

PUBLIC WORKS/CIP & LAND USE COMMITTEE MEETING COUNCIL CHAMBERS MONDAY, FEBRUARY 23, 2015 5:00 P.M.

- 1. CALL TO ORDER
- 2. ROLL CALL
- 3. APPROVAL OF AGENDA
- 4. APPROVAL OF CONSENT AGENDA
- 5. APPROVAL OF MINUTES FROM FEBRUARY 9, 2015 PUBLIC WORKS COMMITTEE MEETING

CONSENT AGENDA

- **6.** REQUEST FOR APPROVAL OF A PROFESSIONAL SERVICES AGREEMENT BETWEEN THE CITY OF SANTA FE AND THE SANTA FE RAILYARD PARK STEWARDS FOR SERVICES PROVIDED AT THE SANTA FE RAILYARD PARK FOR A TOTAL OF \$50,000
 - REQUEST FOR APPROVAL OF A BUDGET INCREASE RAILYARD PROJECT FUND (ROBERT SIQUEIROS)

Committee Review:

Finance Committee (Scheduled)

Council (Scheduled)

03/02/15
03/11/15

7. REQUEST FOR APPROVAL OF BUS BRIDGE SERVICES AGREEMENT WITH RIO METRO REGIONAL TRANSIT DISTRICT (KEN SMITHSON)

Committee Review:

Finance Committee (Scheduled)

Council (Scheduled)

03/02/15
03/11/15

8. REQUEST FOR APPROVAL OF AMENDMENT NO. 3 TO PROFESSIONAL SERVICES AGREEMENT – SOFTWARE LICENSES AND TECHNICAL SUPPORT WITH ROUTEMATCH SOFTWARE, INC. IN THE AMOUNT OF \$40,098.08 (KEN SMITHSON)

Committee Review:

Finance Committee (Scheduled) 03/02/15 Council (Scheduled) 03/11/15 9. REQUEST FOR APPROVAL OF APPLICATION TO FEDERAL TRANSIT ADMINISTRATION FOR PARTIAL FY2015 SECTION 5307 URBANIZED AREA APPORTIONMENT TO THE CITY OF SANTA FE IN THE AMOUNT OF \$1,063,656 (KEN SMITHSON)

Committee Review:

Finance Committee (Scheduled)	03/02/15
Council (Scheduled)	03/11/15

10. REQUEST FOR CONCEPT APPROVAL OF THE SALE OF APPROXIMATELY 222 SQUARE FEET OF CITY-OWNED REAL ESTATE ADJOINING THE NORTHERN BOUNDARY OF 319 SANCHEZ STREET BY CHAPARRAL, LLC (MATTHEW O'REILLY/EDWARD VIGIL)

Committee Review:

Finance Committee (Scheduled)	03/02/15
Council (Scheduled)	03/11/15

11. REQUEST FOR CONCEPT APPROVAL OF THE SALE OF APPROXIMATELY 226 SQUARE FEET OF CITY-OWNED REAL ESTATE ADJOINING THE NORTHERN BOUNDARY OF 325 SANCHEZ STREET BY DONNA CHAMISA (MATTHEW O'REILLY/EDWARD VIGIL)

Committee Review:

Finance Committee (Scheduled)	03/02/15
Council (Scheduled)	03/11/15

12. REQUEST FOR APPROVAL OF AN ORDINANCE AMENDING SUBSECTION 11-9.1 SFCC 1987 AND SECTION 18-9 SFCC 1987 TO REQUIRE THAT PRIOR TO AUTHORIZING A REALLOCATION OF PROCEEDS FROM A VOTER-APPROVED GENERAL OBLIGATION BOND OR TAX THAT DEVIATES MATERIALLY FROM THE INFORMATION PROVIDED TO THE ELECTORATE THAT THE GOVERNING BODY AUTHORIZE SUCH REALLOCATION THROUGH THE ADOPTION OF AN ORDINANCE (COUNCILOR DOMINGUEZ) (TERESITA GARCIA)

Committee Review:

Finance Committee (Scheduled)	03/02/15
City Council (Request to publish)	03/11/15
City Council (Public hearing)	04/08/15

13. REQUEST FOR APPROVAL OF A RESOLUTION DIRECTING STAFF TO PROPOSE AN OPERATIONAL PLAN AND PROGRAMMING OPTIONS FOR THE ESTABLISHMENT OF A TEEN CENTER THAT WOULD BENEFIT THE YOUTH OF SANTA FE (COUNCILORS DOMINGUEZ, RIVERA, DIMAS, IVES AND BUSHEE) (TERRIE RODRIGUEZ/CHRIS SANCHEZ)

