



53
City of Las Cruces[®]
 PEOPLE HELPING PEOPLE

Council Action and Executive Summary

Item # 5 Ordinance/Resolution# 12-175

For Meeting of _____
 (Ordinance First Reading Date)

For Meeting of April 16, 2012
 (Adoption Date)

Please check box that applies to this item:

QUASI JUDICIAL LEGISLATIVE ADMINISTRATIVE

TITLE: A RESOLUTION APPROVING A STANDARD OPERATING POLICY (SOP) FOR PUBLIC AND PRIVATE USE OF MAIN STREET AND THE SURROUNDING DOWNTOWN AREA.

PURPOSE(S) OF ACTION:

To approve a Standard Operating Policy (SOP).

COUNCIL DISTRICT: ALL		
Drafter/Staff Contact: Mark Johnston <i>[Signature]</i>	Department/Section: Parks & Recreation	Phone: 541-2550
City Manager Signature: <i>[Signature]</i>		

BACKGROUND / KEY ISSUES / CONTRIBUTING FACTORS:

Over the past few years and with the completion of several construction projects, the demand for public and private access and reservations for space in the downtown area have increased. Main Street and the downtown area contains both public space and private property with many competing demands. Staff presented the concept of developing an operating policy to City Council at the January 23, 2012 work session, and Council directed staff to proceed with developing a policy and to seek public input.

Staff completed a draft policy, circulated the policy and requested input from Farmers Market representatives, various City departments, downtown businesses and the Las Cruces Downtown Partnership. Additionally, on February 15, 2012, staff conducted a well attended Public Hearing and presented the draft policy to the members of the Downtown Las Cruces Partnership at their monthly meeting. The responses received were positive, and the plan was well received.

SUPPORT INFORMATION:

1. Resolution.
2. Exhibit "A", Draft Main Street/Downtown Standard Operating Policy (SOP).
3. Attachment "A", Memo: Public Process Summary.

(Continue on additional sheets as required)

SOURCE OF FUNDING:

Is this action already budgeted?	Yes	<input type="checkbox"/>	See fund summary below
	No	<input checked="" type="checkbox"/>	If No, then check one below:
	<i>Budget Adjustment Attached</i>	<input type="checkbox"/>	Expense reallocated from: _____
		<input type="checkbox"/>	Proposed funding is from a new revenue source (i.e. grant; see details below)
<input type="checkbox"/>		Proposed funding is from fund balance in the _____ Fund.	
Does this action create any revenue?	Yes	<input checked="" type="checkbox"/>	Funds will be deposited into this fund: <u>1000</u> in the amount of <u>\$250.00</u> for FY <u>12</u> .
	No	<input type="checkbox"/>	There is no new revenue generated by this action.

BUDGET NARRATIVE

New revenues are estimated at \$250.00 for fiscal year 2012 and will be deposited into the General Fund under Parks & Recreation/Park Use Fees (10380010-543403). It is anticipated that the revenues will increase as information is released concerning the availability of Main Street/Downtown.

FUND EXPENDITURE SUMMARY:

Fund Name(s)	Account Number(s)	Expenditure Proposed	Available Budgeted Funds in Current FY	Remaining Funds	Purpose for Remaining Funds
N/A	N/A	N/A	N/A	N/A	N/A

OPTIONS / ALTERNATIVES:

1. Vote "Yes"; this will approve the Main Street/Downtown Operating Policy (SOP).
2. Vote "No"; this will not approve the Main Street/Downtown Operating Policy (SOP).
3. Vote to "Amend"; and provide changes required.
4. Vote to "Table"; and provide staff with further direction.

REFERENCE INFORMATION:

The resolution(s) and/or ordinance(s) listed below are only for reference and are not included as attachments or exhibits.

N/A

RESOLUTION NO. 12-175**A RESOLUTION APPROVING A STANDARD OPERATING POLICY (SOP) FOR PUBLIC AND PRIVATE USE OF MAIN STREET AND THE SURROUNDING DOWNTOWN AREA.**

The City Council is informed that:

WHEREAS, over the past few years, several construction projects have been completed in the downtown area; and

WHEREAS, Main Street and the surrounding downtown area have both public and private property with many competing demands; and

WHEREAS, requests for public and private use of Main Street and the downtown are increasing; and

WHEREAS, City Council directed staff to develop a standard operating policy and seek public input; and

WHEREAS, staff created a policy and held a well attended public hearing and presented the draft policy at the Downtown Las Cruces Partnership monthly meeting.

