



Agenda

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**PUBLIC WORKS/CIP & LAND USE
COMMITTEE MEETING
COUNCIL CHAMBERS
MONDAY, JANUARY 11, 2016
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 DECEMBER 7, 2015 PUBLIC WORKS COMMITTEE MEETING

INFORMATION AGENDA

6. PRESENTATION OF THE FIRST DIVERGING DIAMOND INTERCHANGE IN NEW MEXICO (ISAAC PINO)

CONSENT AGENDA

7. CIP #421 – WATER HISTORY PARK & MUSEUM PHASE II INTERIOR REHABILITATION PROJECT
 - REQUEST OF APPROVAL TO AWARD BID #16/03/B AND AGREEMENT BETWEEN OWNER AND CONTRACTOR TO SARCON CONSTRUCTION CORPORATION IN THE AMOUNT OF \$252,618.33 INCLUSIVE OF NMGR
 - REQUEST FOR APPROVAL OF A BUDGET ADJUSTMENT REQUEST (BAR) IN THE AMOUNT OF \$309,863 (LEANN VALDEZ)

Committee Review:

Finance Committee (Scheduled)

01/19/16

Council (Scheduled)

01/27/16

8. CIP PROJECT#859A – ST. FRANCES CROSSING FROM ACEQUIA TRAIL TO RAILYARD

- REQUEST FOR APPROVAL OF THE FIRST AMENDMENT TO COOPERATIVE PROJECT AGREEMENT FOR CONSTRUCTION WORK WITH THE NEW MEXICO DEPARTMENT OF TRANSPORTATION IN THE AMOUNT OF \$470,464 (LEROY PACHECO)

Committee Review:

Finance Committee (Scheduled)

01/19/16

Council (Scheduled)

01/27/16

9. REQUEST FOR APPROVAL OF AN ORDINANCE INCLUDING A DEFINITION FOR ALTERNATE MEANS OF COMPLIANCE AND AMENDING THE DEFINITION OF EXTREME HARDSHIP; AMENDING THE REQUIREMENTS FOR SANTA FE HOMES PROGRAM RENTAL UNITS; AMENDING THE PROCESS BY WHICH A DEVELOPER OF RENTAL HOUSING IS ALLOWED TO PAY A FEE-IN-LIEU INSTEAD OF SEEKING AN ALTERNATE MEANS OF COMPLIANCE WITH THE REQUIREMENTS OF THE SANTA FE HOMES PROGRAM; AND ESTABLISHING AN EFFECTIVE DATE FOR THE AMENDMENTS **(MAYOR GONZALES) (ALEXANDRA LADD)**

Committee Review:

City Business Quality of Life Committee (Scheduled)	01/13/16
Council (Request to publish)	01/13/16
Finance Committee (Scheduled)	01/19/16
Community Development Commission (Scheduled)	01/26/16
Council (Public hearing)	02/10/16

10. REQUEST FOR APPROVAL OF AN ORDINANCE AMENDING SUBSECTION 7-1.1 SFCC 1987 TO ADOPT THE 2012 UNIFORM SWIMMING POOL, SPA, AND HOT TUB CODE, THE 2012 UNIFORM MECHANICAL CODE, AND THE 2012 UNIFORM SOLAR CODE; AMENDING SUBSECTION 7-1.1 SFCC 1987 TO ADOPT THE 2012 UNIFORM PLUMBING CODE, AS AMENDED BY THE STATE OF NEW MEXICO AND THE CITY OF SANTA FE **(COUNCILOR BUSHEE) (MICHAEL PURDY)**

Committee Review:

Public Utilities Committee (Scheduled)	01/06/16
Council (Request to publish)	01/13/16
Finance Committee (Scheduled)	01/19/16
Council (Public hearing)	02/10/16

11. REQUEST FOR APPROVAL OF A RESOLUTION EXEMPTING CURRENT MERCHANTS IN THE SANBUSCO MARKET CENTER FROM BUILDING PERMIT, FIRE INSPECTION AND IMPACT FEES WHEN RELOCATING THEIR BUSINESS TO A NEW LOCATION WITHIN THE BOUNDARIES OF THE CITY OF SANTA FE; AND MAINTAINING THE REQUIREMENT TO SUBMIT CONSTRUCTION DOCUMENTS PREPARED BY A REGISTERED DESIGN PROFESSIONAL FOR APPROVAL BY THE LAND USE DEPARTMENT **(MAYOR GONZALES) (LISA MARTINEZ)**