Committee Review:

Mayor's Youth Advisory Board (Scheduled)	02/26/15
Finance Committee (Scheduled)	03/02/15
Council (Scheduled)	03/11/15

PUBLIC HEARING

14. REQUEST FOR APPROVAL OF AN ORDINANCE CREATING A NEW SECTION 10-11 SFCC 1987 TO PROHIBIT THE SALE OF SINGLE SERVING CONTAINERS OF ALCOHOLIC BEVERAGES, IN SIZES OF EIGHT OUNCES OR LESS, WITHIN THE MUNICIPAL BOUNDARIES OF THE CITY OF SANTA FE (COUNCILORS LINDELL, DIMAS, DOMINGUEZ, IVES AND BUSHEE)(GILDA MONTANO)

PUBLIC WORKS, CIP AND LAND USE COMMITTEE MEETING FEBRUARY 23, 2015 PAGE THREE

Committee Review:

Finance Committee (Scheduled)	03/02/15
Public Utilities Committee (Scheduled)	03/04/15
City Council (Request to publish)	03/11/15
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- 15. MATTERS FROM STAFF
- 16. MATTERS FROM THE COMMITTEE
- 17. MATTERS FROM THE CHAIR
- 18. NEXT MEETING: MONDAY, MARCH 9, 2015
- 19. ADJOURN

Persons with disabilities in need of accommodations, contact the City Clerk's office at 955-6520 five (5) working days prior to meeting date

SUMMARY INDEX FOR PUBLIC WORKS/CIP & LAND USE COMMITTEE

February 23, 2015

ITEM	ACTION	PAGE
Gall to Order	Convened at 5:00 p.m.	1
2. Roll Call	Quorum Present	1.
3. Approval of Agenda	Approved as presented	1
4. Approval of Consent Agenda	Approved as amended	. 1
5. Approval of Minutes - February 9, 2015	Approved as presented	2
CONSENT AGENDA LISTING	Listed	2-3
PUBLIC HEARING 14. Single serving alcohol container ban	Approved	3-6
15. MATTERS FROM STAFF	None	6
16. MATTERS FROM THE COMMITTEE	Discussion	6
17. MATTERS FROM THE CHAIR	None	7
18. NEXT MEETING:	March 9, 2015	7
19. ADJOURNMENT	Adjourned at 5:50 p.m.	8

MINUTES OF THE

CITY OF SANTA FÉ

PUBLIC WORKS/CIP & LAND USE COMMITTEE

Monday, February 23, 2015

1. CALL TO ORDER

A regular meeting of the Public Works/CIP & Land Use Committee was called to order on the above date by Chair Ron Trujillo at approximately 5:00 p.m. in City Council Chambers, City Hall, 200 Lincoln Avenue, Santa Fé, New Mexico.

2. ROLL CALL

Roll Call indicated the presence of a quorum as follows:

MEMBERS PRESENT:

Councilor Ronald S. Trujillo, Chair Councilor Christopher M. Rivera, Vice Chair Councilor Carmichael A. Dominguez

MEMBERS ABSENT:

Councilor Bill Dimas
Councilor Patti Bushee

STAFF PRESENT:

Isaac Pino, Public Works Director Bobbi Mossman, Public Works Staff

NOTE: All items in the Committee packet for all agenda items were incorporated herewith by reference. The original Committee packet is on file in the Public Works Department.

3. APPROVAL OF AGENDA

Councilor Rivera moved to approve the agenda as presented. Councilor Dominguez seconded the motion and it passed by unanimous voice vote.

4. APPROVAL OF CONSENT AGENDA

Councilor Dominguez moved to approve the consent agenda as presented. Councilor Rivera seconded the motion and it passed by unanimous voice vote.

5. APPROVAL OF MINUTES FROM FEBRUARY 9, 2015 PUBLIC WORKS COMMITTEE MEETING

Councilor Rivera moved to approve the minutes from February 9, 2015 as presented. Councilor Dominguez seconded the motion and it passed by unanimous voice vote.

CONSENT AGENDA LISTING

- 6. REQUEST FOR APPROVAL OF A PROFESSIONAL SERVICES AGREEMENT BETWEEN THE CITY OF SANTA FE AND THE SANTA FE RAILYARD PARK STEWARDS FOR SERVICES PROVIDED AT THE SANTA FE RAILYARD PARK FOR A TOTAL OF \$50,000
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Councilor Trujillo recognized Councilor Lindell.

Councilor Trujillo began the public hearing at 5:05 p. m.

