



# Agenda

DATE 12/7/16 TIME 10:05 AM  
SERVED BY Bolli Huserman  
RECEIVED BY Melissa Rys

**PUBLIC WORKS/CIP & LAND USE  
COMMITTEE MEETING  
COUNCIL CHAMBERS  
MONDAY, DECEMBER 12, 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 NOVEMBER 7, 2016 PUBLIC WORKS COMMITTEE MEETING

**CONSENT AGENDA**

6. CERRILLOS ROAD RECONSTRUCTION PHASE IIC
  - REQUEST FOR APPROVAL OF AMENDMENT NO. 6 TO THE PROFESSIONAL SERVICES AGREEMENT WITH PARSONS BRINKERHOFF, INC. IN THE AMOUNT OF \$172,037.15 (**DAVID QUINTANA**)

**Committee Review:**

Finance Committee (Approved)  
Council (Scheduled)

11/14/16  
12/14/16

7. FORT MARCY RECREATION COMPLEX BUILDING – FAMILY LOCKER ROOM REMODELING
  - REQUEST FOR APPROVAL OF COOPERATIVE PRICE AGREEMENT AND CONSTRUCTION SERVICES AGREEMENT WITH COOPERATIVE EDUCATIONAL SERVICES (CES)/FACILITY BUILD, INC. IN THE AMOUNT OF \$67,452.26 (**JASON KLUCK**)

**Committee Review:**

Finance Committee (Approved)  
Council (Scheduled)

12/05/16  
12/14/16

8. REQUEST FOR APPROVAL FOR PROCUREMENT UNDER COOPERATIVE PRICE AGREEMENT AND SERVICE AGREEMENT FOR AUTOMOTIVE VEHICLE MAINTENANCE, PARKS, REPAIRS AND LABOR WITH FINCHAM ENTERPRISE, INC. IN THE AMOUNT TO EXCEED \$50,000 (**LOIS AMADOR**)

**Committee Review:**

Finance Committee (Approved)	12/05/16
Council (Scheduled)	12/14/16

9. REQUEST FOR APPROVAL OF MEMORANDUM OF AGREEMENT TO ESTABLISH ROLES AND RESPONSIBILITIES RELATED TO US DEPARTMENT OF TRANSPORTATION AND NEW MEXICO DEPARTMENT OF TRANSPORTATION AIR SERVICE GRANTS FOR SANTA FE MUNICIPAL AIRPORT WITH THE SANTA FE CHAMBER OF COMMERCE OPPORTUNITIES FUND, INC. (**CAMERON HUMPHRES**)

**Committee Review:**

Finance Committee (Approved)	12/05/16
Council (Scheduled)	12/14/16

10. AGUA FRIA STREET/COTTONWOOD DRIVE INTERSECTION SAFETY IMPROVEMENTS PROJECT

- REQUEST FOR APPROVAL OF AMENDMENT NO. 1 TO THE PROFESSIONAL SERVICES AGREEMENT WITH SOUDER, MILLER AND ASSOCIATES IN THE AMOUNT OF \$136,411 (**JAMES MARTINEZ**)

**Committee Review:**

Finance Committee (Approved)	12/05/16
Council (Scheduled)	12/14/16

11. REQUEST FOR APPROVAL ONE (1) 2015 STATE OF NEW MEXICO SEVERANCE TAX BOND (STB) CAPITAL APPROPRIATION PROJECT AGREEMENT FOR \$280,000

- REQUEST FOR APPROVAL TO INCREASE PROJECT BUDGET AS INDICATED (**DAVID CHAPMAN**)

**Committee Review:**

Finance Committee (Scheduled)	01/03/17
Council (Scheduled)	01/11/17

12. REQUEST FOR APPROVAL OF A PROFESSIONAL SERVICES AGREEMENT (PSA) WITH KITCHEN ANGELS, INC. TO ALLOW KITCHEN ANGELS, INC. TO SERVE AS PROJECT MANAGER AND PROVIDE RELATED SERVICES AS OUTLINED IN THE AGREEMENT FOR PROJECT 15-1166 WITH THE APPROPRIATION OF \$280,000 (**DAVID CHAPMAN**)