Committee Review:

City Business Quality of Life Committee (Scheduled)	01/13/16
Finance Committee (Scheduled)	01/19/16
Council (Scheduled)	01/27/16

12. REQUEST FOR APPROVAL OF A RESOLUTION REQUESTING STAFF TO DEVELOP A LAND USE FACILITATION PROGRAM BASED ON THE HIGHLY SUCCESSFUL ALBUQUERQUE MODEL **(COUNCILOR BUSHEE) (LISA MARTINEZ/NOAH BERKE)**

Committee Review:

Planning Commission (Scheduled)	02/04/16
Finance Committee (Scheduled)	02/15/16
Council (Scheduled)	02/24/16

13. REQUEST FOR APPROVAL OF AN ORDINANCE AMENDING THE UNIFORM TRAFFIC ORDINANCE TO PERMIT BICYCLES TO TREAT STOP SIGNS AS YIELD SIGNS IF THE RIGHT-OF-WAY IS CLEAR OF OTHER VEHICLES OR PEDESTRIANS **(COUNCILOR BUSHEE) (JESSE GUILLEN/MELISSA MCDONALD)**

Committee Review:

Council (Request to publish)	01/13/16
Public Safety Committee (Scheduled)	01/26/16
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14. REQUEST FOR APPROVAL OF AN ORDINANCE ESTABLISHING REQUIREMENTS FOR BICYCLE PARKING FOR NEW DEVELOPMENTS, OR THOSE INCREASING IN INTENSITY BY 25 PERCENT OF MORE **(COUNCILOR BUSHEE) (MELISSA MCDONALD)**

Committee Review:

Council (Request to publish)	01/13/16
Planning Commission (Scheduled)	02/05/16
Council (Public hearing)	02/10/16

15. MATTERS FROM STAFF

16. MATTERS FROM THE COMMITTEE

17. MATTERS FROM THE CHAIR

18. NEXT MEETING: **MONDAY, JANUARY 25, 2016**

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
January 11, 2016**

ITEM	ACTION	PAGE
1. Call 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	1-2
5. Approval of Minutes - December 7, 2015	Approved as presented	2
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6. First Diverging Diamond Interchange	Presentation by Mr. Pino	
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8. St. Frances Underpass	Approved	9
9. SFHP Ordinance	Forwarded to Finance to return	9-12
11. Impact Fee exemptions	Approved	12-13
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15. Matters from Staff	None	13-14
16. Matters from the Committee	Discussion	14
17. Matters from the Chair	Comments	14
18. Next Meeting:	January 25, 2016	14
29. Adjournment	Adjourned at 7:06 p.m.	14

MINUTES OF THE
CITY OF SANTA FÉ
PUBLIC WORKS/CIP & LAND USE COMMITTEE

Monday, January 11, 2016

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 Patti J. Bushee
Councilor Bill Dimas
Councilor Carmichael A. Dominguez

MEMBERS ABSENT:

Councilor Peter N. Ives [excused]

STAFF PRESENT:

Isaac Pino, Public Works Director
Bobbi Huseman, 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 Dominguez moved to approve the agenda as presented. Councilor Dimas seconded the motion and it passed by unanimous voice vote.

4. APPROVAL OF CONSENT AGENDA

Councilor Dominguez requested discussion on items 9 and 13.

Councilor Bushee requested discussion on items 8 and 11.

Mr. Pino corrected the amount shown on item #7. \$309,835 is the correct amount.

Councilor Bushee moved to approve the Consent Agenda as amended. Councilor Dimas seconded the motion and it passed by unanimous voice vote.

5. APPROVAL OF MINUTES FROM DECEMBER 7, 2015 PUBLIC WORKS COMMITTEE MEETING

Councilor Dominguez moved to approve the minutes from December 7, 2015 as presented. Councilor Dimas seconded the motion and it passed by unanimous voice vote.