NOW, THEREFORE, be it resolved by the governing body of the City of Las Cruces:

(I)

THAT the Main Street/Downtown Standard Operating Policy attached hereto as Exhibit "A" is hereby approved.

(II)

THAT City staff is hereby authorized to do all deeds necessary in the accomplishment of the herein above.

DONE AND APPROVED this _____ day of _____, 2012.

APPROVED:

Mayor

ATTEST:

City Clerk

(SEAL)

VOTE:

Mayor Miyagishima: _____

Councillor Silva: _____

Councillor Smith: _____

Councillor Pedroza: _____

Councillor Small: _____

Councillor Sorg: _____

Councillor Thomas: _____

Moved by: _____

Seconded by: _____

APPROVED AS TO FORM:



City Attorney



Main Street/Downtown Standard Operating Policy

I. PURPOSE:

Main Street Downtown has both public space and private property with many competing demands. The purpose of this Standard Operating Procedure is to set forth the process for business and the general public to reserve, concession and rent/lease all or portions of the Main Street Downtown (MSD) for business, private functions, public/community-wide events and the Farmers Market.

II. OBJECTIVE:

To develop a system/process to reserve space and hold functions in the MSD that is fair, sets priorities, opens lines of communication and streamlines the permitting process.

III. LOCATIONS/RESERVABLE AREAS:

- North section of Main Street from Las Cruces Street to the round-a-bout.
- Center section of Main Street from Las Cruces Street to Griggs Street.
- South section of Main Street from Griggs Street to the end of Water Street.
- Any two (2) sections of Main Street.
- All of Main Street.
- La Placita.
- Sidewalk areas that do not affect traffic flow.
- Public parking lots.

IV. PRIORITY USE:

1. First priority will be given to City of Las Cruces co-sponsored events that are free and open to the general public.
2. Farmers Market activities (the Farmers Market will have priority use on Wednesday and Saturday mornings).
3. Private rentals that do not affect traffic flow or public access.
4. Commercial enterprises/business operations.
5. All other functions.

V. PROCEDURE:

1. Requests for the use of all or a portion of the MSD will be processed through the Parks and Recreation Administrative office located at 1501 E. Hadley, the Mondy Castaneda building.
2. All requests that interfere with vehicular or pedestrian traffic must be submitted forty five (45) calendar days prior to the event.
3. All requests for events or functions that do not interfere with traffic flow or pedestrian use must be submitted ten (10) business days prior to the event.

4. There may be special circumstances or last minute events/functions that are brought forward from time to time; the 10 business day request requirement may be waived based on needs of the event and impacts to City staff and the general public.
5. Fees are due at the time the reservation is processed.
6. Insurance requirements (NM Tort Claims Act immunities and limitations) and other guidelines will adhere to the City Council adopted Parks and Recreation Fees and Charges/Facility Use Policy. (See Attached).

VI. PROCESS FOR MSD and parking lots (Does NOT include La Placita):

1. For reservations that do not interfere with traffic or pedestrian flow:
 - a. Facility Use Form; fee.
2. For reservations that interfere with traffic, close roads.
 - a. Facility Use Form; fee.
 - b. Notify all businesses that are in the affected area (30 calendar days in advance).
 - c. Arrange and pay for required barricades.
 - d. Arrange and pay for port-a-pottys (number of required units based on size of crowd and follow the ADA requirements).
 - e. Garbage and litter control measures/negotiated with City.
 - f. Parade route permit may be required.
 - g. Sound permit required for amplified music.

VII. PROCESS FOR LA PLACITA:

1. For reservations that do not block pedestrian travel:
 - a. Facility Use Form; fee.
2. For reservations that close general public access:
 - a. Facility Use Form; fee.
 - b. Notify all businesses that are in the affected area (30 calendar days in advance).
 - c. Arrange and pay for required barricades/fencing.
 - d. Arrange and pay for port-a-pottys (number of required units based on size of crowd and the ADA requirements (may not be needed)).
 - e. Garbage and litter control measures/negotiated with City.
 - f. Sound permit required for amplified music.

VIII. MOBILE CONCESSION/VENDING:

1. Parks and Recreation Concession/Vendor permit required in accordance with the Facility Use Policy (Does NOT give rights to concessions/vendors for Farmers Market or Special Use Events).

IX. PUBLIC PARKING LOTS:

1. For reservation(s) or vending that closes or blocks off portions of public parking.
 - a. Facility Use Form; fee.
 - b. Notify all businesses that are in the affected area (30 calendar days in advance).

