of these abandoned buildings, and remediation of derelict properties or providing for the community’s basic needs, such as sanitation, water, street repairs, fire and police protection.

Without oversight from local governments in partnership with a local revitalization organization,

---

1 Rich Williams, Co-Director of New Mexico MainStreet
vacant buildings and properties’ diminish economic opportunities and can affect a community’s economic health and opportunity, safety, and general welfare.

**NEED AND CHALLENGES**

Local governments have options when it comes to motivating property owners to “do something” with their vacant buildings. Numerous municipalities throughout the United States have implemented ordinances\(^2\) that require owners to register their vacant buildings and properties as well as maintain them.\(^3\) The primary objective of a “vacant building ordinance” is to control the proliferation of vacant buildings and lots. Protection of a community’s health, safety, and welfare provide the legal defense for local municipalities to enact strong anti-neglect ordinances. Passing such ordinances, however, requires dedicated resources for both pulling stakeholders together to create the ordinance and then redirecting staff time or adding additional staff to enforce it.

According to Sheila Hudman, Clerk/Treasurer of the Village of Santa Clara, approval of the Santa Clara’s vacant building ordinance required eight public meetings and overall took considerable time to pass. The village wanted to include a hardship exemption in the ordinance to appease public resistance. Community members were concerned that elderly property owners of vacant buildings would be unnecessarily penalized. Despite this intent, the village did not include the exemption in the final approved ordinance.

Most municipalities with ordinances regulate all vacant properties, including residential, commercial, and industrial buildings. Only a small number of municipalities have focused their regulatory remedies on explicitly reducing the number of vacant commercial buildings. The City of Albuquerque’s proposed “Vacant Commercial Building Ordinance”\(^4\) would have adopted a new article in the city’s zoning code, requiring all vacant commercial property owners to register their properties, and apply minimum aesthetic standards.\(^5\) Boarded-up windows and doors would only be allowed for up to 180 days. Owners that violated the ordinance would be subject to a daily $500 fine and other penalties. Vacant commercial properties that remained unmaintained within a year would be subject to demolition. City staff raised concerns regarding enforcement (hiring new personnel) and material costs (estimated at $900,000 for demolitions). The outcry from the real estate industry led to the proposed ordinance never making it to a vote before the city council, and it died on expiration.

Instead of the proposed ordinance, the Albuquerque City Council approved the “Dilapidated Commercial Buildings and Properties Pilot Project”\(^6\) in late 2017. Since July 2018, the City had

---

2 Despite the risk of lawsuits from real estate lobbyists and private commercial property owners.
3 See Appendix B, Sample Vacant Building/Property Registration Form
4 O-16-11, sponsored by City Councilors Pat Davis (District 6) and Don Harris (District 9) was proposed in early 2017. The bill’s sponsors wanted to deter the proliferation of vacant buildings that were deteriorating, becoming blighted, and negatively affecting surrounding properties and property values.
5 Removal of weeds and trash, posting “no trespassing” signs, fixing holes in exterior walls, and cleaning up graffiti.
6 The pilot project regulated dilapidated commercial buildings and properties in District 6 (Albuquerque’s Southeast Heights, including UNM, Nob Hill, and the International District) and District 9 (the far Southeast Heights and Foothills). District 2 which covers Downtown and Barelas was not included in the pilot.
identified 30 dilapidated commercial structures, issued warnings, and attempted to negotiate solutions with property owners. The city issued 60-day notices to property owners that failed to respond to the warnings. If the property owner failed to take action after the issuance of the warning, the city attorney had the authority to file a complaint in district court and issue penalties as high as $500 a day. The city allocated $425,000 for the pilot’s annual budget, which included $300,000 for securing or demolishing neglected structures.

Despite the pilot program’s success in targeting vacant commercial buildings in the two districts, the city council instead chose to amend the city’s Uniform Housing Code with its “Vacant Building Maintenance” ordinance. Under this version of the ordinance, owners of any vacant building must obtain a vacant building maintenance license and arrange an inspection with Albuquerque Code Enforcement to ensure the building is secure, structurally safe, free from nuisance, and in good order. If repairs or upkeep are needed, the building owner has 45 days to bring their building into compliance. While the ordinance requires the maintenance and upkeep of all vacant structures, it does allow buildings to remain empty as long as they are maintained and licensed.

Enforcement of a vacant building ordinance is another challenge municipalities face. The Town of Silver City, NM has deemed its “Regulation of Unattended Vacant Buildings Ordinance” as “unenforceable.” The ordinance requires vacant buildings owners, within its historic downtown district, to register their properties with the town, secure their buildings’ openings (windows and doors), and remove weeds, trash, and graffiti. Some of the ordinance’s shortcomings include:

- No requirement for out of town owners to assign a local agent;
- No section on either “appearance standards” or “external appearance” which would require owners to paint, maintain landscaping, and weatherproof their buildings;
- No provision allowing the town manager to determine whether the vacant building is “detrimental to property values or the character of the neighborhood.”

Vacant building ordinances should be structured to discourage property owners from continually maintaining their buildings as vacant. The Silver City ordinance’s fee schedule is relatively low with only a $35 deposit required for the building’s initial inspection, and a penalty fee of only $100 for failing to register their vacant building or property. Finally, it is the owner’s responsibility to register their property and file status reports every 30 days, without the town’s enforcement.

It is not only small towns like Silver City that struggle to enact an enforceable ordinance, but even a large city/county like San Francisco is challenged with how to deter the proliferation of vacant buildings and properties. In 2009 San Francisco adopted its first Vacant or Abandoned Building

---

7 Enacted in December 2018
8 Enacted in October 2012
9 Village of Santa Clara’s “Registration, and Maintenance of Neglected Vacant Residential and Commercial Structures” ordinance
10 “Vacant building maintenance license; maintenance standards for vacant buildings”, City of Tucumcari, NM and City of Las Vegas, NM
Ordinance (VABO)\textsuperscript{11}. The law required owners to register their vacant or abandoned buildings, pay registration fees, secure their properties to deny access to would-be trespassers, and provide proof of liability insurance coverage. VABO initially exempted buildings with a vacant commercial storefront and an occupied second floor from the ordinance. The city/county amended the ordinance in 2014 to remove this loophole, resulting in any property containing vacant or abandoned commercial storefronts to comply with the following:\textsuperscript{12}

- Rent their retail or office storefronts to tenants who occupy the premises in compliance with all state and local laws; or
- Pay a fee of $765.00 to include their commercial storefronts in the Registry of Vacant or Abandoned Commercial Storefronts.\textsuperscript{13}

The amended ordinance allowed owners of commercial storefronts to demonstrate that they were making a good faith effort to rent, lease, or sell their commercial storefronts, or obtain a building permit to bring their commercial storefronts into compliance with the law. This exemption inadvertently created another loophole for property owners, who would perpetually place a “for lease” sign in their building’s storefront and/or list the property’s availability online. As of March 2019, the Board of Supervisors is once again amending the VABO with the following requirements:

- Required registration of a vacant or abandoned commercial storefront, regardless of whether it is actively being offered for rent or lease;
- Payment of the annual registration fee, with a refund up to one half for storefronts occupied before their registration’s expiration;
- Annual registration renewal must include an inspection report from a licensed professional (at the owner’s expense) verifying the storefront remains in compliance with the VABO’s maintenance requirements;
- A penalty fee for failure to register a vacant commercial storefront equal to four times the annual registration fee ($3,060).

These amendments are intended to create an enforceable ordinance that will reduce the number of vacant storefronts throughout San Francisco’s numerous commercial corridors.\textsuperscript{14}

**SOLUTIONS: REGISTRATION, TRACKING, AND PENALTIES**

The two municipalities highlighted below have both sought to reduce the number of vacant buildings

\begin{itemize}
\item Building Code Section 103A.4 et. seq.,
\item Within 270 days of their commercial storefronts becoming vacant or abandoned
\item This fee shall be assessed on an annual basis for each year that a commercial storefront remains vacant or abandoned.
\item Changes in San Francisco’s retail environment may also contribute to the ongoing vacancies, including: “the internet, rapidly changing consumer habits, code issues, e.g., Formal Retail restrictions, burdensome regulatory requirements on both the building owner and the possible tenants that lease space,” John Bozeman, Building Owners and Managers Association of San Francisco
\end{itemize}
in their jurisdictions through their regulatory powers. Willits, CA and the Village of Santa Clara, NM are small cities\(^{15}\) founded during the same period (the 1860s). In 2018, the City of Willits enacted an ordinance which penalizes vacant commercial building owners who both ignore the upkeep of their properties as well as delay the sale or lease of these properties. The Village of Santa Clara, in Grants County, New Mexico enacted its “Registration, and Maintenance of Neglected Vacant Residential and Commercial Structures” ordinance in September 2016.\(^{16}\)

Santa Clara’s ordinance ensures the “appropriate maintenance of vacant residential and commercial structures so that unsanitary conditions, unsafe deterioration, and unauthorized entry will be prevented and do not become a public nuisance.” The village started to enforce the ordinance in the downtown district, then phased in its enforcement throughout the entire village. Specific provisions of the Santa Clara ordinance include:

- Certification from either the Village Police Chief or the Fire Chief that the property is a “neglected vacant structure”;\(^{17}\)
- Notification to the property owner of their responsibility to register their vacant building within thirty days\(^{18}\) and initiate repairs to minimize the appearance of neglect, and secure their structure from unauthorized entry.