**Committee Review:**

Finance Committee (Scheduled)	01/03/17
Council (Scheduled)	01/11/17

13. REQUEST FOR CONCEPT APPROVAL OF THE SALE AND PARTIAL VACATION OF RIGHT-OF-WAY OF A PORTION OF THE CAMINO CABRA RIGHT-OF-WAY CONTAINING APPROXIMATELY 500 SQUARE FEET ADJOINING THE EASTERLY BOUNDARY OF 514 CAMINO CABRA BY BRYAN P. BIEDSCHEID AND JENNIFER A. BIEDSCHEID (**MATTHEW O'REILLY**)

**Committee Review:**

Finance Committee (Scheduled)

01/03/17

14. REQUEST FOR APPROVAL OF A LEASE AGREEMENT OF A PORTION OF THE S. GUADALUPE STREET RIGHT-OF-WAY CONTAINING APPROXIMATELY 350 SQUARE FEET ADJOINING THE WESTERLY BOUNDARY OF 435 S. GUADALUPE STREET BY ZULU PROPERTIES II LP (**MATTHEW O'REILLY**)

**Committee Review:**

Finance Committee (Scheduled)

01/03/17

Council (Scheduled)

01/11/17

15. CIP #646 – CITY OF SANTA FE ASSET MANAGEMENT PLAN

- REQUEST FOR APPROVAL OF AMENDMENT NO. 2 IN THE AMOUNT OF \$38,296.44 INCLUSIVE OF NMGR TO PROVIDE ADDITIONAL SERVICES DESCRIBED IN EXHIBIT "D" SCOPING DOCUMENT FOR ENERGY AUDITS OF CERTAIN FACILITIES TO BE PERFORMED AS DESCRIBED IN EXHIBIT "D" CITY OF SANTA FE ENERGY AUDIT SPECIFIC TERMS AND CONDITIONS (**JOHN ALEJANDRO**)

**Committee Review:**

Finance Committee (Scheduled)

01/03/17

Council (Scheduled)

01/11/17

16. REQUEST FOR APPROVAL OF A BUDGET ADJUSTMENT IN THE AMOUNT OF \$254,50 FOR REVENUES AND EXPENDITURES TO SHORT TERM RENTAL SUPPORT PERSONNEL AND PROGRAM OPERATION EXPENSES DESCRIBED IN ORDINANCE 2016-33 AND RESOLUTION 2016-39 (**LISA MARTINEZ**)

**Committee Review:**

Finance Committee (Approved)

11/14/16

Council (Scheduled)

12/14/16

17. REQUEST FOR APPROVAL OF AN ORDINANCE AMENDING ORDINANCE NO. 2016-22 FROM THE 2008 GENERAL OBLIGATION (GO) BOND FOR THE PURPOSE OF REVISING THE REALLOCATION OF FUNDS DESIGNATED FOR VARIOUS CITY PARK IMPROVEMENTS TO RECONCILE PROJECTS (**COUNCILOR DOMINGUEZ**) (**BECKY CASPER**)

**Committee Review:**

Council (Request to publish)

12/14/16

Finance Committee (Scheduled)

01/03/17

Council (Public hearing)

01/11/17

18. REQUEST FOR APPROVAL OF RESOLUTION ESTABLISHING CITY OF SANTA FE LEGISLATIVE PRIORITIES FOR CONSIDERATION BY THE NEW MEXICO STATE LEGISLATURE DURING THE 53<sup>RD</sup> LEGISLATURE – STATE OF NEW MEXICO – FIRST SESSION, 2017 (**MAYOR GONZALES, COUNCILORS LINDELL, VILLARREAL, IVES, MAESTAS, DOMINGUEZ, RIVERA, TRUJILLO AND HARRIS**) (**BRIAN SNYDER**)

