



Agenda  
DATE 9/17/08 TIME 11:35 am  
SERVED BY *Debi Messmer*  
RECEIVED BY *[Signature]*

**PUBLIC WORKS/CIP & LAND USE COMMITTEE  
MEETING  
CITY COUNCIL CHAMBERS  
MONDAY, SEPTEMBER 22, 2008  
5:15 P.M.**

1. CALL TO ORDER
2. ROLL CALL
3. APPROVAL OF AGENDA
4. APPROVAL OF CONSENT AGENDA
5. APPROVAL OF MINUTES FROM SEPTEMBER 8, 2008, PUBLIC WORKS COMMITTEE MEETING

**CONSENT AGENDA**

6. GENOVEVA CHAVEZ COMMUNITY CENTER (GCCC)
  - REQUEST FOR APPROVAL OF AMENDMENT #1 TO THE PROFESSIONAL SERVICES AGREEMENT WITH KOVACH, INC. IN THE AMOUNT OF \$17,290 (MARTIN VALDEZ)
7. REQUEST FOR APPROVAL OF FIRST AMENDMENT TO CAPITAL COOPERATIVE AGREEMENT WITH THE NEW MEXICO DEPARTMENT OF TRANSPORTATION FOR 2007 LEGISLATIVE APPROPRIATIONS IN THE AMOUNT OF \$20,000 FOR PEDESTRIAN RAILING AT THE INTERSECTION OF ZIA ROAD AND CAMINO PINTORES (DESIRAE LUJAN)
8. CIP PROJECT #423A – MAGER'S FIELD PARK PHASE 2 IMPROVEMENTS
  - REQUEST FOR APPROVAL OF "PUTTING GREEN" INSTALLATION VIA GENERAL SERVICES CONTRACT NUMBER GS-07F-9659 WITH SYNSCAPES OF NEW MEXICO, LLC IN THE AMOUNT OF \$49,188.98 (BEN GURULE)
9. REQUEST FOR APPROVAL OF THE PURCHASE OF SALT SPREADERS FOR THE STREETS AND DRAINAGE DIVISION UNDER STATE PRICE AGREEMENT #70-805-00-01252AB WITH MCT INDUSTRIES, INC. IN THE AMOUNT OF \$30,424.41 (DAVID CATANACH)
10. REQUEST FOR APPROVAL OF THE PURCHASE OF A BOBCAT UNIT FOR THE STREETS AND DRAINAGE DIVISION WITH TOM GROWNEY EQUIPMENT OF ALBUQUERQUE, IN THE AMOUNT OF \$43,862.98 (DAVID CATANACH)

11. REQUEST FOR APPROVAL OF THE PURCHASE OF A CONCRETE DISPENSER FOR THE STREETS AND DRAINAGE DIVISION WITH CEMEN TECH IN THE AMOUNT OF \$64,292.00 **(DAVID CATANACH)**
12. HOUSING AND ECONOMIC DEVELOPMENT
  - REQUEST FOR APPROVAL OF A PROFESSIONAL SERVICES AGREEMENT FOR HOMEWISE IN THE AMOUNT OF \$220,549.92
  - REQUEST FOR APPROVAL OF A PROFESSIONAL SERVICES AGREEMENT FOR SANTA FE COMMUNITY HOUSING TRUST IN THE AMOUNT OF \$210,000.00 **(TED SWISHER)**

#### **DISCUSSION**

13. SUSTAINABLE SANTA FE PLAN
  - UPDATE TO THE DRAFT SUSTAINABLE SANTA FE PLAN
  - REQUEST FOR APPROVAL OF A RESOLUTION ADOPTING THE SUSTAINABLE SANTA FE PLAN **(COUNCILORS CALVERT, WURZBURGER, BUSHEE)**  
**(KATHERINE MORTIMER)**
14. REQUEST FOR APPROVAL OF AN ORDINANCE AMENDING EXHIBIT B, CHAPTER 24 SFCC 1987 REGARDING THE PENALTY ASSESSMENT FOR VIOLATION OF THE CITY'S PROHIBITION OF HAND-HELD CELLULAR PHONE USAGE WHILE A VEHICLE IS IN MOTION **(COUNCILOR WURZBURGER)** **(CHIEF ERIC JOHNSON)**
15. REQUEST FOR APPROVAL OF A RESOLUTION ADOPTING THE SANTA FE COUNTY HAZARD MITIGATION PLAN **(MAYOR COSS)** **(JOYCE PURLEY)**
16. REQUEST FOR APPROVAL OF A RESOLUTION ADOPTING THE GOAL OF REACHING A 33% RECYCLING RATE BY THE YEAR 2012 AND TAKING SUCH STEPS AS ARE NECESSARY TO REACH THIS GOAL **(COUNCILOR WURZBURGER)** **(BILL DEGRANDE)**
17. REQUEST FOR APPROVAL OF AN ORDINANCE AMENDING SECTIONS 22-6.2 AND 25-1.11 SFCC 1987 REGARDING CITY WASTEWATER AND WATER SERVICE OUTSIDE THE CITY LIMITS **(COUNCILOR WURZBURGER)** **(STAN HOLLAND)**
18. MATTERS FROM STAFF
19. MATTERS FROM THE COMMITTEE
20. NEXT MEETING: TENTATIVELY – TUESDAY, OCTOBER 7, 2008
21. ADJOURN

