

**TOWN OF SUPERIOR**  
**MINUTES FOR SPECIAL MEETING**  
**January 12, 2017, 6:00 pm**

**CALL TO ORDER**

Mayor Mila Besich-Lira called meeting to order at 6:00 pm.

**ROLL CALL**

Mayor	Mila Besich-Lira
Vice Mayor	Michael Alonzo
Councilmember	Gilbert Aguilar
Councilmember	Bruce Armitage
Councilmember	Stephen Estatico
Councilmember	Olga Lopez – Absent
Councilmember	Vanessa Navarrette

**PLEDGE OF ALLEGIANCE**

Pledge of Allegiance was recited by everyone in attendance.

**STAFF IN ATTENDANCE**

Town Manager	Todd Pryor
Deputy Town Clerk	Nora Miramon

**PUBLIC ATTENDANCE**

Steve Holmquist  
Daryl Delbridge  
Pam Rabago  
Richard Cartier  
Barbara Armitage  
Sue Anderson  
Judge Bravo  
Robert Cervantes

**NEW BUSINESS**

**A. Work Session to discuss on-going major projects**  
**a. Presentation on the Blight Mitigation Guidelines**

This policy will address abandoned buildings, this is not intended to take on site able homes. If there a responsible party to the property, the Town will continue the code enforcement process. The responsible party is given 30 days to clean the property up. If is not cleaned in 30 days. If it is not clean they give them an extension. If it is the case is closed. If it they have not done anything a ticket is issued. Then they follow a simple path. They go to court, if it has been cleaned up the ticket is dismissed. If not Judge Bravo is here tonight and he can talk about that later. Abatement is easy to do and this is in code already. Public works will go inspect the property and decide what it is going to cost to clean it up. He will do a notice to the home owner by certified mail we will place it on the property and record it on title. Responsible party has 30 days to appeal this judgement. If no appeal, we add 10% for administration and put that on another letter on title until property changes hands. During this time this will accrue interest. It is not in the best interest of the Town to do a foreclosure.

Councilmember Estatico, what happens if and when the property changes hands? Is there any data on people coming in and buying these houses? What are the chances of someone coming in and buying these properties? Town Manager, they would have to pay all of the liens on the property. If it is a tax sale, no. The tax is primary the Town is the secondary lien. Money goes to tax first and what every is left will come to the Town. The whole point is to get the properties more attractive so we can get the value up and stimulate the growth. Mr. Pryor did not have any data on how many of these properties being sold but will get that data for council.

There are significant properties where the responsible party cannot be found. This policy will help the Town deal with those issues. If we can deal with the broken window issue, then we can deal with the Blight issue. Todd moved forward with his presentation which hit all of the issues that come along with abandoned houses. If you let little issues they become larger issues and that will lead to overall neglect so if we could deal with the broken window to start with we can start to deal with the blight issue.

We are twice the national average for vacancies, Globe is 13% we are 24.7%. This means there 350 empty homes in our town. There are some properties that are in the list for abandoned status from 2013. Abatement is something we can deal with and not expensive to do.

Councilmember Aguilar, do they have to be visible from the street?

Mr. Pryor, if it is obscured from the street, if it covered or if it is in the garage it is not a violation. If it is visible from the street, has flat tires, doesn't run and no registration that is considered an abandoned vehicle.

The only item that the Town would like to do is that is not in code it the option of polycarbonate windows. Mr. Pryor showed a video on this new product. This product has been adopted by many cities. The current code does not allow this only a plywood product. A proposed is giving the responsible party an option other than the plywood to board up the property. The product is double the price but this is another option other than plywood and more attractive. This would have to be placed in the budget for next fiscal year. Vacancies are a deterrent for economic development as well as health and safety. The Town will continue to enforce if responsible party can be found. Abatement for abandoned properties only.

Councilmember Estatico, how long has this program been in effect, code enforcement? After the citation, they have 30 days to fix the property? How is it working with the courts and code enforcement?

Mr. Pryor, his tenure they did 2000 notices, 700 tickets. The current enforcement is doing about 10-15 tickets a month.

Mayor Besich-Lira stated that Judge Bravo is here and will be speaking on the process a little later.

Councilmember Armitage, the only thing that is being asked is that there be another option other than the plywood to board up a property? Yes..

Public: Sue Anderson, she would really like to see the Council pass this. This is a great idea and would benefit the Town.

Vice Mayor Alonzo, his concern is he might say this property is a 3 and someone else Might say it is a 5 how and who makes that determination?

Mr. Pryor, part of the reason that that has not been defined is because the Town the way the Town has approached it. The top 10 list has ever been dealt with other than strict enforcement. This is more for the Town to prioritize some of these projects and to determine which ones are the most necessary to deal with first.

## **b. Code Enforcement Discussion**

Presentation Judge Bravo and Dorinda Day, Dorinda Day is Judge Bravos right hand. He does the judgements, judge rulings. Judge Bravo had handouts describing the difference between the justice court and the magistrate court. Magistrate handles Town Code Enforcement. They have talked to some of the surrounding courts and a lot of them have the same design they do. They all have different fines for code enforcement. Depending on the situation they have the right to do that.

Dorinda, the site able offenses now as they stand but they do not have them in their system as of yet. They have talked to the Mayor and Town Manager earlier this week. They cannot put it into their system as a site able offense until they get that. Councilmember Aguilar, give us an example of the fines, high and low. Who decides what that would be?

Ms. Day, The Town or the Zoning Commission would make that decision. Whatever is in that Ordinance is what the court goes by.

Councilmember Estatico, how many have come before the court? How many people have we actually fined? I wish we would have known that we needed to setup the fines.

Mayor, there are two things that have to come out of this work session. The agreement with the court, which we don't have on file, that has been over 20 + years. When the code was changed, 2 managers ago, the codes were not given to the court. Dorinda, something that also needs to be looked at is that when Todd was doing this the owner would clean it up and 6 months down the road we would be right back to the same thing.

Councilmember Armitage, in reviewing the Town Code, section 623 powers section C. responsibilities and duties, this reads to him that all fines and duties are done by the court. Is this not correct or was he misunderstanding Section C.

Judge Bravo, judge has the final say so on the amount the fine will be. It is up to him. If the Town gives them a guide line on how much the Town wants the fines to be we can go by that.

Mayor, staff is directed to have a schedule of fees for our February council meeting. Chief Neuss, I am going to be brief because I do not have any nice things to say. He is tired of passing the buck, it has to stop. Did we receive the letter that we requested a month ago, referencing town policy, and what he must give us? Mr. Pryor? No. I am appointed just like he is, I follow the rules. I wrote the letter as requested by the Town Manager, within hours of the request. It has been months and he is tired of it. Please direct the Judge to write the letter, that he already wrote. All he has to do is cut and paste or change it as he sees fit. We are never going to get anything done if we don't do what we are supposed to do.

Mayor, if there is no other questions or comments she would like a motion to adjourn this work session and start our regular meeting at 7:00 pm

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**ADJOURNMENT**

Motion to adjourn the work session was made by Councilmember Aguilar, second by Councilmember Estatico, motion carries work session adjourned at 6:45 pm.

  
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Mayor, Mila Besich-Lira

  
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Town Manager, Todd Pryor