**Committee Review:**

Finance Committee (Postponed)	11/14/16
Finance Committee (Approved)	12/05/16
Public Utilities Committee (Scheduled)	12/07/16
Council (Scheduled)	12/14/16

19. REQUEST FOR APPROVAL OF A RESOLUTION CONTRIBUTING PROPERTY AND RESOURCES TO SANTA FE COMMUNITY HOUSING TRUST FOR THE DEVELOPMENT OF THE SOLERAS STATION LOW INCOME HOUSING TAX CREDIT PROJECT PURSUANT TO THE AFFORDABLE HOUSING ACT (**COUNCILORS HARRIS AND IVES**) (**ALEXANDRA LADD**)

**Committee Review:**

City Business Quality of Life Committee (Scheduled)	12/14/16
Finance Committee (Scheduled)	01/03/17
Council (Scheduled)	01/11/17

20. MATTERS FROM STAFF
21. MATTERS FROM THE COMMITTEE
22. MATTERS FROM THE CHAIR
23. NEXT MEETING: **MONDAY, JANUARY 9, 2017**
24. 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  
December 12, 2016**

<b>ITEM</b>	<b>ACTION</b>	<b>PAGE</b>
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	2
5. Approval of Minutes - November 7, 2016	Approved as presented	2
CONSENT AGENDA LISTING	Listed	2-3
CONSENT AGENDA DISCUSSION		
13. Camino Cabra ROW	Approved	7
16. Short-term Rental Budget	Approved	7-8
17. Park Funds Reallocation	Approved	8-9
18. Legislative Priorities	Approved with changes	4-7
19. Housing Trust Donation Resolution	Approved	10-12
20. Matters from Staff	Comments	12
21. Matters from the Committee	Discussion	12
22. Matters from the Chair	Comments	12
23. Next Meeting:	January 9, 2017	12
24. Adjournment	Adjourned at 6:35 p.m.	13

**MINUTES OF THE**  
**CITY OF SANTA FÉ**  
**PUBLIC WORKS/CIP & LAND USE COMMITTEE**  
**Monday, December 12, 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 Councilor Peter N. Ives, Chair 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 Peter N. Ives, Chair  
Councilor Joseph M. Maestas  
Councilor Christopher M. Rivera  
Councilor Ronald S. Trujillo  
Councilor Renee D. Villarreal

**MEMBERS ABSENT:**

**STAFF PRESENT:**

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

**OTHERS PRESENT:**

Carl Boaz, Stenographer

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

**4. APPROVAL OF CONSENT AGENDA**

Councilor Maestas requested discussion on items 13 and 16.

Councilor Rivera requested discussion on item 19.

Councilor Villarreal requested discussion on items 17 and 18.

Mr. Pino requested a reordering to discuss #18 first since the lobbyist is present.

**Councilor Trujillo moved to approve the Consent Agenda as amended with discussion on item 18 considered first. Councilor Maestas seconded the motion and it passed by unanimous voice vote.**

#### **5. APPROVAL OF MINUTES FROM NOVEMBER 7, 2016 PUBLIC WORKS COMMITTEE MEETING**

**Councilor Trujillo moved to approve the minutes from November 7, 2016 as presented. Councilor Rivera seconded the motion and it passed by unanimous voice vote.**

#### **CONSENT AGENDA LISTING**

#### **6. CERRILLOS ROAD RECONSTRUCTION PHASE IIC**

**Committee Review:**

Finance Committee (Approved)  
Council (Scheduled)

11/14/16  
12/14/16

- 7. FORT MARCY RECREATION COMPLEX BUILDING – FAMILY LOCKER ROOM REMODELING**
- REQUEST FOR APPROVAL OF COOPERATIVE PRICE AGREEMENT AND CONSTRUCTION SERVICES AGREEMENT WITH COOPERATIVE EDUCATIONAL SERVICES (CES)/FACILITY BUILD, INC. IN THE AMOUNT OF \$67,452.26 (JASON KLUCK)**

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Council (Scheduled)

12/05/16  
12/14/16

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Council (Scheduled)	01/11/17