Councilor Lindell explained the proposed ordinance. She brought this forward mimicking the Airport District Ordinance that was approved in 2012. It has functioned well and served its purpose in limiting the sizeable amount of litter these miniatures cause. Having given that ordinance on Airport Road a success, the change to be implemented is a proper thing to do for the entire city.

03/02/15

03/04/15

03/11/15

04/08/15

Councilor Trujillo asked folks wishing to speak to line up and state their name and address.

Marilyn Morehead said she was also bringing messages from the neighborhood watch group in that area. They were trying to keep the streets clean because the liquor store was within steps of the residential area where she lived. There was constant dropping of plastic bottles. It is a matter of picking them up and cleaning. They were trying to keep an image that people actually live there and it is not just a walkway from the liquor store to Agua Fria. With the support of many of her neighbors and the watch group, she asked that this be considered in a positive note. It would be helpful to the community and send a message. Ms. Morehead submitted a petition signed by the neighbors who lived in that area and is attached to these minutes as an Exhibit.

Tom Starke said he supports this measure. He is Chair of the Santa Fe County DWI Council. He supports the ordinance as a litter control measure and also because a large number of these small containers are purchased by people who are driving and they consume them right away in the car and since it is illegal to drink and drive, they throw them out of the window. We support this measure and hope the Council appreciates that this litter travels far.

Andy Otto, Executive Director of the Santa Fé Watershed Association. They have adopted a river program. The Association is in favor of this ordinance to help remove litter from the river beds.

Richard Anaya, Liquor license holder in Santa Fe, in business for 40 years has lived in Santa Fe his whole tife. He feels that an impact study should be done so he was going to wait to give his opinions. He asked that they show the impact and then send it to Finance. He asked that Public Works "kill this or send it forward without recommendation."

Young Jo said, "My parents moved to Santa Fe in 1994. We started a liquor business here and then two more and seven in Albuquerque. I understand the litter problem. You have to think about fixing the litter problem another way. It is not just the mini bottles. Banning the sale is not a good idea. Maybe charge a deposit. Think about a different way to solve the problem rather than hurt the small business and people who have been here a long time. Also people then have to buy bigger size bottles. The panhandlers do their thing. A lot of people use the small size for cooking. I don't drink. I am here to wish you will allow the small size sales and fix the problem in another way."

Councilor Karen Heldmeyer said she lives very close to a liquor establishment. In terms of anti litter this makes sense. However, the Committee needs to take into account that Santa Fe is a tourist city. Many of the hotels have mini bars with miniatures in them. Her understanding is that this law does not speak to that and the Committee might want to give that some thought.

Jim Lewis said he represented two businesses on St. Francis that have a problem with people drinking in the parking lot and behind the incinerators. They have a problem with their employees not feeling safe. There are two places that sell miniatures very close to their business. This does not reflect well on Santa Fe as a tourist spot.

Shelley Mann-Lev, Director of the Santa Fe Prevention Alliance, said they have identified through conversations with youth and other members that these little bottles are seen all over Santa Fe. They are an eyesore. This is a significant source of litter. The more people see alcohol advertisements, the more people think they can drink anywhere and just toss the bottle. This should help create a good comfortable environment. Businesses can find a way to shift their business.

Liz Saenz student and member of SWAT said, as a young person she definitely sees a lot of these bottles and not in a positive way. She sees them when she goes for a run in the morning from her house to the park and could count at least 40 of those little bottles. It is bad for the environment and negative on the youth who have easy access. Alcohol ranked number 4 in early use by teenagers. This needs to stop. The ordinance will be more positive for the youth.

Kathleen Ortiz, co-owner of Rodeo Plaza Liquors and native of Santa Fe, said over the last five years they have seen changes to small businesses in Santa Fe. Because of competition with big box businesses, there are only two left. They have to comply with minimum wage and the plastic bag ban and now this.

She said this ordinance will not allow for growth for city and will significantly lower the GRT. It will decrease 23% of their sales and bring over \$14,000 less in revenue to the City from their small establishment. "We cannot compete with Walmart and other big businesses."

She said litter appears to be the reason for this ordinance but she saw a story on channel 13 that said it was to stop alcoholism. She said she saw litter but not any more empty containers of alcohol than she did for cups, dog poop, and fast food wrappers. She respectfully asked the Committee to deny this ordinance. She also invited them to visit their store and see how important the local businesses are to the City Different.

Brad Furry, Furry's Buick, next door to the shelter, said at least three Councilors had walked the lot with him. He encouraged the Committee to consider banning them (miniatures). It is an enormous litter situation that they face on a daily basis. It is also a public intoxication issue. Removing them as an option would benefit the community.