INFORMATION AGENDA

6. PRESENTATION OF THE FIRST DIVERGING DIAMOND INTERCHANGE IN NEW MEXICO (ISAAC PINO)

Mr. Pino said two representatives from DOT are present to report on the construction going on at I-25 and Cerrillos Road. They are Ms. Rosanne Rodriguez and Mr. Paul Brasher.

Mr. Brasher presented the update with a power point presentation. He said at that interchange, the daily average volume is 14,000 vehicles in each direction. DOT launched this project to address needs in the area. It was built in the mid-1970s and this project addresses deficiencies in the three bridges and solves problems with traffic weave with traffic lanes merging where 750-100 feet are needed rather than the present 150 feet. This pattern allows traffic to intersect with fewer conflicts. Traffic northbound will exit and loop south on 14 toward Cerrillos or under a new bridge into Santa Fe onto Cerrillos on the left side and cross over at signalized intersections. He showed how the configuration would work. This configuration makes the most sense for safety and connectivity. It is good for economic development. Diverging diamond avoids left hand turns. He showed a photo that displayed the new configuration.

There were other considerations for this interchange, including a pedestrian path and drainage improvements. There are three tunnels pedestrians and bicycles can use. They go under the Interstate and Railrunner tracks.

This is the first Diverging Diamond in the state. The Committee went to Utah to get tips and factors to consider. There are also many of them in Missouri. It builds two new bridges and Acceleration/Deceleration lanes.

He showed the design of the tunnels. They demolished the outside lanes of I-25 with half of each of the bridges and are replacing them. He showed a drone photograph of the construction area. They installed a temporary signal for the off ramp to Cerrillos. They have replaced the girders on the new halves and poured concrete last Sunday for north-bound and will pour south-bound toward the end of January. It is about 30% finished now and by next April will have them completed. They are keeping interstate traffic open at all times but traffic will be shut down on Highway 14 overnight for pouring concrete. It is scheduled for completion in November. We have regular progress meeting and invite other entities to attend. We also post on New Mexico Roads and

Councilor Bushee asked if the tunnels are paved, multi-modal for bike and pedestrians.

Mr. Brasher agreed. They paid a lot of attention to bicycles and the tunnels are lighted. They are not long; the longest is about 180'. The intersections are striped and signalized. They do not plan to put green markings because it is a sizable bicycle corridor. The bicycles can follow the pedestrian paths in the tunnels, basically bypassing that intersection.

Councilor Bushee asked Keith Wilson to respond.

Mr. Wilson said bicycles were involved in the design process. The design is straightforward. The cross overs won't go at the same time because of the light so we worked out enhanced markings there.

Councilor Dominguez thanked them for coming. It will take time to get used to it. He asked about lighting. The bridges now don't have good lighting. And asked if the tunnels will have adequate lighting.

Mr. Brasher said there is a lot of lighting and foundations are being set now. Tunnels have lights inside.

Councilor Dimas asked if they could light the off ramp more and provide clearer signage. When coming in from Albuquerque at night as it is now, it is confusing for drivers who are not used to turning off there and signage is confusing. Several vehicles almost in accidents.

Mr. Brasher said they have message boards in advance; one right after La Cienega and one closer. He asked if it is a problem finding the exits.

Councilor Dimas agreed.

Mr. Brasher agreed to see if there can be better signage. Particularly in the morning with sunlight shining on the message boards, it might be hard. It is not easy to install street lights there. We will try to have better signs to get to Cerrillos Road.

Councilor Dimas added that the striping paint seems to not be bright.

Mr. Brasher said they will do some restriping there. It is temporary striping but the stripes are extra wide.

Chair Trujillo said it is exciting. As a former construction inspector, he would like to have been on this one. He asked about the final phase on Cerrillos Road.

Mr. Pino said it will be late April or early May.

Chair Trujillo asked when they will start construction on the St. Francis underpass.

Mr. Pacheco said the bid book and documents will go to Purchasing by end of January, advertising in mid-February and bids open in late February. So construction is scheduled to start in April for 6-8 months.

Chair Trujillo said we just need to make it aware to people. It is much needed.