**SUMMARY INDEX**

**PUBLIC WORKS, CIP & LAND USE COMMITTEE**

**September 22, 2008**

<b>ITEM</b>	<b>ACTION TAKEN</b>	<b>PAGE(S)</b>
2. ROLL CALL	Quorum Present	1
3. APPROVAL OF AGENDA	Approved as published	1-2
4. APPROVAL OF CONSENT AGENDA	Approved as published	2
5. APPROVAL OF MINUTES - September 8 2008	Approved as submitted	2
CONSENT AGENDA LISTING	Listed	2-3
DISCUSSION AGENDA		
13 Sustainable Santa Fe Plan	Approved	3-4
14 Cell Phone while Driving Penalties	Forwarded with requirements	4-6
15. County Hazard Mitigation Plan	Approved with amendments	6
16. 33% Recycling by 2012 Goal	Approved with amendments	6-7
17. Wastewater & Water Service out of City	Approved with amendments	7-8
18. Matters from Staff	None	8
19. Matters from the Committee	None	8
20. Next Meeting	Set for October 7, 2008 at 5 pm	8
21 Adjournment	Adjourned at 6:15	8

**MINUTES OF THE**

**CITY OF SANTA FE**

**PUBLIC WORKS/CIP & LAND USE COMMITTEE**

**MONDAY, SEPTEMBER 22, 2008**

**1. CALL TO ORDER**

A regular meeting of the Public Works/CIP & Land Use Committee was called to order on the above date by Vice Chair Ron Trujillo at approximately 5:15 p.m. in City Council Chambers, City Hall, 200 Lincoln, Santa Fe, New Mexico

**2. ROLL CALL**

Roll Call indicated the presence of a quorum as follows:

**MEMBER PRESENT:**

Councilor Christopher Calvert  
Councilor Rosemary Romero  
Councilor Ronald S. Trujillo

**MEMBERS ABSENT:**

Councilor Patti Bushee, Chair  
Councilor Miguel Chávez

**OTHER COUNCILORS PRESENT:**

**OTHERS PRESENT:**

Mr. Robert Romero, Public Works Director  
Ms. Bobbi Mossman, Public Works Staff

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

**3. APPROVAL OF AGENDA**

Mr. Romero noted that the next meeting fell on Yom Kippur so the meeting would have to end by sundown.

Councilor Calvert suggested starting at 5:00.

Councilor Romero thought it would be okay at 5:00 but said RPA would meet at noon that day. She asked that they keep the meeting to one hour and Mr. Romero can determine sundown time.

Mr. Romero agreed.

**Councilor Calvert moved to approve the agenda as published. Councilor Romero seconded the motion and it passed by unanimous voice vote.**

#### **4. APPROVAL OF CONSENT AGENDA**

**Councilor Calvert moved to approve the Consent Agenda as published. Councilor Romero seconded the motion and it passed by unanimous voice vote.**

#### **5. APPROVAL OF MINUTES FROM SEPTEMBER 8, 2008 PUBLIC WORKS COMMITTEE MEETING**

**Councilor Romero moved to approve the minutes of September 8, 2008 as presented. Councilor Calvert seconded the motion and it passed by unanimous voice vote.**

#### **CONSENT AGENDA LISTING**

- 6. GENOVEVA CHÁVEZ COMMUNITY CENTER (GCCC)**
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  - **REQUEST FOR APPROVAL OF A PROFESSIONAL SERVICES AGREEMENT FOR SANTA FE COMMUNITY HOUSING TRUST IN THE AMOUNT OF \$210,000.00 (TED SWISHER)**

## **DISCUSSION**

13. **SUSTAINABLE SANTA FE PLAN**
  - **UPDATE TO THE DRAFT SUSTAINABLE SANTA FE PLAN**
  - **REQUEST FOR APPROVAL OF A RESOLUTION ADOPTING THE SUSTAINABLE SANTA FE PLAN (COUNCILORS CALVERT, WURZBURGER, BUSHEE) (KATHERINE MORTIMER)**

Ms. Mortimer presented this matter to the Committee. She pointed out that during the time of the workshop a youth advisory group was formed and they elected a president of their board who subsequently was placed on the Commission so they have commented on the plan.