As long as the vacant building is registered, maintained, and secured, the owner has met the intent of the ordinance and the Village of Santa Clara will consider waiving ongoing registration fees. Property owners that fail to register their buildings could face court imposed fines.\(^{19}\) Continuous neglect of a structure may also lead to the village declaring the neglected vacant structure a public nuisance.\(^{20}\) Legally, the village has the power to place liens on properties and enact foreclosures, but officials contend that they prefer to work out an improvement plan with property owners and avoid legal actions. Since the ordinance’s approval, several property owners have fixed up their buildings and in some cases rented them. Moreover, because Santa Clara’s ordinance also regulates fire damaged vacant buildings, four property owners have demolished their structures.

The Willits “Vacant Commercial Building Ordinance,” focuses solely on vacant commercial properties, and goes beyond requiring property owners to maintain and secure their buildings through the following two provisions:

- “Out of area” commercial property owners\(^{21}\) are required to hire a property manager;

---

\(^{15}\) Both Willits (population 4875) and Santa Clara (population 1800) have seen a continual decrease in their populations since the 2000 census (4% and 7% respectively).

\(^{16}\) An amendment to their existing Health, Sanitation, and Environment Code (Title 4).

\(^{17}\) Defined by the ordinance as a structure or building (including a mobile home) that is vacant and not maintained.

\(^{18}\) The annual registration fee of $300 is prorated and can be paid in installments of $25/month. As long as the premises continue to be designated as a “neglected vacant structure”, the fee will continue and will increase each calendar year an additional $100, for a maximum fee of $500 annually.

\(^{19}\) Court imposed penalties could include a maximum fine of $500 or ninety days imprisonment.

\(^{20}\) Such a declaration occurs when the owner fails to maintain their vacant structure in accordance with the State of NM sanitary codes, building codes, and fire codes.

\(^{21}\) A vacant commercial building owner who lives more than 50 miles from Willits.
• All owners must prove to the city that they are actively offering their buildings for sale, lease, or rent.

While these requirements are meant to counteract a property owner’s practice of maintaining the empty status of the building, proving to the city that vacant buildings are “actively being offered for sale, lease, or rent” may allow too many owners to maintain their properties as vacant, as was the case in San Francisco. Another loophole that the Willits ordinance may have created rests in making the property owner responsible for registering their buildings after 90 days of vacancy. In comparison, Santa Clara’s ordinance requires a certification of the building’s status from the police or fire chief.

Finally a best practice that both Willits and Santa Clara have undertaken is the offsetting of the costs to enforce their respective ordinances through the collection of registration and penalty fees. And both municipalities also require property owners to secure their buildings against squatters and maintain their physical condition. For a detailed comparison of the Santa Clara and Willits ordinances, see Appendix A.

PROGRESSIVE FEES FOR VACANT COMMERCIAL PROPERTIES

The City of Tucumcari’s “Vacant building maintenance license; maintenance standards for vacant buildings” requires vacant property owners that do not live or work in Quay County to designate a local authorized agent as part of the licensing process. The local agent becomes responsible for receiving and acting upon all notices related to code violations and court proceedings affecting the vacant building. The Tucumcari ordinance also requires vacant building owners to obtain a certificate of insurance for commercial liability. The City of Las Vegas, NM also passed a “Vacant buildings maintenance license; maintenance standards for vacant buildings” ordinance (Chapter 148-5) that except for the fee schedule is almost identical to the Tucumcari ordinance. The fees for licensing and renewals of vacant commercial buildings in Las Vegas are considerably less, in comparison to Tucumcari:

<table>
<thead>
<tr>
<th>Vacant Commercial Building License Fees</th>
<th>City of Tucumcari</th>
<th>City of Las Vegas</th>
</tr>
</thead>
<tbody>
<tr>
<td>Processing</td>
<td>$50</td>
<td>$50</td>
</tr>
<tr>
<td>License</td>
<td>$350</td>
<td>$300</td>
</tr>
<tr>
<td>First Year Renewal</td>
<td>$500</td>
<td>$150</td>
</tr>
<tr>
<td>Subsequent Renewals</td>
<td>$1000</td>
<td>$150</td>
</tr>
</tbody>
</table>

Whereas the license and registration fees for vacant residential buildings are considerably less in both municipalities:

<table>
<thead>
<tr>
<th>Vacant Residential Building License Fees</th>
<th>City of Tucumcari</th>
<th>City of Las Vegas</th>
</tr>
</thead>
<tbody>
<tr>
<td>Processing</td>
<td>$25</td>
<td>$25</td>
</tr>
<tr>
<td>License</td>
<td>$200</td>
<td>$150</td>
</tr>
<tr>
<td>First Year and Subsequent Renewals</td>
<td>$200</td>
<td>$150</td>
</tr>
</tbody>
</table>

22 Ord. No. 1124; 7:10.040, 2015
Both Tucumcari and Las Vegas state that multiple year renewals of the vacant building maintenance license are discouraged with few exceptions. The City of Tucumcari’s progressive renewal fee for licensing vacant commercial buildings starts at $500 for the first year and then doubles to $1000 for subsequent renewals. These fees are substantial and can significantly increase a property owner’s costs of maintaining their commercial property as vacant.

**METROPOLITAN REDEVELOPMENT AREA (MRA)**

The recently updated Metropolitan Redevelopment Area Plan of Las Vegas, NM (2018) addresses the city’s concern about its vacant, abandoned and unsafe buildings within its downtown and MRA. The plan inventories vacant lots and buildings and encourages property owners to maintain, rehabilitate and occupy their buildings for productive purposes. The plan recommends that the city establish the following incentives and disincentives:

- Establish a “Clean & Lien” ordinance;
- Require annual inspections of vacant buildings;
- Identify funding sources for property owners to rehabilitate buildings;
- Connect property owners with nonprofit organizations, entrepreneurs, and other potential tenants;
- Research methods to streamline or fast-track the permitting process for restoring vacant historic properties;
- Prioritize adaptive reuse over demolition when possible.

**TAX ASSESSMENT**

The State of New Mexico’s Property Tax Code does not allow jurisdictions to assess vacant properties to penalize abandonment. States that enable municipalities to assess an additional tax on a vacant property generally work well in areas with high land values. An additional tax increases a

---

23 Exceptions to multiple year renewals include: historical buildings, landmarks, buildings in redevelopment areas, and other properties that are subject to unique factors or conditions that require special consideration.

24 Would provide the city with the legal remedy to demolish unsafe buildings in the MRA and encourage new private construction to replace demolished buildings.

25 Information is from Randy Kincaid, Assessor and Mark Willard, Chief Appraiser of Chaves County via NM Counties Listserv.

26 “County assessors neither impose nor collect taxes. Assessors only value property that may be subject to property tax. Property taxes are collected by the county treasurer and taxes are imposed by numerous taxing entities, such as municipalities, counties, schools, universities/colleges, the state, water districts, etc. So, if a county or municipality can legally impose a property tax on vacant property, that additional tax will appear on the tax rolls sent to treasurer who, in turn, will send the tax bill to the property owner.” (Ken Milder, Los Alamos County Assessor via NM Counties Listserv)

27 Ball Ground, GA and San Francisco, CA are considering the use of tax assessments on vacant buildings.

28 In Washington, D.C. and Pittsburgh, “land value tax” assessments on vacant properties are used to improve blight areas and raise revenue.
landowner’s cost of holding on to an unused property and can motivate an owner to either develop or sell their properties. Some municipalities tax land and structures separately. In Pittsburgh, a land value tax only applies to vacant properties within the city’s Business Improvement District (BID). In Oakland, voters approved the state’s first tax on privately owned vacant properties in November 2018. The City of Oakland estimates that the parcel tax could raise as much as $10 million annually for homeless services, blight remediation, and new affordable housing. Nonprofits and low-income owners are exempt from the tax, as well as others who can prove financial hardship. The measure also exempts owners who can demonstrate that specific circumstances prevent the use or development of their land.

**CASE STUDIES**

The following examples of public-private partnerships, inter-agency coordination, and technological innovations are helping municipalities to register and track vacant properties:

- The Downtown Memphis Anti-Neglect Initiative requires an owner to either improve, rent, or sell a vacant property, otherwise the court can take possession and appoint a third party receiver to handle the property. Once the City of Memphis identifies a high-priority property, the Downtown Memphis Commission (DMC), initiates a development plan in coordination with the property owner. If conditions do not improve over four years, the City of Memphis files a nuisance lawsuit against the neglectful property owner.

- In 2014 New Orleans’ Mayor Mitch Landrieu streamlined the process for remediating blighted properties by implementing a new computerized system to track code enforcement and permitting. To coordinate the blight-reduction efforts of various city agencies, the Landrieu administration created “BlightSTAT,” a process in which representatives from the Department of Code Enforcement, the Office of Community Development, the Office of Information Technology and Innovation, the Law Department, and the New Orleans Redevelopment Authority meet to set goals and report on progress.