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Finance Committee (Scheduled)	01/03/17
Council (Scheduled)	01/11/17



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**Committee Review:**

Finance Committee (Scheduled)	01/03/17
Council (Scheduled)	01/11/17

**CONSENT AGENDA DISCUSSION**

**18. REQUEST FOR APPROVAL OF RESOLUTION ESTABLISHING CITY OF SANTA FE LEGISLATIVE PRIORITIES FOR CONSIDERATION BY THE NEW MEXICO STATE LEGISLATURE DURING THE 53<sup>RD</sup> LEGISLATURE – STATE OF NEW MEXICO – FIRST SESSION, 2017 (MAYOR GONZALES, COUNCILORS LINDELL, VILLARREAL, IVES, MAESTAS, DOMINGUEZ, RIVERA, TRUJILLO AND HARRIS) (BRIAN SNYDER)**

**Committee Review:**

Finance Committee (Postponed)	11/14/16
Finance Committee (Approved)	12/05/16
Public Utilities Committee (Scheduled)	12/07/16
Council (Scheduled)	12/14/16

A copy of the revised legislative priorities was distributed to the Committee. [A copy of the revised list is attached to these minutes as Exhibit 1.]

Mr. Mark Duran (City Lobbyist) said this is the resolution to establish legislative priorities for this year. It includes those of the New Mexico Municipal League that Council endorses; Council priorities with the Airport at \$1 million and the smaller district priorities for lesser amounts to capture, plus what we submit to the Water Trust Board for the 2017 water resolution. He added the special legislative session dealing with implications for the hold harmless resolution in there.

Councilor Villarreal referred to page 8 section 5 regarding introducing legislation on conversion therapy which she wanted added.

Councilor Maestas pointed out that some of the Municipal League resolutions are outdated. He asked for direction to Staff to cross check with actual Municipal League contemporary resolutions approved in Hobbs this year. Tax reform is just as one example. He had the list downloaded from the Municipal League website to compare and take out those that are outdated.

On page 5, section 8, he pointed out the Council resolution asking for an AG opinion regarding current taxing power as a home rule municipality. That has been done and we received the letter so that part can be deleted.

Chair Ives asked that the updated CIP list be brought forward as an amendment to the Council meeting on Wednesday when this document is approved. He asked Councilor Maestas to circulate his list to all Councilors.

Chair Ives asked if the district totals each needed to total \$250,000.

Mr. Guillen explained that Mr. Duran had recommended the \$250,000 as the maximum level to request.

Mr. Pino said the City has had some projects go beyond that in the past but most have been \$250,000 or less. The paperwork needs to match the request.

Mr. Duran reminded the Committee that every year, we have a legislative breakfast with the delegation. It will be this Friday at the Airport and give our legislators a tour for the airport. Originally, it was scheduled for 8:15 has been moved up to 8:00. Santa Fe has been very successful for capital outlay but this is a particularly lean year. He anticipated the Legislature will ask for a statewide priority rather than local priorities this year.

Councilor Maestas had some trepidation on the airport expansion because the last appropriation had a sense of urgency and was concerned with the floor plan because the subsequent expansion would undo much of what was originally done in the expansion. He didn't know if we will have detailed plans for that expansion and had concerns with timeline on the master plan development. He wondered if Council should reconsider or continue making airport expansion the top priority despite where we are.

Mr. Pino said the scope of work is very detailed. And important part is the facility for auto parking and we will focus on that area because lots of people have to park on the dirt. The airport manager wants to focus on the parking. We've had problems in the past with DFA interpretations being very narrow but this is so broad that we could achieve the parking right now with the allocation.

Councilor Maestas pointed out that the language says "passenger terminal building" which cannot be interpreted to be parking.

Mr. Pino said the DFA document scope of work includes the parking.

Councilor Maestas commented on page 7, section 1, in one part of the agenda, we promote tax reform and here we say do away with hold harmless distribution. We've never reconciled that as a City and he didn't know where the Municipal League is on it. He cautioned that we should not be vacillating on that. We should just ask for comprehensive municipal tax reform. The Municipal League did retain municipal tax reform. There is no resolution calling for a return of hold harmless distribution. We should be consistent in tax issues and reform.