Mr. Brasher said the web site is very informative.

Councilor Dominguez moved amend the agenda to move item #13 before #8. Councilor Dimas seconded the motion and it passed by unanimous voice vote.

CONSENT AGENDA LISTING

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Councilor Dominguez said the connectivity between north and south is not there yet. He has ridden between south side and the rest of the City. It is improved but there is still a lot to be done. It is more dangerous for an inexperienced bike rider, especially with this proposed change in the law.

He asked what this does for the safety for vehicles whose drivers may not know the rule here in Santa Fe. They don't teach you that when getting a driver's license.

Specifically, on line one of page two, he asked how "rolling to a stop" is defined. Is there a rule of thumb the cyclist has?

Councilor Bushee said Joe Abbatacola is here and experienced with that.

Mr. Guillen a "reasonable speed" is up to the cyclist to determine. As far as safety with vehicles, this would standardize what is already taking place.

Councilor Dominguez reasoned that the City is now legalizing what people are already doing.

Mr. Guillen agreed. If this goes into effect, the vehicle driver would be more aware of what the biker is going to do and reduce the risk of the vehicle running into them.

Councilor Dominguez asked what the impact would be if it is not being taught in driving school. If it is, we will eventually know about it.

Mr. Guillen said it is dependent upon the outreach of Council.

Councilor Dominguez said this is taking a practice that is illegal right now and legalizing it with the hope that the next generation here would recognize and adjust accordingly.

Mr. Guillen said this change would increase the predictability of interactions with bicyclists.

Councilor Dominguez asked if the rule is different in Albuquerque.

Mr. Guillen agreed the traffic rules are not the same in all cities. They would have to adjust to the law there.

Councilor Dominguez thought amongst the bicycle community and those interested in different modes of transportation, there is a sense of outreach and getting people together to understand things. But the rest of the population isn't. So he wanted to know what the plan for outreach will be.

Councilor Bushee said usually, the sponsor gets to do a presentation. It is important to open up your mind. We have a rule that requires you to give 5' to bicyclists and we have encouraged the MVD to change the test to make things more safe. She realized it seems counterintuitive so she asked people who are bike commuters to come and is asking the Committee to allow them to speak.

Councilor Dominguez said- we have pretty active bicycle community. He has heard of the differences, sharrows, green stripes, etc. and was sure that people in that mode know what it is about. But he wondered how we educate the rest of the public. When he rides a bicycle down Airport Road he feels he is taking his life in his hands and people flip him off.

Councilor Dimas wanted to know the purpose of the new ordinance.

Mr. Guillen said it is to legalize what is already common practice to provide consistency and knowledge of what cyclists are going to do. This is similar to Idaho Stop where a state law was adopted in 1982. UC Berkeley did a study and found that injuries decreased after it was adopted. Boise had a 30% decrease in intersection accidents. Santa Fe has high ratings as bike community.

Councilor Bushee said the purpose is safety. She described a scenario at an intersection and how it makes more sense for bicyclists to go slowly through a clear intersection than to come to a complete stop. She understood it is a hard sell but more and more people who have done this, found it has improved safety. The bike cops come to the BTAC meetings.

Lieutenant Thomas Gunderson said he has been with the Police Department for 12 years and runs the bicycle team. He said they would like to see the data where it has been implemented before. But anything that can reduce bike crashes we look forward to.

Specifically, this ordinance does say it is at 4-way stop intersections and want to get a handle if it will have a minor or major impact. If not at signalized intersections, we are cautiously in support but would like to see more including our own data.

Councilor Dimas said it is not just four-way stops; this says at any stop sign.

Lt. Gunderson agreed.

Councilor Dimas asked if this isn't the same as a California stop.

Lt. Gunderson agreed. He has done it sometimes, going to a call. Right now it is breaking the law. It isn't because people are doing it already. If it makes things safer, he was for it. They should also vigorously look at the data a year from now. Just because it works in Boise or Chicago, the City should not rely just on that. We need to look at how effective it is when we pass new laws.

Councilor Dimas added that it is also difficult to cite bicyclists if they don't have a driver's license.