- The Unified Government of Wyandotte County and Kansas City, Kansas worked in

---

29 According to the Lincoln Institute of Land Policy, administering such a system can be difficult to implement.
30 The taxing of vacant properties has led to many owners not paying their taxes and letting the city seize their property. Use of a land bank would allow the municipality to acquire vacant properties and then work with developers (for-profit and nonprofit) to develop the properties for uses such as affordable housing or green spaces. (https://www.pewtrusts.org/en/research-and-analysis/blogs/stateline/2017/03/07/can-extra-taxes-on-vacant-land-cure-city-blight)
32 The parcel tax is a flat amount since California law does not allow cities to tie a parcel tax to market values.
33 http://www.capradio.org/122091
34 Owners of properties in use fewer than 50 days per year are taxed $6,000 per parcel annually.
35 The Downtown Memphis Anti-Neglect Initiative developed and implemented the Tennessee Neighborhood Preservation Act. The Initiative's mission is to eliminate blight, improve or stabilize long-term neglected properties, and/or move owners of problem downtown vacant properties towards proper maintenance and full use or eventually demolition or sale.
36 A local public-private partnership
partnership to implement an online registry\textsuperscript{37} to track negligent property owners and their vacant properties. Previously, Wyandotte County would send code enforcement to investigate complaints and issue orders to secure properties. Under the new registry guidelines, vacant property owners are required to register their properties, pay a $200 registration fee\textsuperscript{38}, and submit a detailed plan for improving the property.\textsuperscript{39} Owners that do not improve their buildings risk having the properties declared a public nuisance and possibly even condemned through the courts. Condemned properties either get sold at a public auction or transferred to Kansas City’s land bank. If a property has too many structural issues, the city will demolish it. In 2017 the Kansas legislature introduced a bill that that would have improved the process for local governments and nonprofits to obtain abandoned properties. The bill died in committee in early 2018.\textsuperscript{40}

CONCLUSION AND RECOMMENDATIONS

Most of New Mexico MainStreet’s commercial corridors contain vacant and abandoned commercial properties. Owners that neglect their properties place stress on the communities where they are located and deter downtown revitalization efforts. Several Mayors across the state have expressed interest in addressing vacant property issues. Enacting and implementing an effective vacant commercial building ordinance can help local governments and MainStreet organizations halt and reverse the negative impacts of vacant and abandoned buildings.

For a municipality to create an effective and enforceable vacant building ordinance, the following provisions should be included:

1. Enforced registration of vacant buildings through interagency coordination;
2. Required annual inspections of vacant buildings;
3. Maintain a registry of vacant buildings;
4. Include minimum aesthetic requirements;
5. Negotiate with property owners to provide an improvement plan before assessing penalty fees or taking action through the court system;
6. Require out of town owners to assign a local agent;
7. Penalty and registration renewal fees should be progressive and increase over time;
8. Owners need to provide proof of liability insurance upon registration;

\textsuperscript{37} PROCHAMPS partners with communities to combat neighborhood blight through property registration. https://prochamps.com/HomePage.aspx?CommunityId=0
\textsuperscript{38} The fee is split between Wyandotte County and the on-line registry provider, ProChamps.
\textsuperscript{39} The registry is part of Kansas City’s SOAR program (Stabilization, Occupation and Revitalization), a five-year plan to address blighted residential buildings.
9. Phase in implementation of the ordinance, starting with the MainStreet district or principal downtown corridors.

Finally, aside from distributing this white paper to MainStreet organizations and local government officials, New Mexico MainStreet will assist in promoting the implementation of vacant building ordinances through the following activities:

• Presentations, in coordination with the almost 30 affiliated MainStreet districts, at both the local level and at the following annual conferences: New Mexico Municipal League, New Mexico Infrastructure Finance, and New Mexico Association of Counties;

• Convening a working group of local leaders, in coordination with New Mexico MainStreet/Economic Development Department, to develop policy recommendations to address the issue better.
### Appendix A

<table>
<thead>
<tr>
<th>Vacant Building Ordinances - Comparison</th>
<th>Willits, CA (Mendocino County)</th>
<th>Village of Santa Clara, NM (Grant County)</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>1. Title</strong></td>
<td>Vacant Commercial Building Ordinance</td>
<td>Registration &amp; Maintenance of Neglected Vacant Residential &amp; Commercial Buildings</td>
</tr>
<tr>
<td><strong>2. Purpose</strong></td>
<td>Abandoned and vacant buildings contribute to blight, discourage economic development and diminish property values, attract criminal activity, and create fire hazards. It is the responsibility of property owners to prevent buildings from becoming a burden and a threat to public health, safety, and welfare. Vacant buildings result in increased expenditures for police, fire, and code enforcement inspections. Maintenance of the public health, safety, and welfare require the City to maintain accurate registration of all vacant commercial buildings.</td>
<td>To help protect the health and safety of the of the Village of Santa Clara residents by ensuring appropriate maintenance of vacant residential &amp; commercial structures so that unsanitary conditions, unsafe deterioration, and unauthorized entry will be prevented and do not become a public nuisance. This ordinance will promote the Village’s public welfare by preventing blight, protecting property values, and ensuring neighborhood integrity and safety.</td>
</tr>
<tr>
<td><strong>3. Definitions:</strong></td>
<td>-Commercial building</td>
<td>-Lot</td>
</tr>
<tr>
<td><strong>The Willits ordinance solely regulates vacant commercial buildings and has special provisions for out of the area owners (those that reside in excess of 50 miles from their property for at least six months a year). The Village of Santa Clara ordinance regulates all vacant buildings and properties.</strong></td>
<td>-Commercial unit</td>
<td>-Neglected vacant structure</td>
</tr>
<tr>
<td></td>
<td>-Secured</td>
<td>-Occupancy</td>
</tr>
<tr>
<td><strong>Out of area</strong></td>
<td>-Unsecured</td>
<td>-Owner</td>
</tr>
<tr>
<td></td>
<td>-Vacant commercial building</td>
<td>-Registration</td>
</tr>
<tr>
<td></td>
<td></td>
<td>-Structure</td>
</tr>
<tr>
<td></td>
<td></td>
<td>-Vacant Structure</td>
</tr>
<tr>
<td><strong>4. Requirements</strong></td>
<td>After 90 days from when a commercial building becomes vacant, the property owner must register it; A city council resolution determines the registration fee; The registration payment deadline will serve as the date for calculating the annual renewal fee. Owners shall not have to pay the annual renewal fee if their building(s) meet all codes, do not contribute to blight, are being</td>
<td>After the Police or Fire Chief certifies that a building or structure is vacant and neglected, the Village Clerk then notifies the owner by certified mail, return receipt of the neglect determination and the property owner’s responsibility to register the structure with thirty calendar days. The property owner is also assessed an annual fee of $300. The fee is prorated and can be made in monthly installments of $25/month. As long as the premises</td>
</tr>
<tr>
<td>✓ Registration &amp; Fees:</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Vacant Building Ordinances - Comparison</td>
<td>Willits, CA (Mendocino County)</td>
<td>Village of Santa Clara, NM (Grant County)</td>
</tr>
<tr>
<td>----------------------------------------</td>
<td>-------------------------------</td>
<td>-----------------------------------------</td>
</tr>
<tr>
<td><strong>Maintenance, Security, &amp; Appearance</strong></td>
<td>maintained and monitored, and can prove that building is actively being offered for sale, lease, or rent. Fees collected will offset the costs associated with administration, inspection, and enforcement of the ordinance.</td>
<td>continue to designated as a &quot;neglected vacant structure&quot;, the fee will continue to be assessed and will increase each calendar year an additional $100, for a maximum fee of $500 annually. Once the property owner improves the building, as per the ordinance standards, then a fee is no longer assessed. And if a property owner can demonstrate that they are improving the building, the fee may also be waived. Fees collected thus far are used to enforce the ordinance.</td>
</tr>
<tr>
<td><strong>Both ordinances are similar but the Willet's requirement of removing signage from the previous business could detract from the historical value of a building. The Village of Santa Clara's ordinance requirement of weatherproofing the roof can help to maintain the integrity of a vacant building and its investment potential.</strong></td>
<td>Property shall be maintained accordingly: -Free of weeds, dry brush, dead vegetation, trash, junk, debris, and excessive foliage growth; -Free of any building materials, accumulated newspapers, circulars, flyers, notices (except those required by federal, state or local law); discarded personal items, including but not limited to furniture, clothing, large and small appliances, printed material; -Free of graffiti or tagging by removal or painting over with an exterior paint that matches the color of the structure's exterior. Exterior shall be cleared of any advertisement or signage of previous businesses. All doors, gates, windows or other openings must be secured to prevent further decline of the building's condition or appearance.</td>
<td>A building owner's maintenance responsibilities include: -Securing the structure from illegal entry, including covering and/or repairing all broken windows, doors, and other openings; -All boards or covering must be fitted and sized to the exterior opening; -Providing at least one operable door, secured with a lock; -Securing and maintaining the lot where the building is located, including removal of all combustible materials, litter, debris, and garbage; -Removing graffiti and promptly repairing damage from intrusions into the building; -Applying paint, siding, stucco or other finishes in the same color to all exterior surfaces; -Ensuring the roof is of sufficient construction to weatherproof the building.</td>
</tr>
<tr>
<td><strong>Signage</strong></td>
<td>A vacant commercial building shall be posted with the name and contact phone number of the owner, realtor or local property management company that must be retained by an out-of-area owner. The posting shall state &quot;THIS PROPERTY MANAGED BY&quot; and &quot;TO REPORT PROBLEMS OR CONCERNS CALL.&quot;</td>
<td></td>
</tr>
<tr>
<td>Vacant Building Ordinances - Comparison</td>
<td>Willits, CA (Mendocino County)</td>
<td>Village of Santa Clara, NM (Grant County)</td>
</tr>
<tr>
<td>----------------------------------------</td>
<td>---------------------------------</td>
<td>------------------------------------------</td>
</tr>
<tr>
<td>✓ Annual Inspection</td>
<td>Upon the request of the city building official, an owner shall provide access to all interior portions of any vacant commercial building or suspected vacant commercial building to permit a complete annual inspection.</td>
<td></td>
</tr>
<tr>
<td>✓ Owner Inspection</td>
<td>The owner(s) or their local property manager shall inspect the vacant commercial building monthly basis to determine if the building is in compliance; if a notification of noncompliance is reported, the property shall be brought into compliance within 5 days.</td>
<td></td>
</tr>
<tr>
<td>5. Public Nuisance Declaration</td>
<td>Violation of the registration, inspection, maintenance and security requirements could constitute a public nuisance and be subject to abatement proceedings</td>
<td></td>
</tr>
<tr>
<td>6. Destruction of Structure</td>
<td>Structures vacated as a result of a fire or act of nature shall be secured with fencing &amp; “No Trespass” signs, cleared of litter and debris; and either demolish remaining parts of structure or show proof of state permits for rebuilding the partially destroyed structure.</td>
<td></td>
</tr>
<tr>
<td>7. Penalties</td>
<td>The Willits ordinance requires the property owner to improve the building to its highest and best use so that it is either lease ready or saleable. Santa Clara’s ordinance emphasizes maintenance, security, and appearance of a building. If at the time of the 2nd annual visit by the code compliance officer the registered vacant commercial building is still in a “continuous, vacant condition”, an administrative penalty of $500 may be imposed. If the owner’s building remains vacant 180 days after the 1st administrative penalty, then a 2nd penalty may be imposed not to exceed $3,000.</td>
<td>Fail to register, pay the requisite fee and to allow a vacant structure to maintain a condition defined as a “neglected vacant structure” could result in a court imposed fine of not more than $500 or ninety days imprisonment. The Village also has the power to place liens properties and enact foreclosures.</td>
</tr>
</tbody>
</table>
Appendix B