There were no other speakers and Chair Trujillo closed the public hearing.

Councilor Dominguez moved to approve the proposed ordinance. Councilor Rivera seconded the motion.

Councilor Dominguez thanked everyone for coming to the meeting. He listened to what people said and did some research. He looked at what was done in 2012. This is an issue that can be long on political appeal but short on economics, community health and litter, all of which were talked about tonight.

In regard to litter, he thanked Councilor Lindell for bringing this forward. It is obvious that a lot of litter comes from these miniatures. In his experience on Airport Road that litter has decreased since the City passed the ordinance out there. It also reduced the amount of panhandlers and that is a positive thing for the community. Just the litter decrease alone makes this a worthwhile effort.

Regarding economics. There is not a lot of information out there on how this affects a business community. It is always said that the small business will go out of business. But the follow up finds that they have to adapt and change their business operation. There is a ton of documentation and a number of studies that indicate the detriment to community health. What they might lose economically does not equal the detriment to community health and loss of production.

There are a lot of people who look at this every day and understand the dynamics of community health impact. They used to sell cigarettes one at a time. Now that is not allowed and for good reason. Our community wants and deserves to be safe and clean. People want to not be harassed when they go to an establishment.

Councilor Dominguez said he stood in full support of this ordinance and the movement to force the hand of the state legislature to change the laws that have a negative impact on this community and other communities. The people he represents pay a lot of taxes in this community. They want a clean safe community and environment. He encouraged the industry to study what it takes to make a good healthy community.

Councilor Rivera said although he was not sure about some things, he is 100% sure about this. It is worth the entire Governing Body taking a look at this. He asked if the sponsor would also look at the issue of bars at the hotels.

Councilor Lindell agreed to look into that.

Councilor Rivera noted that they banned the sale of miniatures on Airport Road for some time now. They thought revenues would go down due to the ban. However, they are actually making more because people buy larger bottles. He was not sure that is a good thing. As far as litter goes, it is an issue. He supports this because he feels it is worth having a larger discussion with the Governing Body.

Councilor Rivera said his concern with this is that he could walk down every street in this community and find cigarette butts, dog poop and other things. He wondered if this is government impeding too much. He asked if the City is going to pass a resolution banning dogs, bubble gum and cigarettes. There is a time when government can get too involved. It is now prohibition. We decided not to ban e cigarettes but to regulate them. There are rules on who the liquor industry can sell to.

Councilor Rivera noted that within this ordinance liquor stores can still sell a pack of 4. He asked how this ban will affect hotels. He said from his perspective he would not support this. He thought there are a lot more pressing issues that this Council needs to look at: homeless shelter, streets, infrastructure and others. He felt this is going too far. He was not ready to support this but does respect looking into it.

Councilor Lindell thanked everyone who came out today. There are three facets to this: litter control, community health and economics. She went back to the ordinance already passed that is working on Airport Road. That ordinance has been a success. Expanding it to the rest of the city only makes sense and is the next logical step. The litter aspect is sizeable. Community health is a huge part of this. You can assume most bottles are thrown out of cars. Banning the sale of the individual bottles will benefit the community.

Councilor Dominguez the whole pack of 4 thing is because the state legislature mandates that.

Otherwise, he thought they should get rid of all of them. There is no data out there that says if you have to buy a bigger bottle that you will drink more. What it comes down to is that the issue is long on political appeal and short on substance. He encouraged everyone to take the time to look at the studies.

The motion passed by 2-0 roll call vote with Councilor Dominguez and Councilor Rivera voting in favor and none against.

15. MATTERS FROM STAFF

There were no matters from Staff.

16. MATTERS FROM THE COMMITTEE

Councilor Dominguez asked for the status of thee Parks Bond audit. On the agenda tonight the Committee had an issue on reallocation of bond money. There has been some correspondence. He wondered if staff is doing something or waiting for the audit to be complete before getting to POSAC.

Mr. Pino said staff's role in the audit is to provide information as the auditors ask for it. Staff has been doing that for a month now. It has been made very clear to us by the auditors that we are not to touch any documents. The audit is to be completed in late March. Right now staff is just on standby making ourselves available when the auditors need us.

Councilor Dominguez said it does affect the bonds.

Mr. Pino said he was talking about the 2008 Parks Bond. Projects from the recent bond will be completed this summer then he will put together what is left to go to POSAC for recommendations. That would happen in October

Councilor Dominguez asked if reallocation on the 2012 bond will be subject to this piece.