Lt. Gunderson agreed. Technically, they have to follow the rules of the road. But there are differences. The educational component is very important. The biking community knows all about it but the rest of the people do not.

PUBLIC COMMENT

Mr. Brent Bonwell, President of Fat Tire Society, said he had long experience and has helped found the Santa Fé Century. To him, this is making the City safer rather than codifying what is done now. It is safer because it helps cyclists get across the intersection faster and out of the way of vehicles. Riders don't take the main roads because of high traffic so those roads have more stop signs but less traffic. Every cyclist knows that they will lose the fight with the car like on Airport Road as Councilor Dominguez said. The drivers still have the same right of way so it doesn't have to change the driver's behavior but the cyclist doesn't have to put a foot down and can get through the intersection safer. The current behavior is there because it is safer.

Mr. Keith Wilson (MPO), said we have been successful with the Bike Master Plan and the Bikeways Map. This is on the small residential streets where cyclists are less likely to encounter a vehicle at the intersection. The cyclist still needs to yield the right of way to the vehicle there. It is not blowing through with pedestrians and vehicles there. It is also not for motorcycles.

This proposal makes it safer and more comfortable. He doesn't ride on Cerrillos or St. Francis or Agua Fria. There are trails and quiet streets to use instead.

Mr. Joseph Abbatacola (BTAC), said he has been a year-round cyclist as his main transportation for 13 years, half in Chicago and half here in Santa Fe. He concurred with the reasons given. Anything we can do to encourage more people on bicyclists is good. There is safety in numbers. The 5' rule is also helpful. That is not consistent throughout the state but is here in Santa Fé and it is comforting to know we are taking a step in that direction. With motorists, there is animosity with bikers. He was sure that not all motorists come to a complete stop at intersections.

Mr. Abbatacola offered to help Councilor Dominguez know how to bike safely from Tierra Contenta. In 42,000 miles of riding his bicycle, he has had only one accident and that was with a vehicle making U-turn in front of him.

Chair Trujillo noticed Mr. Abbatacola's flag at the back of the room and said he has passed Mr. Abbatacola several times.

Mr. Abbatacola said he has lots of safety equipment for his bicycle and the flag is a good one.

Ms. McDonald appreciated the Committee's consideration. BTAC is very thoughtful and respectful and working with the police. There is a subcommittee that deals with community education. We have this Bike to Work Week every year and can do more to get the word out. BTAC did with the 5' rule and could ask MVD to incorporate this into their training.

She said there are some cities that put a yield sign with bike symbol to education people of the new rule. We are willing to look at other options too.

Councilor Dominguez thanked everyone for the information. He thought it is obvious that people who ride regularly and know their business. But he heard the police say they need data and others who say there is a ton of data. Cautiously supporting this sets up a situation where no one can say who is liable.

Secondly, he appreciated the concern that there is some animosity between bikers and motorists. It would be best to get rid of the animosity first. Rules and laws are made for honest people - those who follow them. He was not quite sure what the problem is. You will stop when there is a lot of traffic whether it is a law or not. For motorists there is a lot more going on - more risk. He would like to have a more seamless approach. He is seeing more animosity and saw it getting deeper and deeper and would rather it not be there. He wondered if this is an attempt to change driver habits or biker habits. He saw conflicting data.

Regarding the Idaho rule for the entire state, it would be great if New Mexico did it.

Councilor Bushee said BTAC worked with a statewide coalition to get the 5' rule for the state and it made it through the legislature but was not signed by the Governor. She read the language and asked Lt. Gunderson how much time they would need for the research for Santa Fé.

Lt. Gunderson said NMDOT contacted him today and he might have the data by the end of the week. They have to extrapolate it and it is the end of the year so they are busy. Most definitely they could have it by the second Council meeting of the month.

Councilor Bushee would like to see that data reviewed by BTAC and then Public Safety and then back here. Currently, we have on the books that cyclists have to have license plates but the city has no way to do that. She would like to see a huge fine for people riding at night dressed in black with no lights. That is insane.

Councilor Dominguez said Airport Road is a major road and has a ton of driveways along the entire stretch. Not all intersections are signalized. So he asked if he was supposed to ride on the sidewalk or the road. There are people who walk on the sidewalks at all times. He asked if he could be cited for doing that. Riding on the road is more dangerous.