VACANT PROPERTY/BUILDING REGISTRATION FORM

All vacant properties/buildings must register with the City of Painesville Community Development Department in accordance with the Vacant Building Registration Ordinance – Section 1377 of the Painesville Codified Ordinance. Please complete this form for each vacant property address. Temporary exemptions for disaster-affected properties, structures actively under construction, properties listed with a licensed realtor in the State of Ohio, or a vacant property that is being marketed for rent may be approved upon written request.

Section I: Address/es of Vacant Property/Building (Required)

Street Address/es: ____________________________

______________________________

Section II: Property Owner Information (Required)
(No P.O. Boxes are permitted; must provide a building address.)

If Individual Owner or Designated Agent, please complete the following:
Property Owner’s Name: ____________________________
Owner’s Address: ____________________________
City: ____________________________ State: ____________________________ Zip Code: ____________________________
Designated Agent or Contact Person: ____________________________
Address: ____________________________
City: ____________________________ State: ____________________________ Zip Code: ____________________________
Telephone Number: ____________________________ Fax Number: ____________________________
E-Mail Address: ____________________________

If Partnership, Corporation, Trust or Other, please complete the following:
(Please use the supplemental form to list each additional partner, officer, or trustee.)
Tax ID Number of Partnership or Corporation: ____________________________
Name of Partnership or Corporation: ____________________________
Contact Person: ____________________________ Title: ____________________________
Title: ____________________________
Designated Agent or Contact Person: ____________________________
Address: ____________________________
City: ____________________________ State: ____________________________ Zip Code: ____________________________
Telephone Number: ____________________________ Fax Number: ____________________________
E-Mail Address: ____________________________
Section III: Vacant Building Plan (Required)

I hereby submit a plan of (Please Circle): Demolition | Secure Vacancy | Rehabilitation:


Section IV: Proof of Insurance (Required)

If submitting a plan of demolition, please also provide proof of holding in escrow with the City of Painesville the amount of $10,000 for a residential property or $75,000 for a commercial property. Escrow funds will be released upon completion of the submitted plan. Use additional paper to outline further details pertaining to your plan.

Escrow for Demolition: Yes ____________  No ______________

Section V: Fees (Required)

Please make checks payable to City of Painesville. The vacant property registration payment included with this form pertains to the current year of vacancy and is (Please Circle):

Residential: $200-1st yr | $400-2nd yr | $800-3rd yr | $1,600-4th yr | $3,200-5th yr or later
Commercial: $400-1st yr | $800-2nd yr | $1,600-3rd yr | $3,200-4th yr | $6,400-5th yr or later

I, __________________, hereby request to register the vacant property/building listed above and acknowledge that the information above is complete and accurate. I have read and understand Ordinance 11-11 for owning a vacant property in the City of Painesville and agree to comply with these requirements. In accordance with this Ordinance, I agree to notify any future owner of this vacant building registration.

Applicant’s Signature __________________________  Date ________________

Subscribed and duly sworn before me according to the law, by the above named applicant this day __________________ in the City of ____________________________.

Notary Signature: ________________________________
New Mexico MainStreet
Economic Development Department
Joseph M. Montoya Building
1100 South St. Francis Dr.
Santa Fe, NM 87505-4147
505-827-0168
www.nmmainstreet.org
Community-Based Brownfield Redevelopment Process

TECHNICAL ASSISTANCE FOR BROWNFIELDS (TAB) PROGRAM; KANSAS STATE UNIVERSITY
785-532-6519; 800-798-7796
www.ksutab.org
Margaret Renas, PE, LEED AP O+M
Delta Institute and KSU TAB Partner

Brownfield redevelopment is an impactful way for local governments and tribes to redevelop and revitalize their communities. Engaging in certain key steps can help to ensure a successful brownfields initiative.

Step 1: Develop Community Vision/Program Goals for Your Brownfields Initiative
This is a consensus-driven, public participation process that involves all stakeholders and results in a cohesive vision for your brownfields initiative. If possible, it should be informed by other local or regional economic development planning efforts. Program goals might include elements such as target areas or “community impact” areas that your brownfields initiative will focus on or general types of sites you want to focus on (i.e., the most blighted and difficult, or alternatively, the easiest to develop sites).

Step 2: Identify Brownfield Sites
This process can occur by physically conducting windshield surveys – driving or walking around a community to identify vacant or underused properties that are contaminated or perceived to be contaminated – and/or by using publicly available databases to identify properties that are vacant and might have environmental contamination.

Step 3: Collect Data (such as site attributes) to Assess Marketability of Sites
Data can be collected from municipal and county databases, from commercial marketing sites for properties that are for sale, and visually through photographs of a property or by visiting a property. Analyzing this information will help to determine which sites may be easier to redevelop versus those sites that will have challenges and my need additional resources to redevelop.

Step 4: Determine Reuse Goals for Sites
Now that sites have been identified and the pros and cons of some sites are becoming known, it is important to re-engage stakeholders around the vision to start to think through more specifically how some sites can be specifically reused (i.e., as a community center, for manufacturing or for green space).

Step 5: Prioritize Sites Based on Marketability, Program Goals and Re-use Goals
This step combines the information from the previous three steps to identify those sites which have the highest chance of success – sites where redevelopment can best meet community needs and occur within time and cost parameters.

Step 6: Apply for Funding to Assess, Cleanup and Redevelop Priority Sites
Using the vision, re-use ideas and prioritized sites from your brownfield initiative, you are now in an informed position to tell your brownfields “story” and create a compelling case to attract public and private funding to begin implementing your redevelopment plans!
Brownfields Basics

What is a Brownfield?
The U.S. Environmental Protection Agency (EPA) defines a brownfield as “...real property, the expansion, redevelopment, or reuse of which may be complicated by the presence or potential presence of a hazardous substance, pollutant, or contaminant” (Public Law 107-118 (H.R. 2869) - “Small Business Liability Relief and Brownfields Revitalization Act”, signed into law January 11, 2002). A brownfield typically is underutilized, idled and/or abandoned property.

Examples of Brownfield Sites
Brownfields sites include abandoned factories and other industrial facilities, service stations, oil storage facilities, dry cleaning businesses and any other business or facility that dealt with hazardous substances, pollutants or contaminants. Mine-scarred lands, properties impacted by asbestos and/or lead based paint, and controlled substances can be brownfields as well.

How many Brownfields are there in the U.S.?
The U.S. Government Accounting Office estimates that there are between 400,000 and 600,000 brownfields throughout the U.S.

What is the EPA Brownfields Program?
EPA’s brownfields program started in 1995 with the provision of a small amount of “seed money” to local governments that launched hundreds of 2-year brownfield “pilot” projects. The four main goals of the brownfields program are:

• Protection of the environment by addressing brownfields.
• Promotion of partnerships by enhancing collaboration and communication essential to facilitate brownfields cleanup and reuse.