Councilor Calvert asked if in the implementation, they would continue to do a fair amount of outreach to get feedback from the public to fill in the blanks on the table.

Ms. Mortimer agreed. She said that chart was intended to get filled out over time and updated as the plan was implemented.

Councilor Calvert asked if it was to be done within 3 to 6 months. Ms. Mortimer agreed. They would set some priorities based on public feedback and assess the best bang for the buck. Once adopted, the next mission of the Commission would be to get into a more detailed evaluation of how to implement it.

Councilor Calvert would look for priorities based on that or things already engaged in and could be

completed or things that needed more time to complete. Maybe it could specify dates when possible to which the Council could add or change.

Councilor Romero felt this was excellent work and she was not worried about implementation. She liked the partnerships that would be formed and that the public would have input. She hoped the Council would approve it.

**Councilor Romero moved to approve the request. Councilor Calvert seconded the motion and it passed by unanimous voice vote.**

**14. REQUEST FOR APPROVAL OF AN ORDINANCE AMENDING EXHIBIT B, CHAPTER 24 SFCC 1987 REGARDING THE PENALTY ASSESSMENT FOR VIOLATION OF THE CITY'S PROHIBITION OF HAND-HELD CELLULAR PHONE USAGE WHILE A VEHICLE was IN MOTION (COUNCILOR WURZBURGER) (CHIEF ERIC JOHNSON)**

Chief Johnson presented the request to raise the penalty in the ordinance. A person caught would pay \$250. It was currently only \$60 plus court costs of \$41. In school zones the fine would be \$500. At Public Safety last week it was tabled without recommendations.

Councilor Calvert suggested a lower fine for first time offense.

Chief Johnson said the proposal had no difference in penalty whether first or a subsequent offense.

Councilor Calvert asked if the fine for speeding went up with multiple infractions.

Chief Johnson said it did not but was based on how much over the limit the driver had gone. He agreed the fines went up for running a red light.

Councilor Calvert proposed that some escalation might be a better compromise so people had a more reasonable rate the first time. If they didn't get the message at first, they soon would. He thought \$250 to start was a lot, especially when compared to the \$25 fine for driving with an open container.

Chief Johnson said a reporter counted 40 people talking on their cell phone while driving in 45 minutes at an intersection. So it was proof this ordinance had been completely ignored.

Councilor Calvert didn't disagree with a higher fine but wondered about where it stood with others. There were also many people driving around with little dogs on their lap and he hadn't seen anyone cited.

Councilor Romero commented that if a person could afford to have a cell phone the fine should be in line. If no one paid attention at \$60, they needed a stronger message. This \$250 find would be a strong message. Here if you run a stop sign there was no break. It hurt her to see people doing it in a school zone.

Councilor Calvert felt running a red light was more likely to cause accidents than talking on a cell phone and that fine was \$60.

Councilor Romero agreed that they needed to look at all fines not to make money on it but to send a strong message. They needed to start somewhere. She proposed the higher rate and bring the others up.

Councilor Calvert asked where this would go from here.

Chief Johnson said it would go to Finance next.

Councilor Calvert proposed they have the judge come to Finance on that issue. They should look at the whole structure and it should be done soon. DUI had a much higher potential for an accident.

Vice Chair Trujillo felt this fine was a lot when compared with other infractions. Fines for unrestrained children weren't this high. The majority of people in Santa Fe didn't care about this law.

Councilor Calvert didn't know if they could track those repeat offenses.

Vice Chair Trujillo agreed that if the judge dismissed some they couldn't know.

Chief Johnson said they could obtain a driving history through MVD but the court penalties would be up to the courts. Any ordinance would take both enforcement and court action to make it work. He added that a lot of government entities and businesses had policies against such use.

Councilor Romero suggested 160 plus court costs to become \$200 and doubled in school zones...

Vice Chair Trujillo asked if there was a way to get records from court about citations issued and how many were dismissed.

Chief Johnson said the court would have to provide court statistics and said police issued about 1,300 citations this year.

Vice Chair Trujillo asked Mr. Romero to get the information.

Councilor Calvert asked that the judge be at Finance to respond to that issue and also to determine if they could track repeat offenders. Starting high would definitely get people's attention.

**Councilor Calvert moved to forward this to Finance with the information request and judge present and that would give better recommendation on the amount of fine or step up with repeat offenses. Vice Chair Trujillo seconded the motion.**

Councilor Romero felt it would be whittled down to something that was ineffectual. She was hoping for a strong recommendation that it would be changed. She agreed getting more information was good.



Vice Chair Trujillo asked what percentage was getting dismissed.