Lt. Gunderson said pedestrians on the sidewalk have the right of way. Bikers can ride on the sidewalk but if the biker hurts a pedestrian, they can be cited. On the road, bikers are subject to all laws of the road.

Councilor Dominguez did not think anyone here wants to make things less safe.

Councilor Bushee moved to forward the ordinance to BTAC and Public Safety and then come back to Public Works after the data is determined.

Councilor Dimas said he still didn't understand the purpose of the ordinance if bicyclists are already doing it. He didn't think he would ever be convinced this is a good ordinance. Laws were made to be enforced and rules of the road apply to everyone.

Chair Trujillo added that some laws are also made to be broken. He rides his bike in the summer and abides by the law. And when riding in his car, he sees people on bicyclists who speed right past him. He sees it happen when making a right turn and he could hit somebody who just goes right through. Right now he is skeptical. He knows Mr. Abbatacola obeys the law but a lot of them don't care about the laws. They will zoom through a red light. They could care less. And motorists do too.

Councilor Dominguez seconded the motion for postponing and coming back after the data is obtained. The motion passed on a unanimous roll call vote with Councilor Dimas, Councilor Bushee, Councilor Dominguez and Councilor Trujillo voting in favor and none voting against.

- 8. CIP PROJECT#859A – ST. FRANCES CROSSING FROM ACEQUIA TRAIL TO RAILYARD**
- REQUEST FOR APPROVAL OF THE FIRST AMENDMENT TO COOPERATIVE PROJECT AGREEMENT FOR CONSTRUCTION WORK WITH THE NEW MEXICO DEPARTMENT OF TRANSPORTATION IN THE AMOUNT OF \$470,464 (LEROY PACHECO)**

Committee Review:

Finance Committee (Scheduled)

01/19/16

Council (Scheduled)

01/27/16

Councilor Bushee asked for an update.

Mr. Pacheco said the City is fortunate to have received an additional \$470,000 from NMDOT and now has approximately \$4.3 million and will hire a professional engineering firm for construction management. This is to approve the additional funding that involves an additional \$60,000 from the City from the 2012 GO bond. At the end of January, Staff will get it to Purchasing and an award made by the end of March.

Councilor Bushee asked if this is a more efficient way to do the project.

Mr. Pacheco said it was requirement by NMDOT because of its complexity.

Councilor Bushee moved for approval. Councilor Dominguez seconded the motion.

Councilor Bushee noted that Council debated this when Bill Richardson was Governor and it was reallocated for environmental reasons and now they are getting more funds. People are slow to accept some things.

Chair Trujillo remember that but DOT has done studies on realignment. There were attacks on it. It is better to be safe than sorry. He saw a lot of traffic on that corridor.

Mr. Pacheco said they have selected a contractor and will come to Council for construction and construction management. It is the same professional group that designed it.

The motion passed by unanimous (3-0) voice vote. Councilor Dimas was not present for the vote.

9. REQUEST FOR APPROVAL OF AN ORDINANCE INCLUDING A DEFINITION FOR ALTERNATE MEANS OF COMPLIANCE AND AMENDING THE DEFINITION OF EXTREME HARDSHIP; AMENDING THE REQUIREMENTS FOR SANTA FE HOMES PROGRAM RENTAL UNITS; AMENDING THE PROCESS BY WHICH A DEVELOPER OF RENTAL HOUSING IS ALLOWED TO PAY A FEE-IN-LIEU INSTEAD OF SEEKING AN ALTERNATE MEANS OF COMPLIANCE WITH THE REQUIREMENTS OF THE SANTA FE HOMES PROGRAM; AND ESTABLISHING AN EFFECTIVE DATE FOR THE AMENDMENTS (MAYOR GONZALES) (ALEXANDRA LADD)

Committee Review:

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Councilor Dominguez asked for clarification if this applies to manufactured home lots as well.

Ms. Ladd said a manufactured home lot is residential use whereas multi-family rental housing is a commercial use. It depends on the kind of permit they pull.