• Strengthen the marketplace by providing financial and technical assistance to bolster the private market.
• Sustain reuse by redeveloping brownfields to enhance a community’s long-term quality of life.

On November 1, 2002, President Bush signed into law the Small Business Liability Relief and Brownfield Revitalization Act, also known as the “Brownfields Law”. Under the Brownfields Law EPA expanded its brownfields program considerably and is now providing financial assistance to eligible applicants through 4 competitive grant programs:

• Brownfields Assessment Grants provide monies to inventory brownfields, for planning, environmental assessments and community outreach.
• Brownfields Cleanup Grants provide funding for cleanup of environmentally impacted brownfield properties.
• Brownfields Revolving Loan Fund Grants provide monies to capitalize loans used to clean up brownfield properties.
• Brownfields Job Training Grants provide environmental training for residents of brownfields communities.

In 2008, EPA awarded $74 million in brownfields grants. Grants are awarded annually to individual communities and coalitions, states, and tribal response programs.

ABOUT THE AUTHOR
Sabine E. Martin, Ph.D., P.G., was the Technical Assistance to Brownfield communities (TAB) Coordinator for the CHSR at Kansas State University From 2002 – 2012 (smartin1@ksu.edu).
Is there an abandoned, blighted, or potentially contaminated property you would like to redevelop? Do you need financial, technical, or regulatory assistance?

Contact the New Mexico Environment Department to learn about three programs that will make your project feasible and affordable:

- **Voluntary Remediation Program**: Participants successfully completing the program receive a Certificate of Completion, along with liability protection for lenders and future purchasers of the site. Especially valuable in real estate transactions.

- **Targeted Brownfield Assessments**: No-cost environmental evaluations of brownfield properties, including due diligence review, sampling, asbestos surveys, and cleanup planning. Available to local governments, tribes, and nonprofits.

- **Brownfields Revolving Loan Fund**: Flexible, low interest loans for cleaning up Brownfields sites with hazardous or petroleum contamination.

For more information:

New Mexico Environment Department
Voluntary Remediation/Brownfields
(505) 827-0164
http://www.env.nm.gov/gwb/RemediationOversight
The New Mexico Environment Department's Voluntary Remediation and Brownfields Program can help you address potential environmental concerns present at a property that you intend to buy, sell, or redevelop. Our program is devoted to encouraging redevelopment of abandoned or underused properties. We provide technical and regulatory assistance to help you leverage resources, build partnerships, and successfully transform a brownfield site into a community and environmental asset.

*Brownfields are real property, the expansion, redevelopment, or reuse of which may be complicated by the presence or potential presence of a hazardous substance, pollutant, or contaminant. Cleaning up and reinvesting in these properties protects the environment, reduces blight, and takes development pressures off green spaces and working lands.*
A brownfield is a property on which expansion, redevelopment, or reuse may be complicated by the presence, or perceived presence, of contamination. EPA’s Brownfields Program provides grants to fund environmental assessment, cleanup, and job training activities. Additionally, EPA seeks to strengthen the marketplace and encourages stakeholders to leverage the resources needed to clean up and redevelop brownfields.

This Brownfields Solutions Series fact sheet is intended to provide an overview of the brownfields redevelopment process. The brownfields real estate redevelopment process, along with key challenges, critical participants, and example redevelopment scenarios are discussed. Key real estate terms are highlighted in bold text. These terms are explained on page 7. The information in this fact sheet is based on stakeholders’ experiences in the brownfields cleanup and redevelopment process and does not represent the views of EPA.

Key Challenges in Brownfields Redevelopment

Several challenges make brownfields cleanup and redevelopment unique compared to other real estate development projects. These challenges include:

- **Environmental Liability Concerns**: Developers and property owners want to manage past and future liabilities associated with the property’s environmental history.

- **Financial Barriers**: Private lenders are often reluctant to give loans for potentially impaired lands. In some cases, cleanup costs for a property may ultimately be more than the property’s value.

- **Cleanup Considerations**: A brownfields redevelopment timeline may take longer than typical real estate development due to environmental assessment and cleanup activities.

- **Reuse Planning**: A reuse plan based on community goals or sound economic and environmental information (e.g., market potential) may be lacking.

In spite of these challenges, significant opportunities exist for successful brownfields redevelopment. A redevelopment idea that works to bring new life to an area, enhanced by public support for the project, can create the momentum necessary to overcome the challenges associated with brownfields transactions.

Critical Participants in a Brownfields Transaction and Redevelopment Effort

Property owners, public- and private-sector stakeholders, and other parties (e.g., attorneys, regulators) have roles and interests in brownfields cleanup and redevelopment efforts. There is no specific point in the brownfields project that these participants must be identified and involved, but the more participants involved in the upfront planning, the smoother the project planning process. Included on the following page is a table that summarizes the roles each participant plays in a brownfields transaction and their interest in a successful transaction.
The Real Estate Development Process

Brownfields redevelopment often relies on strong coordination among stakeholders including local communities; local, state, and federal governments; private parties; and nonprofit organizations. Successful development of brownfields can be enabled or accelerated when these stakeholders work together to assess and clean up the property and pursue a common redevelopment goal.

<table>
<thead>
<tr>
<th>Participants</th>
<th>Examples</th>
<th>Role</th>
<th>Interest</th>
</tr>
</thead>
<tbody>
<tr>
<td>Property Owner</td>
<td></td>
<td>Sell or develop the property</td>
<td>• Want to receive a fair value of their property depending on the extent of environmental contamination</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>• Want to manage any liability concerns up front</td>
</tr>
<tr>
<td>Public-Sector</td>
<td>Local Governments</td>
<td>Redevelop the property from a community and economic development perspective</td>
<td>• Want to see the project succeed in terms of revitalizing blighted properties and generating economic or community growth</td>
</tr>
<tr>
<td>Stakeholders</td>
<td>Community Groups</td>
<td></td>
<td>• May want the successful property assessment, cleanup, and reuse to enhance the community's image</td>
</tr>
<tr>
<td></td>
<td>EPA Grant Recipients</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Nonprofit Organizations</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Private-Sector</td>
<td>Investors</td>
<td>Provide resources to develop the property</td>
<td>• Want to see the project succeed in terms of revitalizing blighted properties and generating economic or community growth</td>
</tr>
<tr>
<td>Stakeholders</td>
<td>Lenders</td>
<td></td>
<td>• Want to earn an appropriate return on investment</td>
</tr>
<tr>
<td></td>
<td>Developers</td>
<td></td>
<td>• May want to tie the property redevelopment into a larger redevelopment plan for the neighborhood or community</td>
</tr>
<tr>
<td></td>
<td>Insurers</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Other Parties</td>
<td>Attorneys</td>
<td>Provide technical, regulatory, or other guidance</td>
<td>• Want to ensure that the property is cleaned up and safe for appropriate levels of use and/or reuse</td>
</tr>
<tr>
<td></td>
<td>Environmental Consultants</td>
<td></td>
<td>• Want to alleviate future environmental concerns on the property</td>
</tr>
<tr>
<td></td>
<td>State and Federal</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Regulators</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Typical Steps in the Redevelopment Process

The redevelopment process generally follows four steps: 1) Pre-development; 2) Securing the Deal; 3) Cleanup and Development; and 4) Property Management. Within each of these steps, there are multiple activities that may occur, and the order of these activities may vary. As brownfields redevelopment projects vary greatly in their complexities and scope, a greater emphasis will be placed on different parts of the process depending on which type of redevelopment scenario occurs. Brownfields redevelopment typically follows one of three scenarios: private-led, public-private partnership, or public-led. These three scenarios are discussed on page 5.

Pre-Development

Pre-Development activities lay the foundation for a successful brownfields redevelopment project by identifying and refining the redevelopment idea; conducting due diligence to assess the extent of contamination at the property; identifying potential funding sources; and resolving numerous other issues related to the property's redevelopment. The pre-development activities are an iterative rather than a linear process.

Identify and Refine a Redevelopment Idea. To begin the pre-development process, a developer may reexamine a development idea several times before the project makes sense, from both a financial and environmental standpoint. In a private-led redevelopment scenario, the developer typically generates and refines the redevelopment idea, while in the public-led redevelopment scenario, the community input drives the redevelopment idea. In identifying a redevelopment idea, one of the first steps in the brownfields redevelopment process is to identify and assess potential reuses for the property. Early determination of the property's reuse will ensure that cleanup
efforts complement the reuse goal and that stakeholders are invested in the redevelopment process. All critical stakeholders should be assembled to facilitate communication and elicit support for the project. Input gathered through stakeholder meetings can be used to conduct a reuse planning effort to evaluate historic use patterns; examine existing planning and zoning; and refine potential redevelopment ideas.

**Conduct Due Diligence.** Due diligence involves a variety of activities in advance of purchasing a property as well as activities specific to the environmental components of the redevelopment. These activities typically include conducting property and environmental assessments, researching land and building titles for the property, and continuing communications with key stakeholders about the planned redevelopment. When reviewing property reuse assessments, the assessments typically consider the highest and best use of a property, environmental factors, available financial tools, and local stakeholder concerns. The highest and best use from a developer's perspective may vary from what the community considers the best use of the property. Potential contamination on the property may present obstacles to the developer's highest and best use for the property. The project developer or EPA grant recipient may also prepare a market analysis or feasibility study to evaluate local and regional economic and real estate conditions and characterize the market demand for various real estate products. During the due diligence process, a project developer will also likely conduct a pro forma analysis to determine the economic viability of the development.