- c. Arrange and pay for required barricades/fencing.
- d. Arrange and pay for port-a-potty (number of required units based on size of crowd and the ADA requirements (may not be required)).
- e. Garbage and litter control measures/negotiated with City.
- f. Sound permit required for amplified music.
- g. Parking lot use must not interfere with handicap accessible parking.
- h. Only a portion (1/4) of any parking area will be available for reservation.

X. FEES AND FEE STRUCTURE

AREA	Duration	Fee	Duration	Fee
North Section MSD / free general public	4 hours	\$0	12 hours	\$0
North Section MSD for profit event	4 hours	\$250	12 hours	\$500
Middle Section MSD / free general public	4 hours	\$0	12 hours	\$0
Middle Section MSD / for profit event	4 hours	\$250	12 hours	\$500
South Section MSD / free general public	4 hours	\$0	12 hours	\$0
South Section MSD / for profit event	4 hours	\$250	12 hours	\$500
Parking lot Concession	Month	\$50	Month	\$50
Parking lot reservation	4 hours	\$50	12 hours	\$150
La Placita private rental (no public access)	4 hours	\$150	12 hours	\$400
La Placita private rental (public access)	4 hours	\$100	12 hours	\$250
La Placita commercial use (no public access)	4 hours	\$200	12 hours	\$550
La Placita commercial use (public access)	4 hours	\$150	12 hours	\$400

**** It is understood that this SOP will need to be modified from time to time and will be a work in progress.

DRAFT

MAIN STREET / DOWNTOWN



Purpose of Today's Presentation

- To provide an overview of a draft Standard Operating Procedure (SOP) for Main Street and the Downtown Area
- Provide background concerning the operations of the Downtown Area and the "why" behind the draft SOP

Downtown / More than Main Street



Background

- Competing interests are growing for use in the Downtown
- Farmers Market continues expanding
- Local businesses are requesting access to public space
- The general public is requesting use for private events
- Currently multiple Departments involved with process and permits
- Vendors / concessions are requesting space

La Placita / High Demand



Developing a “Win Win”

- The “draft” SOP establishes priority uses
- Creates one point of contact for customer service
- Utilizes established permit process
- Conduit to inform the business community of events and functions
- Farmers Market is a high priority
- Allows the general public, associations and private business access to public space
- Sets a fair, equitable fee structure

Next Steps

- Public input process
- Review by local business
- Discussion with representatives of the Farmers Market
- Parks and Recreation Advisory Board review

QUESTIONS?



TO: Brian Denmark, Assistant City Manager/Chief Operating Officer
FROM: Mark Johnston, Director – Parks & Recreation *MJ*
DATE: April 5, 2012
SUBJECT: Public Process Main Street SOP
FILE NO.: PRD-12-114

Staff was provided direction at the January 23, 2012 City Council meeting to develop a Standard Operating Policy (SOP) for Main Street and the Downtown area and to seek public input. Staff completed the draft policy with input from several City Departments and information gathered from the public over the past several months.

On February 15, staff held a well attended public meeting presenting the draft SOP. In attendance were representatives from the business community, the Farmers Market and the general public. Staff explained the reasons for developing the SOP and that the SOP establishes the priorities for use of the Downtown area, sets the fee structure and outlines the process for public and private functions/events. In addition, staff presented the SOP to the Downtown Las Cruces Partnership at their meeting held on March 1, 2012.

During both meetings staff provided copies of the SOP and answered questions concerning the process and how the policy would impact certain events or functions. Clarity was provided for:

- Farmers Market priority
- Time frames to reserve area(s)
- Definition of public versus private functions
- Road closures
- Notification process
- Allowable uses
- Process of permitting

The SOP was modified in a few areas to reflect the input from the meeting attendees. Overall the policy and process were well received and the general consensus was to move forward for City Council action.



**NOTICE IS HEREBY GIVEN THAT A
DOWNTOWN MAIN STREET USE
PUBLIC MEETING
WILL BE HELD ON
WEDNESDAY, FEBRUARY 15, 2012 AT 3:00 P.M
CITY HALL, COUNCIL CHAMBERS, 700 N. MAIN STREET.**

- I. INTRODUCTION**
- II. PRESENTATION**
 - Proposed Standard Operation Procedure
- III. PUBLIC COMMENT**
- IV. ADJOURNMENT**

The City of Las Cruces will make every effort to provide reasonable accommodation(s) for people with disabilities who wish to attend a public meeting. Please notify the City at least 24 hours before the meeting. Telephone 541-2553 or TTY number 541-2182.