Councilor Dominguez said it recognizes manufactured home lots and said "or manufactured home lots."

Ms. Ladd explained that language is a carryover from the original ordinance. It is confusing now because a subdivision that is a manufactured home lots, the property is owned by the manager of the land and the units are owned by the residents who then pay rent for the lot and sometimes for both. It is a strange hybrid. That is a good clarification to make.

Councilor Dominguez asked about the definition of extreme hardship. He saw in the proposed change that Sections A and C and kept B with additional language. This seems more restrictive but the intent is less restrictive.

Ms. Ladd said the opinion of legal staff is that A and C are really the same thing and B is more explicit and easier to understand. And there is also redundancy between A and B.

Councilor Dimas returned to the meeting.

Councilor Dominguez agreed but C eliminates the Council's opportunity to recognize a hardship.

Ms. Ladd clarified that B says "demonstrates to Council's satisfaction." The thing about C is that it constitutes a taking according of the Constitution of the State. That applies to any land use decision.

Councilor Dominguez asked if it isn't better to make that explicit. It isn't explicit as written. Maybe it allows what is wanted. But there are less options for an applicant with that change.

He had a technical question on page six, under the requirements of HP rental units, letter A. It says, "SFHP developer obtains a residential permit for multi-family residential development between these dates ... shall be assessed in accordance with SFHP administrative procedures. He asked if she was not recommending change in the procedures.

Ms. Ladd said the procedures are not going to change except for the sunset date.

Councilor Dominguez asked if those procedures have to be amended by the Governing Body by resolution. Ms. Ladd agreed.

Councilor Dominguez referred to the FIR where #2 and #4 talk about supply and demand, market conditions and the success is dependent upon those. He asked if there is a threshold we want to achieve. He would hate for the lot to get created and then conditions of the market change that we don't then change the law or the amendments and the situation goes the other way. He asked if it is appropriate to identify those thresholds in this with a certain number of affordable rental units and then the law goes away.

Ms. Ladd agreed with his concern. And maybe instead of calendar date, they should use a performance basis. The 2008 recession happened right after the ordinance was adopted.

Councilor Dominguez understood why the sunset date is there. But he would prefer, a performance measure plus a sunset date so the Committee can look at it as projects come up. He felt he had made his stance on de facto segregation clear. 35% of the southwest portion is mobile homes and the rest of the city is 4%.

He asked if there has been any thought about desegregation in it. Hopefully, we could balance things out in the City. If the rest of the City was 20% it would be different.

Ms. Ladd said it is an excellent question and concern. She looked at this as a way to address some of that concentration. We've had zero units produced. If we are actually able to get rental development, we can deal with the shortage. Most will be moderately priced and it helps everyone to have it available. We are giving people more choice. People live in mobile home parks because they can afford it but if they have rental assistance they can live in other places in the City.

Councilor Dominguez agreed there is no doubt a need. The data shows it. But at the same time, we are not doing justice to those folks if we cannot provide the quality of life they need. We need to spread the wealth.

Ms. Ladd said there will be more changes in the ordinance later after learning more from other communities who allow optional ways of compliance. The purpose behind this was to try to do something that could be done

easily and quickly. We probably won't solve all the problems with legislation. By generating fees, we are able to provide more quality of life and we don't have the funding for that now.

Councilor Dominguez said he would like some language that articulates the need to spread it around. There is close to 380 acres in District 3 and this is the obvious choice that people migrate to. That's okay but not necessarily fair.

Ms. Ladd said they will look at fair share requirements. Some cities have that requirement.

Councilor Bushee noted on page 7 line 21, it says "to the extent to which the proposed alternate results and the benefit... to a community-wide documented need..." No one is defining benefit. There is no definition or criteria so it is fairly subjective. It would be helpful to flesh that out. She liked the intention but it isn't clear enough.

Ms. Ladd agreed. They will look at how to tighten it up.

Councilor Bushee suggested they find a way to define "community benefit." She was also concerned with the things Councilor Dominguez is concerned about. She didn't mind tweaking to get the product we want.

Councilor Dominguez said he would see it again at Finance.

Councilor Dominguez moved to give direction to Staff to clarify "manufactured home lots" and to add some options on how to eliminate de facto segregation.