Identifying the presence and extent of contamination is essential to evaluating risk, limiting liability, and determining an appropriate reuse. If not already done, a Phase I environmental assessment should be performed to identify the presence, type, and extent of contamination that may exist onsite. If required, a Phase II assessment may be conducted to sample or test for specific hazards that may have been identified in Phase I and to help develop a remedial action plan.

**Secure Access to the Property.** Access to the property must be secured from the property owner before beginning assessment activities. A plan for obtaining property control or property ownership should be identified if the property owner is not an active participant in the redevelopment process.

**Identify Sources of Financing.** A combination of private- and public-sector funding may be used to finance assessment, remediation, purchase, and redevelopment activities. These funding sources may include: local, state, and federal government programs that offer tax credits, tax abatements, TIF districts, grants, subsidies, bonds, or loans; property owners; developers; investors; and nonprofit organizations. Municipal economic development agencies and/or state brownfields programs are likely sources of information for brownfields redevelopment financing.

**Securing the Deal**

**Securing the Deal** can begin once the pre-development step has yielded a decision to purchase the property and continue with the project. In order to secure the deal, contract terms must be negotiated, financing secured, and a decision must be made on how to manage the environmental liability. Once all of these steps are satisfied, a formal commitment is made to move forward.

**Contract Negotiation.** A brownfields project may have complications that must be resolved between the buyer and seller that stem from environmental concerns. During the contract negotiation, a term sheet is often used to sort out what responsibilities the buyer and seller will each take in the property transfer. For example, if the property has existing buildings that will be reused, this may include normal property and building costs like repairing roofs or HVAC systems. Negotiations also include determining where the responsibility for remediation lies and who will manage the liability once the redevelopment is completed. Other issues requiring negotiation include establishing liability for various aspects of the cleanup including on-site vs. off-site concerns and agreeing on long-term responsibility for the maintenance of the remediation and institutional controls, if applicable.

**Secure Financing.** One of the developer's roles is to provide financing to develop the property. To ensure that cleanup and redevelopment are not hindered by a lack of funding, all public and private funding sources (e.g., grants, loans) identified in the pre-development step should be secured. If necessary, a nonprofit, trust, or other fund may be established to receive and distribute this funding. In many instances, debt financing is utilized, where loans are secured through a financial institution for the redevelopment. Private investors may also back developers through equity financing. Public financing may be utilized for many components of the redevelopment, including building demolition, infrastructure development, and cleanup activities.

**Establish A Remedial Action Plan.** In brownfields redevelopment, it is difficult for a property to transfer owners if the remediation costs are not quantified. Therefore in most situations a property is completely characterized and a remedial action plan is put in
place. This process can either be done by the buyer or the seller.

**Securing the Property and Formal Commitment.** If the property is not owned by the entity performing cleanup and redevelopment, it may be obtained through a purchase or sale agreement, or involuntary acquisition methods such as foreclosure. During the formal commitment, contracts and documents are signed and exchanged. Once obtained, any zoning changes or variances that may be required for the planned reuse should be pursued (e.g., changing the property’s zoning from industrial to commercial).

**Cleanup and Development**

**Cleanup and Development** occurs once the planning processes have been completed. This step encompasses receiving construction approvals, conducting cleanup and construction; integrating cleanup and construction activities; and completing the redevelopment signified by the property’s sale or lease, including securing tenants.

**Approvals.** Prior to construction, all land use and construction approvals are necessary. In order to receive approvals, specifications of the buildings and site plans have been approved and permits have been secured.

**Cleanup.** Property cleanup is conducted based on the remedial action plan. Depending on the type, quantity, and toxicity of contamination found onsite, cleanup activities may include soil, surface water, or ground water remediation. If an entity that did not contribute to the contamination is performing the remediation, it may do so through a state voluntary cleanup program, which may limit liability associated with any residual or newly-discovered contamination after cleanup. A cleanup may be considered complete when local, state, or federal regulatory closure (e.g., a No Further Action Letter) is issued.

**Integrate Cleanup and Construction.** Based on assessment activities, planned cleanup actions, and stakeholder input, developers are typically able to integrate cleanup and construction activities. Engineers for cleanup and construction activities have developed detailed plans for streamlining the process and ensuring all issues are resolved so that the redevelopment process runs smoothly. This portion of the redevelopment process is extremely time-sensitive as construction delays may cause overall increases in redevelopment costs.

**Property Sale or Lease.** Leasing begins when the construction schedule is determined. After construction is complete, the property may or may not be sold. A commercial property may be sold or leased for long-term management. However, in most cases the property is leased first.

**Completion and Formal Opening.** A brownfields project may be considered successfully redeveloped after construction is complete, ownership and leasing transactions are finalized, and the property is occupied and operating as its planned reuse. If the property is a large-scale redevelopment, the formal opening may be signified by an event in which brokers, neighbors, and elected officials are invited to view the completed property and celebrate the completion of the construction phase of the project.

**Property Management**

**Property Management** of a brownfield may continue after redevelopment is considered complete. Management involves a number of tasks to ensure the long-term sustainable reuse of the property. This includes managing the financial aspects, physical plant, community relations, and any long-term environmental issues associated with the property.

**Long-term Operations and Maintenance of Remedial Systems.** Some remedial methods, such as ground water pump and treat systems, require long-term operation and maintenance. In these instances, the property owner may be responsible for submitting monitoring reports to the agency with regulatory oversight on a periodic schedule. In addition, many brownfield properties incorporate engineering and institutional controls in their remedial plans to restrict property access or use. Engineering controls such as asphalt caps and fencing should be inspected on a regular basis to ensure they remain protective of human health and the environment. Institutional controls often take the form of deed restrictions or easements; property owners must maintain awareness of these restrictions and ensure they transfer to the new owner if the property is sold.
Redevelopment Scenarios

Brownfields redevelopment often involves many participants, including public- and private-sector partners. For brownfields projects that utilize EPA Brownfield grants, the levels and combinations of public/private funding vary from project to project. The public and private stakeholders involved, and necessary steps, can vary widely among brownfields projects.

The following redevelopment scenarios represent three common examples of brownfield transactions: private, public-private, and public.

Private Redevelopment

In a typical, privately driven redevelopment scenario, a developer takes responsibility for the entire redevelopment process but may require some limited public investment to first define the extent of contamination onsite. The first step is for the developer to take title of the land via purchase or conveyance, and plan for the property’s reuse. Given the developer’s financial resources, private financing will need to be identified either through debt or equity. Public funding, such as an EPA Brownfields Assessment grant might be used to identify and quantify the property's contamination and define the environmental cleanup required. The developer completes all environmental cleanup activities, meeting the state's voluntary cleanup program requirements and other applicable federal or state regulations. Once cleanup is considered complete by the appropriate regulatory authority, the property may be redeveloped.

Public-Private Redevelopment

A public-private partnership is an agreement between at least one public-sector entity and one private-sector organization to combine resources and efforts to accomplish a common goal. The level of participation can vary from all public to nearly all private. In typical public-private partnerships associated with brownfields restoration, the public entity usually sponsors the project and provides some initial funding, often for assessments that remove contamination uncertainties and for infrastructure to support development; a private-sector developer then funds and manages the pre-development and construction process.

The composition of the public-private partnership is unique for each brownfields project. Public-private partnerships are often successful because initial public investments provide the necessary incentives for private-sector development and operation. These collaborations reduce the financial burden on the public sector while accelerating property cleanup, redevelopment, and community revitalization.

Private-led Redevelopment: Emeryville, California

Located between Oakland and Berkeley, California, the City of Emeryville saw most of its supporting industry abandon the area during the 1970s. By the mid-1990s, more than 230 acres within Emeryville were underused or altogether vacant, with more than 90 percent of this idle land known to have soil and ground water contamination. To aid in the city’s assessment, cleanup, and redevelopment efforts for these tainted properties, EPA awarded Emeryville a $200,000 Brownfields Assessment grant in March 1996. EPA and the city worked together to target ten area brownfields deemed ripe for redevelopment. In addition to performing assessments, Emeryville used EPA grant funds to develop a database on the areas brownfields—a “One Stop Shop” for potential investors and developers to learn about assessment results, land use and zoning issues, property ownership status, and other essential facts about city properties targeted for reuse. On one of Emeryville’s brownfields, a private corporation purchased the property and constructed 200 units of mixed-income housing. Another brownfield was purchased by one of the country’s largest biotechnology firms for its new headquarters—with planned construction of 12 buildings totaling more than two million square feet. Since EPA’s Brownfields grant, the City of Emeryville has leveraged more than $640 million in cleanup and redevelopment funding from the private sector, for projects ultimately expected to provide more than 10,000 new jobs and produce four million square feet of new office, commercial, and residential space.
Public-led Redevelopment

For some brownfields, a public sector-led development process may return the property to productive use. In a typical public redevelopment scenario, a municipality takes responsibility for the entire assessment and cleanup process. The municipality may then “flip” the property to a developer, or redevelop the property itself for public use.