Main Street/Downtown Public Meeting
Questions & Comments
February 15, 2012

- ? Why aren't we using La Placita?
- ? Vendors on La Placita?
- ? Sales drop when there is an event at the market. (business owner)
- Comment Scrutinize SOP for priority use for future. (Monty)
- ? Anything else that says we have priority? (Monty)
- ? Explain fee structure.
- Comment Black Box/Community Theatres: Notify when sound/noise permits are issued due to their schedule being done a year in advance. (David D)
- Comment Please send notification of events. The day there was a bicycle race; no one could get to my place of business, and I had seven (7) employees there. (Business Owner)
- Comment Barricades are left up several hours after Farmers Market closes down. (Business Owner)
- ? Fee structure? Exclusive events for a not for profit entity. (Theatre)
- ? What delineates area covered under SOP? Is there a map of the area? (Monty)
- Comment Church and Water Street need to be included in the map due to parades. (David D)
- ? What is being renovated at the end of Main Street. (David D. answered that the old Las Cruces Furniture Company building is being renovated for a new charter school, Los Americas Charter School.
- ? Vendors pay taxes, space rent is lower than when she began with market. Musicians are not being charged, and they are making money for themselves or school. (market vendor)
- ? Been in town eleven (11) days. What business are locating downtown?



City of Las Cruces®
PEOPLE HELPING PEOPLE

— PUBLIC MEETING —

DOWNTOWN MAIN STREET USE

The City of Las Cruces will hold a public meeting regarding private, business and public use of Main Street and the Downtown area. The meeting will cover a proposed standard operating procedure for the area. It will set priorities, establish the process for use of the area, establish vending/concession procedures and a single point of contact.

**WEDNESDAY,
FEBRUARY 15TH, 3 PM**
City Hall Council Chambers
700 N. Main Street

For more information, please contact the
Parks & Recreation Department at 541-2550.

People needing special accommodations should contact the city
48 hours in advance at (575)541-2550/v or (575)541-2182/TTY.

CLCTV.com

www.las-cruces.org

CLC-TV
cable channel 20

VENDOR MTG: 2/15/2012

	NAME	E-MAIL:	PHONE:
1	DOROTHY ANDRESS	JADOB174@COMCAST.NET	522-2416
2	Debbie S Bond	H2dbond@g.com	373-9045
3	Sylvia A Hendrickson	Sylvia64@msn.com	650-7419
4	HAROLD BYINGTON	HByington@gmail.com	524-2886
5	MARJORIE GORDON	Marhar1969@comcast.net	521-4010
6	HARVEY GORDON	HARMAR1969@COMCAST.NET	521-4010
7	STELLA ESPINOZA	Stellae93308@Yahoo.com	649-1998
8	Michael Espinoza	Michael88033@Yahoo.com	649-1998
9	Dodds Cupit SR	GDATTWATCHER@AOL.COM	647-4052
10	MIKE SMITH	MIKESMITH@DPLAR.COM	805-3469
11	Little Cookies Packardson		Tex only 575-520-1427
12	Sande Foster	sandra.foster@hotmail.com	575-546-1566
13	WAYNE STEPPINGS	4steps@comcast.net	575-382-5072
14	MICHEL & EVA MAL	michelamal@yahoo	523-00-76
15	SHARON + RICHARD WALKER	ShakeyWalker@hotmail	527-9025
16	Martha Duran/Carol Macklin	mtdawtpw	526-4232
17	Janice Neaves	JLNEAVES@MSN.COM	496-7321
18	Marty Arnold	lejoulesdesigns@hotmail.com	640-7801
19	Danny D. Grooms	dannyleam@yahoo.com	649-1528
20	JANE DICKERSON	JANNEANNEMAM@Yahoo	525 3297
21	Jean Williams	customtile@williamstile.net	642-3041
22	Carola Griffin	offmyfrontporch@g.com	373-4832
23	Judz Burroughs		575 524 7139
24	Miguel	msilva@lac-cruces-ory	575.640.5934
25	Thomas Neutkirch		(575)527-9110
26	Maria Neutkirch		(575)527-9110
27	Beck Rosick	beckr.rosick@gmail.com	556-9850