He said he would leave it to the sponsor to define "extreme hardship."

Ms. Ladd suggested it say, "responds to city-wide documented need."

Councilor Dominguez agreed but how that need is to be documented needs to be defined.

Councilor Bushee recalled they had the Affordable Housing Roundtable that could have done that.

Ms. Ladd said she would run it through at least a couple of focus groups.

Councilor Bushee said she really doesn't like those segregated developments.

Ms. Ladd said that portion was going to look better than the rest of it. That subsidy is so high, that you have to build LEEDS certified developments - not just a roof over your head. They do GED together on-site and offer other support services.

Councilor Bushee understood but it is segregated.

Ms. Ladd acknowledged it was going to be its own campus. They talked about creating a lot of physical pass through and interaction between the two communities.

Councilor Dominguez asked Ms. Ladd if she wanted to bring it back or go through other Committees.

Ms. Ladd clarified that they are responding to the Mayor's directive to see if they can loosen up that requirement immediately to generate some support for multi-family market-rate developers to get some action going. And it does that adequately. The bigger rewrite will be coming up in the Spring. The Mayor wanted to get this part done first. He recognized the ordinance is not working as it is now and this is a way to respond to a huge need for affordable housing that was not anticipated when the ordinance was first written. The ordinance was not written to be an inclusionary rental program. It was all about the home ownership side, which works really well. It works well because the developer sells the home at a subsidized price; takes a loss, and then is done. A rental developer has to build at the same costs but has to show the banker that they will take an operations loss on 15% of the units.

Councilor Dominguez moved to pass along to Finance. Councilor Dimas seconded the motion.

Councilor Bushee asked for a friendly amendment to have it come back if they could come back.

Councilor Dominguez agreed that it is friendly and the motion passed by unanimous voice vote.

11. REQUEST FOR APPROVAL OF A RESOLUTION EXEMPTING CURRENT MERCHANTS IN THE SANBUSCO MARKET CENTER FROM BUILDING PERMIT, FIRE INSPECTION AND IMPACT FEES WHEN RELOCATING THEIR BUSINESS TO A NEW LOCATION WITHIN THE BOUNDARIES OF THE CITY OF SANTA FE; AND MAINTAINING THE REQUIREMENT TO SUBMIT CONSTRUCTION DOCUMENTS PREPARED BY A REGISTERED DESIGN PROFESSIONAL FOR APPROVAL BY THE LAND USE DEPARTMENT (MAYOR GONZALES) (LISA MARTÍNEZ)

Committee Review:

City Business Quality of Life Committee (Scheduled)	01/13/16
Finance Committee (Scheduled)	01/19/16
Council (Scheduled)	01/27/16

Councilor Bushee asked what the ball park amount is. She didn't see those numbers in the FIR.

Ms. Martínez referred to page 7. They estimated 12 businesses at approximately \$800 each for a total of \$9,600.

Councilor Bushee asked if they are all trying to stay here in city limits.

Ms. Martínez agreed.

Councilor Bushee moved to approve the request. Councilor Dimas seconded the motion and it passed by unanimous voice vote.

15. MATTERS FROM STAFF

There were no matters from Staff.

16. MATTERS FROM THE COMMITTEE

Councilor Dominguez thanked Mr. Pino and Public Works Staff for their work to clean up the streets. Drivers were fairly patient on Friday. She was asked if Staff or crews are dumping as much scoria as in the past.

Mr. Pino said they are dumping as much. They mixed the scoria in the summer. It is a 4:1 mix and is used that way all over the city. You may tend to see more on the shoulders. It depends on how the snow is falling. It is the same amount.

Councilor Dominguez said it is a great job.

17. MATTERS FROM THE CHAIR

Chair Trujillo agreed that Staff is doing a great job. We were not expecting it on Friday.

18. NEXT MEETING: MONDAY JANUARY 25, 2016

19. ADJOURN

Having completed the agenda and with no further business to come before the Committee, the meeting was adjourned at 7:06 p.m.

Approved by:



Ronald S. Trujillo, Chair

Submitted by:



Carl Boaz for Carl G. Boaz, Inc.