Mr. Pino agreed - anything that is financed by a bond sale.

17. MATTERS FROM THE CHAIR

There were no matters from the Chair.

18. NEXT MEETING: MONDAY, MARCH 9, 2015

19. ADJOURN

The meeting was adjourned at 5:50 p. m.

Approved by:

Ronald S. Trujillo, Chair

Submitted by:

Carl Boaz for Carl G. Boaz, (

OPPOSITION OF THE RESOLUTION OF BANNING SMALL SIZES OF
ALCOHOLIC BEVERAGES 8 OUNCES AND SMALLER IN THE CITY OF SANTA FE, NM

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We, the undersigned, are concerned citizens who urge our Santa Fe City Councilors to not pass the above mentioned proposed city ordinance.	Santa Fe City Council, is proposing an ordinance creating a new section 10-11 SFCC 1987: TO PROHIBIT THE SALE OF SINGLE SERVING CONTAINERS OF ALCOHOL BEVERAGES, IN SIZES OF EIGHT OUNCES OR LESS, WITHIN THE MUNICIPAL BOUNDARIES OF THE CITY OF SANTA FE.

9	TO SOLVERY CONTRACTIONS	home X thimus Metioco	Rolling Que Trus	Down floor March	Knim le lefa / the	Concurrence College Co		<u> </u>	Melissalinana Milluntana	Damel Charlenas Dans Chimas	Strong S Salunt All	Petrick Martiner fath. 1855	Printed Name Signature
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	250/12	2/26/15	2/20/5	2/20//5	8/20/5-	ar clinered ackitanil com 2/2011	Churbalan 232 30, commil. 2/20	2/20/15	Missag SOSQuaha 2/2015	2/20/15	Spart on an area of 2 back	patritz40@yahoo.com 2/20/15	e-mail address

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Jan Solo	O.D. P. G.		Desico Col	Wenn.	CIVHAPO	Santa Fe City Council, is proposing an ordinance creating a new section 10-11 SFCC 1987: TO PROHIBIT THE SALE OF SINGLE SERVING CONTAINERS OF ALCOHOL BEVERAGES, IN SIZES OF EIGHT OUNCES OR LESS, WITHIN THE MUNICIPAL BOUNDARIES OF THE CITY OF SANTA FE. We, the undersigned, are concerned citizens who urge our Santa Fe City Councilors to not pass the above mentioned proposed city ordinance.
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Annie Martinez Conne Martinez 1015 (elle la Roslana 8187)	Managed Company Son	Divine Transport	Denise Leyb John Jan 3759 Asknokiely	Dimerc March Politics Post State Sta	Ity Council, is proposing an ordinance creating a new section of the SALE OF SINGLE SERVING CONTAINERS OF A DR LESS, WITHIN THE MUNICIPAL BOUNDARIES OF THE DESCRIPTION OF CHARGE CONCERNED CITIZENS WHO URGE OUR SANTA FE CARRY ORDINANCE.
2/20/15	2/29/5 2/29/5	2/20/15	2/20/15	IN W	ALCOHOL BEVERAGES, IN SIZES OF EIGHT ALCOHOL BEV

VAMES SOMOD TO THE	1A She Orker Indian Care	Months Market Market	Knuch Tapo auger gray	CUREN A. Munghun Proprieta	Pat Martinez Tat Martinez	packground Santa Fe City Council, is proposed for proposed city ordinance.
360 Assie Rd	yor Assierd	500 Rodes Rod 2013 gra	F6 1	4405 A SAMTO DIMINO	102 Pazy Robot Al 81501 105 Mazy Robot Al 1018	Santa Fe City Council, is proposing an ordinance creating a new section 10-11 SFCC 1987: TO PROHIBIT THE SALE OF SINGLE SERVING CONTAINERS OF ALCOHOL BEVERAGES, IN SIZES OF EIGHT OUNCES OR LESS, WITHIN THE MUNICIPAL BOUNDARIES OF THE CITY OF SANTA FE. We, the undersigned, are concerned citizens who urge our Santa Fe City Councilors to not pass the above mentioned proposed city ordinance.
9-22-1	156-0	adiamore diversion 2/3	120/15	2/20/17	2/20/15	10-11 SFCC 1987: LCOHOL BEVERAGES, IN SIZES OF EIGHT E CITY OF SANTA FE. ty Councilors to not pass the above mentioned a-mail-addiess. Date

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		2/23/5	2/43/17	2/23/15	2/2/2/5	02/22/2015	02/20/5	2-20-15	Date