Chief Johnson said cell phone use and running red lights were two of the biggest violations they saw on a daily basis. He asked Ms. Price if they had not visited the other fines recently.

Ms. Price agreed they did update them recently but this cell phone violation was separate.

Chief Johnson explained that most of the fines followed state law. The cell phone was unique to the City.

Councilor Calvert said he didn't necessarily want to go through all of them but the open container fine at 25 dollars was nothing.

Ms. Price added that some fines were just paid and didn't go to the judge.

Chief Johnson argued that with higher fines, more of them would go to court.

Councilor Calvert suggested the City Attorney could give guidance on what they could change.

**The motion passed by majority (2-1) voice vote with Councilor Romero voting against...**

**15. REQUEST FOR APPROVAL OF A RESOLUTION ADOPTING THE SANTA FE COUNTY HAZARD MITIGATION PLAN (MAYOR COSS) (JOYCE PURLEY)**

Ms. Purley said the specific actions in the plan were on page 67. It was the guiding document for the program which they planned to implement through mitigation grants. The City wasn't eligible for grants until the plan was adopted.

Councilor Calvert asked if there was separation of city and county.

Ms. Purley said there was not. Once adopted locally, it was approved by FEMA. Next year they could get two grants from this, one of which would happen with any disaster.

**Councilor Romero moved for approval of the resolution. Councilor Calvert seconded and it passed by unanimous voice vote.**

**16. REQUEST FOR APPROVAL OF A RESOLUTION ADOPTING THE GOAL OF REACHING A 33% RECYCLING RATE BY THE YEAR 2012 AND TAKING SUCH STEPS AS ARE NECESSARY TO REACH THIS GOAL (COUNCILOR WURZBURGER) (BILL DEGRANDE)**

Ms. Sarah Pison, Deputy Director of the Coalition said the City was currently about 7% recycling; the national average was at 11%. This year, Santa Fe was the Coalition's target city to help residents be

aware of what should be done.

Councilor Calvert wanted to be a co-sponsor. On page two of the ordinance, line 14 - Community Convention Center was the right name.

Councilor Romero thanked the Coalition for their hard work. She hoped that with cooperation with Santa Fe County they could locate new renewable sources.

Vice Chair Trujillo and Councilor Romero asked to be co sponsors too.

**Councilor Romero moved for approval with the change to line 14. Councilor Calvert seconded the motion and it passed by unanimous voice vote.**

**17. REQUEST FOR APPROVAL OF AN ORDINANCE AMENDING SECTIONS 22-6.2 AND 25-1.11 SFCC 1987 REGARDING CITY WASTEWATER AND WATER SERVICE OUTSIDE THE CITY LIMITS (COUNCILOR WURZBURGER) (STAN HOLLAND)**

Mr. Holland noted that on May 19<sup>th</sup>, the City and County signed the settlement agreement and the City agreed to look at the compliance with it. For right now, any applicant outside the City was considered as if in the City. The settlement agreement required a signed agreement by City and County to be approved. The other condition was that any property covered by City water had to sign an agreement not to oppose annexation in the future.

Councilor Calvert clarified that the City would treat them as a City resident even though only in the presumptive area. They would have to pay for the water and discontinue the use of wells.

Mr. Holland agreed. He said it was in Chapter 25.

Councilor Calvert wondered if that might affect efforts to do annexation in phases. He asked if there would be a big rush to hook up to City water and recalled they had a set time period in which to do annexation. Doing some of them would help pave the way for others. He was concerned they might defeat the phasing in of annexation. He thought staff would be overwhelmed with applications and not be able to give them proper review or cause further delays.

Mr. Holland said with the disbanding of the EZA and EZC all of them would have to go through the City process. He felt they would see an increase with single homes but there were major costs to extend infrastructure in new developments.

Councilor Romero felt they were on track to identify the gaps and which had wells and which ones had well rights and where septic systems were located and they were being prioritized.

Councilor Calvert pointed out errors in the document. On page 5, line 6, it was not the applicant who annexes and again on the last page line 5.

**Councilor Romero moved for approval with the two changes as noted.  
Councilor Calvert seconded the motion.**

He asked that staff consider how to handle the loan and rewording of those two sections as it went to the Finance Committee...

**The motion passed by unanimous voice vote.**

**18. MATTERS FROM STAFF**

None.

**19. MATTERS FROM THE COMMITTEE**

None.

**20. NEXT MEETING: TENTATIVELY – TUESDAY, OCTOBER 7, 2008 at 5:00.**

**21. ADJOURN**

Having completed the agenda and with no further business to come before the Committee, the meeting was adjourned at approximately 6:15 p.m.

Approved by:

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Patti J. Bushee, Chair

Submitted by:

  
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Carl Boaz, Stenographer