In such scenarios, the municipality typically takes ownership of the property by foreclosure, eminent domain, or voluntary purchase. The municipality then conducts environmental assessment and cleanup activities, which may be funded using EPA Brownfields Assessment or Cleanup grants, state grant programs, or local funding. Once remediated, the property may be transferred to the local economic development authority to prepare the property for construction. The property might be sold to a developer at this stage, or the municipality might construct speculative buildings that could later be leased or included in the property's sale. A municipality may also elect to maintain a property after cleanup is complete, using the property for a public need such as a park, school, or other municipal building.

Public-Private Redevelopment: St. Louis Park, Minnesota

In St. Louis Park, Minnesota, the vacant, 5.8-acre property of a former lithium processing facility had long meant trouble for the nearby community. Located near a public park and an elementary school, the property attracted vagrants and drug activity, and had been the subject of 45 police calls within five years. When a private developer purchased the property, initial assessments revealed lithium-impacted soils to a depth of 16 feet, as well as petroleum, lead, and barium contamination. An EPA Brownfields Cleanup Revolving Loan Fund awarded to Hennepin County, Minnesota, and a partnership between Hennepin County and the Minnesota Department of Employment and Economic Development (DEED) helped to cover the critical financing required for this $2.3 million cleanup effort. In return, the developer financed a $4.6 million redevelopment effort that transformed the property into a 79,000 square foot, multi-tenant modern office building less than a year after cleanup began. In preparing the property for redevelopment, more than 20 thousand pounds of pure lithium and other contaminants were removed from the property's soil and ground water. Assessed value of the property went from $1.7 million to $5.2 million, and the property's tax revenues for the city increased by 350 percent. Before redevelopment was even complete, nearly 80 percent of the office facility had been leased by a promotional manufacturing and distribution firm that brought 100 jobs to the community. The private developer received the Twin Cities Business Journal’s “Best in Real Estate Award” in the Redevelopment Category for 2003, and the National Association of Industrial and Office Professionals’ “Award of Excellence” in the Multi-Tenant Industrial Building category in 2005.

Public-led Redevelopment: Prineville City Hall and Community Plaza, Prineville, Oregon

The City of Prineville, Oregon, faced a need for space to accommodate services including administration, planning and community development, police and emergency dispatch, and child/family assistance. A .25-acre, former gas station property was identified as a potential property for these uses. The gas station had operated from 1940 until 1997, and an environmental assessment revealed severe petroleum contamination. A $200,000 EPA Brownfields Petroleum Cleanup grant awarded to the city in 2003 was used to address the property’s soil and ground water petroleum contamination and minimize the migration of vapors. In order to complete this project, the city contributed its own funding, and leveraged funding from sources including Crook County, an Oregon Housing and Community Services Department Community INVESTMENT grant, an Oregon Economic Community Development Department Flood Recovery and Restoration grant (for park development), a U.S. Department of Agriculture Forest Service Community Assistance Planning grant (for design costs), an Oregon Department of Transportation Local Street Network grant (for road updates), and a U.S. Department of Agriculture Rural Development loan (for construction). Cleanup was completed in June 2004, and Prineville’s new City Hall and Community Plaza opened in July 2005.
Key Terms and Resources

Included below are definitions of important terms that may be used in brownfields redevelopment projects.

- **Debt Financing**: Project financing that comes from obtaining loans and/or issuing bonds.
- **Due Diligence**: Refers to the research or analysis that takes place in advance of purchasing a property.
- **Equity Financing**: Project financing that comes primarily from private investors investing in a project in exchange for an ownership stake.
- **Highest and Best Use**: The redevelopment use of the property that will result in the maximum market value for the property.
- **Institutional Controls**: Actions, such as legal controls, which help minimize the potential for human exposure to contamination by ensuring appropriate land or resource use.
- **Market Analysis**: Investigating and reviewing local and regional real estate market conditions, economic conditions, and supply and demand data for a potential redevelopment.
- **Phase I Assessment**: Investigation performed by an environmental professional that typically involves property surveys, interviews with owners and local government, and reviews of historical records to determine the potential for contamination on the property.
- **Pro Forma**: A modeling of the projected cash flows of a potential redevelopment.
- **Real Estate Products**: The various types of real estate developments for different market segments (e.g., residential, commercial, industrial).
- **Remedial Action Plan**: A long-term plan that details the cleanup plans for a property.
- **Tax Abatements**: Cities or counties may agree to reduce taxes owed or exempt property owners from paying property taxes for a period of time in order to spur economic development.
- **Tax Credits**: A tax credit lowers the amount of income tax owed by a tax payer.
- **Tax Increment Financing (TIF) Districts**: Cities create TIF Districts to make public improvements within those districts that will generate private-sector development. In these districts, the current tax rate is frozen while area improvements or development occur. Tax increases in property assessment values after redevelopment go into a special bond fund or are used for future growth in the district.

Resources:

**The 2005 Brownfields Federal Programs Guide**

Developed by EPA's Office of Brownfields Cleanup and Redevelopment (OBCR), this Guide offers information on a range of federal resources that can provide technical and financial support to brownfields cleanup and redevelopment. The Guide also includes a quick reference matrix that connects specific types of projects with specific funding sources. The Guide can be downloaded from the OBCR Web site at: http://www.epa.gov/brownfields/partners/bf_fed_pr_gd.htm.

**EPA's Environmental Insurance and Brownfields Redevelopment Web Site**

The OBCR Web site provides links to many resources to encourage private-sector involvement, and includes detailed information on environmental insurance, policy coverage, and key terms. This information can be found at: http://www.epa.gov/brownfields/insurebf.htm#about.

**New Markets Tax Credit Program**

The OBCR Web site provides a link to the New Markets Tax Credit Brownfields Solutions Series. This fact sheet discusses how the program can be used as a financing mechanism in brownfields cleanup and redevelopment. The PDF can be found at: http://www.epa.gov/brownfields/matters.htm#relate.

<table>
<thead>
<tr>
<th>Brownfields Solutions Series</th>
<th>Solid Waste and Emergency Response (5105T)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Anatomy of a Brownfields Deal</td>
<td>EPA-560-F-06-245</td>
</tr>
<tr>
<td></td>
<td>October 2006</td>
</tr>
<tr>
<td></td>
<td><a href="http://www.epa.gov/brownfields/">www.epa.gov/brownfields/</a></td>
</tr>
</tbody>
</table>
DATE: July 8, 2019
TO: All Development Reviewers
FROM: Helen Landaverde, Associate Planner
SUBJECT: Petition SP 19-65 Plat Amendment - Four Corners Bank Subdivision

Community Development has received a request from Sherry Roach with the City of Farmington, represented by Alex Johnson of Johnson Mapping and Surveying, LLC for a plat amendment of a right-of-way dedication of Lot 2 in the Locke’s Addition Subdivision. The proposed right-of-way dedication is located at 500 West Main Street (R0023724). If waivers are requested, this petition will be scheduled for the Planning and Zoning Commission meeting of August 15, 2019.

NARRATIVE OF PROPOSED ACTIVITY

A. PETITIONER: Sherry Roach with the City of Farmington, represented by Alex Johnson of Johnson Mapping and Surveying, LLC.

B. LOCATION: Lot 2 in the Locke’s Addition Subdivision, 500 West Main Street.

C. PRESENT SITUATION: San Juan County Tax Assessor’s records show that the size of parcel R0023724 is 1.169 acres. The parcel consists of Lots 2, 3, and 4 in Block 4 of the Locke’s Addition Subdivision. The property owner is Four Corners Community Bank c/o Daniel Schmitt.

The City of Farmington is renovating the downtown area and acquiring right-of-way dedications for the Complete Streets Project.

D. PROPOSED CHANGE OR REQUEST: The property owner is proposing to dedicate 14.22 ft.² of Lot 2 of the Locke’s Addition Subdivision for right-of-way width to existing Streets Auburn Street and West Main Street.

ISSUES:
- Please show lot lines of Lots 2, 3, and 4 in Block 4 of the Locke’s Addition Subdivision.
- Please change subdivision title to reflect Plat Amendment to Locke’s Addition Subdivision.
SP 19-65 Plat Amendment - Four Corners Bank Subdivision

Please review the attachments and return your comments and recommendations to this office by the above-stated deadline date; however, if your department has no comments to offer on the proposed changes, please sign the copy and return to this office. PLEASE NOTE THAT THE ATTACHMENTS ARE FOR YOUR FILES.
SP 19-65 Plat Amendment - Four Corners Bank Subdivision

Please review the attachments and return your comments and recommendations to this office by the above-stated deadline date; however, if your department has no comments to offer on the proposed changes, please sign the copy and return to this office. PLEASE NOTE THAT THE ATTACHMENTS ARE FOR YOUR FILES.
SP 19-65 Plat Amendment - Four Corners Bank Subdivision

Please review the attachments and return your comments and recommendations to this office by the above-stated deadline date; however, if your department has no comments to offer on the proposed changes, please sign the copy and return to this office. PLEASE NOTE THAT THE ATTACHMENTS ARE FOR YOUR FILES.
SP 19-65 Plat Amendment - Four Corners Bank Subdivision

Please review the attachments and return your comments and recommendations to this office by the above-stated deadline date; however, if your department has no comments to offer on the proposed changes, please sign the copy and return to this office. **PLEASE NOTE THAT THE ATTACHMENTS ARE FOR YOUR FILES.**
PLANNING MEMORANDUM
City of Farmington

DATE: July 8, 2019
TO: All Development Reviewers
FROM: Helen Landaverde, Associate Planner
SUBJECT: Petition SP 19-66 Plat Amendment - Citizens Bank Subdivision

Community Development has received a request from Sherry Roach with the City of Farmington, represented by Alex Johnson of Johnson Mapping and Surveying, LLC for a plat amendment of a right-of-way dedication of Lot 1 in Citizens Bank Subdivision. The proposed right-of-way dedication is located at 500 West Broadway (R0021980). If waivers are requested, this petition will be scheduled for the Planning and Zoning Commission meeting of August 15, 2019.