VENDOR MTG: 2/15/2012



	NAME	E-MAIL:	PHONE:
1	GERALD + VIRGINIA BAUER	Va28@ziynet.com	575-526-338
2	DON MUNDY	Camundy17@comcast.net	523-6265
3	VAUGHN LARSON	^{LARSON} LARSON 57@comcast.net	647-1653
4	Sheila LaPierre	salapierre@yahoo.com	523-5008
5	Toni LaPierre	tonilapierre@yahoo.com	523-7479
6	Bobby Melton	giffing@candcraft	805-3075
7	Linda Melton	" "	524-1052
8	JANET MAGAUL +	nmjama@moncon	993-1420
9	ALINE FISTER	ronalme@gmail.com	823-2645
10	Michelle Gallus	michelle@flexcool.com	993-4426
11	Joan Piwowar	DESERTSUNARTJEWELRY@hotmail.com	⁶⁴²⁻ 1779
12	Barbara Romney	Organ Mountain Concessions	640-5001
13	KEVIN ROMNEY	ONE ORGANMC@gmail.com	640-5001
14	ANGELA NISIUS	visionsofcolor@ymail.com	640-0896
15	Robert Kaiser	Kaiser@man.net	647-2219
16	Nami Kaiser	"	"
17	Gerald + Pauline Wisdom	⁵⁰⁹ grandpop@mso.com	382-5918
18	Frances A. Couplin	satisfink	1-515- 650-8404
19	Betty Ann Howard	—	1-575-382-8663
20	Alice Benjamin/Cleo's Crafts	cleoscrafts1@yahoo.com	575-639-5107
21	Dennis Dickey	Triple D Woodworks	⁵⁷⁵⁻²⁰²⁻ 5890
22	Dorcas Dickey	" "	" "
23	JENNIFER GABEL	info@castlehomedesigns.com	993-6409
24	Dodds Cupit, JR.	DoddsCupit@gmail.com	505-400-8680
25	Brandon Alsop	eica.band@yahoo.com	575-649-8011
26	Jack Shaver	NONE	575-571-1949
27	Russ + Mercy Smith	russkbs@yahoo.com	

VENDOR₆₉ MTG: 2/15/2012

	NAME	E-MAIL:	PHONE:
1	VIRGINIA HOUK	VAHOUK@GMAIL.COM	636-219-4371
2	James Zabriskie	Jimmyzabriskie@aol.com	915-203-4385
3	Dave Black	staff@lasruicesfarmersmarket.org	575-824-3355
4	Diane Black	Staff@newmexico60ap.com	575/824-1155
5	Audrey Worthen	2AUDRITA@gmail.com	575-571-6827
6	Martha French	mfrench1935@hotmail.com	575-640-8586
7	Pat Connelin	now address: 1060 CIRQUE DR 88005	524-5905
8	Phyllis Gordon	2510 Desert Dr. A.C. Desert Gardens Produce@yahoo.com	524-3484
9	Sheri Franzou	Kfranzou@ymail.com	649-1082
10	MARY J BAUER		647-1570
11	MARCENE W. COX	sistyugler1@zianet.com	644-1294
12	Monty Sarvo	monty.sarvo@yahoo.com	993-6521
13	Rose Swartz	Rammierose@aol.com	915 820-0840
14			
15			
16			
17			
18			
19			
20			
21			
22			
23			
24			
25			
26			
27			

m

VENDOR MTG:

2/15/2012

NAME:

E-MAIL:

PHONE:

- | | NAME | E-MAIL | PHONE |
|----|--------------------|------------------------|------------------------------|
| 1 | Earla Ruhn | | 575-523-0352
575-649-0619 |
| 2 | Rachel Villalpando | rachel@upandadeign.com | 649-2835 |
| 3 | Jose Bencomo | greensbeans1@gmail.com | 640-4875 |
| 4 | NANCY BROEKHOFF | hbndesign@aol.com | 524-1022 |
| 5 | Eugene Pettit | ppage@juno.com | 575 650 6417 |
| 6 | KEVIN McNEIL | fppixguy@yahoo.com | 307-399-1570 |
| 7 | LANA HENMAN | wyowalker@aol.com | 575-522-2694 |
| 8 | | | |
| 9 | | | |
| 10 | | | |
| 11 | | | |
| 12 | | | |
| 13 | | | |
| 14 | | | |
| 15 | | | |
| 16 | | | |
| 17 | | | |
| 18 | | | |
| 19 | | | |
| 20 | | | |
| 21 | | | |
| 22 | | | |
| 23 | | | |
| 24 | | | |
| 25 | | | |
| 26 | | | |
| 27 | | | |