NARRATIVE OF PROPOSED ACTIVITY

A. PETITIONER: Sherry Roach with the City of Farmington, represented by Alex Johnson of Johnson Mapping and Surveying, LLC.

B. LOCATION: Lot 1 in Citizens Bank Subdivision, 500 West Broadway.

C. PRESENT SITUATION: San Juan County Tax Assessor’s records show that the size of parcel R0021980 is 1.242 acres. The property owner is Citizens Bank.

The City of Farmington is renovating the downtown area and acquiring right-of-way dedications for the Complete Streets Project.

D. PROPOSED CHANGE OR REQUEST: The property owner is proposing to dedicate 0.003 acres of Lot 1 in Citizens Bank Subdivision for right-of-way width to existing streets West Main Street and Auburn Street.

ISSUES:

- Please change subdivision title to reflect Plat Amendment to Citizens Bank Subdivision.
DEADLINE DATE: July 15, 2019

SP 19-66 Plat Amendment - Citizens Bank Subdivision

Please review the attachments and return your comments and recommendations to this office by the above-stated deadline date; however, if your department has no comments to offer on the proposed changes, please sign the copy and return to this office. PLEASE NOTE THAT THE ATTACHMENTS ARE FOR YOUR FILES.
Please review the attachments and return your comments and recommendations to this office by the above-stated deadline date; however, if your department has no comments to offer on the proposed changes, please sign the copy and return to this office. **PLEASE NOTE THAT THE ATTACHMENTS ARE FOR YOUR FILES.**
SP 19-66 Plat Amendment - Citizens Bank Subdivision

Please review the attachments and return your comments and recommendations to this office by the above-stated deadline date; however, if your department has no comments to offer on the proposed changes, please sign the copy and return to this office. **PLEASE NOTE THAT THE ATTACHMENTS ARE FOR YOUR FILES.**
SP 19-66 Plat Amendment - Citizens Bank Subdivision

Please review the attachments and return your comments and recommendations to this office by the above-stated deadline date; however, if your department has no comments to offer on the proposed changes, please sign the copy and return to this office.  PLEASE NOTE THAT THE ATTACHMENTS ARE FOR YOUR FILES.
MINUTES
Metropolitan Redevelopment Agency
Board of Commissioners - June 11, 2019

Commissioners Present  John McNeill, D.D.S. - Chair
                      Jill Tanis – Vice-Chair
                      Doug Dykeman
                      Elizabeth McNally
                      Greg Mills

Commissioners Absent  None

Staff Present        Michael Bulloch
                      Sherry Roach
                      Karen Walker
                      Warren Unsicker

Others Present       Karla McWilliams-Via phone

1. Call to Order
The meeting was called to order at 4:00 p.m. by Chair John McNeill, and there being a quorum, the following proceedings were duly had and taken.

2. Approval of the May 14, 2019 Minutes
A motion was made by Commissioner Tanis and seconded by Commissioner Dykeman to approve the minutes of the May 14, 2019 meeting. The motion passed unanimously 5-0.

3. Discussion and Recommendation on pursuing a Certified Local Government, CLG
Warren Unsicker discussed the advantages and responsibilities involved with a Certified Local Government, CLG. He said the State Historic Preservation Office (SHPO) in Santa Fe has a CLG coordinator that can help with the certification process.

Karla McWilliams, CLG Program Coordinator, answered several questions asked by the Commissioners.

Chair McNeill asked if there is a benefit for property owners to have a historically designated building, and if there is funding assistance if the building is remodeled. Ms. McWilliams said designation results in improved property values in historic districts. She said most CLGs use funding for planning projects such as façade improvements. She said the owner could also lose an historic designation if the remodeling does not follow guidelines.
Chair McNeill said after speaking with the director in another community, he was told that it is difficult to maintain historic designation information for properties when the property changes ownership. Dr. McNeill asked if there was a way to track properties when they are sold so new owners can be given information regarding the historic designation. Ms. McWilliams said other communities have developed systems through the county assessor’s office.

Commissioner McNally asked if there was any evidence that the designation motivates people to purchase property in that district. Ms. McWilliams said historic properties tend to attract certain types of people. Most of those people want to preserve the historic character. Education people and working with realtors can help with understanding of what a historic designation entails. She said it helps to incentivize the designation and let people know about the advantages and resources available.

Commissioner Dykeman asked if a condition or clause could be written into the ordinance dealing with the demolition of historic property. Ms. McWilliams said she has seen some ordinances with such a clause.

Commissioner Tanis asked if a notification could be included in the sale of an historic property when it is sold to show that the property is listed. Ms. McWilliams said she has seen that done by the county so information was included during the sale. Commissioner McNally questioned whether a notification could be included through a title company, as some properties are not sold through a realtor. Ms. McWilliams said that would be a question to ask the local title company.

Chair McNeill asked if properties in an historic district should be handled differently if they chose not to participate or contribute to the historic designation. Ms. McWilliams said the guidelines would be different for contributing and noncontributing property owners.

Ms. McWilliams said she and/or Jeff Pappas would be happy to come to Farmington for further discussion.

Commissioner Dykeman had an example of an ordinance written by Los Alamos, NM. The documentation was given to Warren Unsicker.

Chair McNeill requested Mr. Unsicker to let City Administration know the MRA Commission would like to pursue a CLG.

A motion was made by Commissioner Dykeman to have Mr. Unsicker discuss Certified Local Government designation with City Administration and to let them know the MRA Commissioners support an application for Certified Local Government. Commissioner McNally seconded the motion. The vote was 5-0.

4. **Main Street Complete Streets Update - Sherry Roach**

Sherry Roach presented an update on the offsite signage and paving projects for the downtown area. The Main Street Complete Streets construction project is proceeding
on stormwater, grading, and traffic control plans. The electrical department upgrades are progressing.

5. **Downtown Farmington Updates**

   Michael Bulloch said the Arts and Cultural Team meeting is scheduled for June 12, 2019 and the Economic Transformation Strategy Planning meeting is scheduled for June 17, 2019.

   Two new business have opened downtown. Academy Mortgage opened on Orchard and New to You opened on Main Street.

   The New Mexico Resiliency Alliance grant was turned in for the Secret Garden project.

   Mr. Bulloch discussed a Community Visioning meeting held on May 30, 2019 that discussed the Harvest Food Hub and commercial kitchen incubator,

   The Downtown Maker’s Market began June 6, 2019. There are new and old vendors and turnout went well. New directional signs have been purchased to help people navigate to the parking lots.

   The Summer Art Walk will be held June 14, 2019. There are 24 business participating. The Art Walk will include food vendors and a Paint Jam in the alley behind ArrowSoul Trading.

   The Four Corners Hot Rod Run will be July 20, 2019. Mr. Bulloch said he and Christa Chapman are working to get things ready for this event.

   Mr. Bulloch said he created an event guide for downtown merchants that gives ideas on how to participate and make the most of events.

   Commissioner McNally asked if businesses on Broadway participate in the Art Walks. Mr. Bulloch said there are few businesses on Broadway that have participated and noted that people rarely want to walk further than Main Street during these events.

6. **Business from:**
   a. **Floor** – There was no business from the Floor.
   
   b. **Chair** – Chair McNeill asked that Commissioners and Staff have all MRA meeting documents to Karen Walker one week prior to each meeting.
      
      Dr. McNeill said the City Council is discussing using The Roof as a building for the Food Hub.
      
      He said he is meeting with the Parks and Recreation Department in July to discuss various topics of the Complete Streets Project.
   
   c. **Members** – Commissioner McNally mentioned a conference in Ruidoso, NM on June 25, 2019.
      
      Commissioner Dykeman asked why the City has moved the Friday TGIF events to the Civic Center. He said he would like to keep events in the downtown Main Street area.
Michael Bulloch said the City decided to move the event to the Civic Center in anticipation of the Complete Streets construction that was to begin this summer. Advertising for the event began before the City decided to postpone the construction. Mr. Bulloch said he would discuss with the Parks and Recreation Department about bringing the event back to Orchard Park. Chair McNeill asked the Commissioners to read the Vacant Building Ordinance handout so it can be discussed at the next MRA meeting in July.

- **Staff** - There was no business from Staff.

7. **Adjournment:**
A motion was made by Commissioner Dykeman and seconded by Commissioner Mills to adjourn. The Metropolitan Redevelopment Agency Board of Commissioners meeting was adjourned at 5:00 p.m.

___________________________________    ____________________________________
John McNeill, Chair       Karen Walker, Administrative Assistant