His last comment was on page 9, lines 18-21. At PUC, he suggested explicit language that resolutions would include part of the legislation agenda and be forwarded to Mr. Duran. He provided it to Becky subsequent to the PUC meeting so she has that language amendment.

Chair Ives didn't see an amendment sheet in the packet but could ask for it for Council meeting. As matters move through committees, presumably that committee is satisfied with the form of it. We need to do better how those are presented, to understand all that has been approved for Council meetings. If we could get that amendment printed up, it could be addressed at Council.

On the priority of the airport, Chair Ives felt it would be helpful for to do a more accurate job on the title or identifying within the broad piece of the airport to highlight the specific items. That counts for a lot with legislators be clear on the definition of it.

Mr. Duran agreed. The title should take out "building" and put in "area." or something broad and then highlight parking. Having "building" in their title would limit us to the building.

Mr. Pino suggested in the project description, line 2, it should replace "terminal building" with "parking facility."

Chair Ives wondered if it would be beneficial to say Santa Fe Regional Airport than Santa Fe Municipal Airport.

Mr. Pino cautioned that the airport is not designated as a regional airport. There was an attempt to regionalize it years ago, and that did not get approval. It is a bigger issue. It is worthwhile to pursue but not for this project yet.

Chair Ives agreed.

After a brief discussion, the Committee did not recommend further changes regarding the airport.

Chair Ives mentioned the intersection at Montezuma and Sandoval should point out that it is the site of new district courthouse that serves Los Alamos County and Rio Arriba County as well as Santa Fe County.

Mr. Duran suggested putting that at the end.

Councilor Rivera asked if with projects like the Agua Fria-South Meadows intersection, a letter of

support from the schools should be sought since the schools helped contribute to the failure of that intersection.

Mr. Pino agreed.

**Councilor Maestas moved to approve the request with the modifications and direction to Staff. Councilor Villarreal seconded the motion and it passed by unanimous voice vote.**

**13. REQUEST FOR CONCEPT APPROVAL OF THE SALE AND PARTIAL VACATION OF RIGHT-OF-WAY OF A PORTION OF THE CAMINO CABRA RIGHT-OF-WAY CONTAINING APPROXIMATELY 500 SQUARE FEET ADJOINING THE EASTERLY BOUNDARY OF 514 CAMINO CABRA BY BRYAN P. BIEDSCHEID AND JENNIFER A. BIEDSCHEID (MATTHEW O'REILLY)**

**Committee Review:**

Finance Committee (Scheduled)

01/03/17

Councilor Maestas made a statement for the record on this conceptual approval of sale. The individual in this sale is the attorney for his father's estate so he would recuse himself and offered to leave the room if the Committee requested it. No one asked him to leave the room.

Mr. O'Reilly stood for questions.

**Councilor Rivera moved to approve the request. Councilor Trujillo seconded the motion and it passed by voice vote with Councilor Rivera and Councilor Trujillo voting in favor, Councilor Maestas recused and Councilor Villarreal not present for the vote.**

**16. REQUEST FOR APPROVAL OF A BUDGET ADJUSTMENT IN THE AMOUNT OF \$254,50 FOR REVENUES AND EXPENDITURES TO SHORT TERM RENTAL SUPPORT PERSONNEL AND PROGRAM OPERATION EXPENSES DESCRIBED IN ORDINANCE 20116-33 AND RESOLUTION 2016-39 (LISA MARTÍNEZ)**

**Committee Review:**

Finance Committee (Approved)

11/14/16

Council (Scheduled)

12/14/16

Councilor Maestas commented on an article in the newspaper about the first ever agreement with Air BnB in New Orleans regarding short-term rentals. He wanted to move quickly to amend the Santa Fe agreement with Air BnB. He asked if Ms. Martínez could provide an update and summarize the things that are new for us.

Ms. Martínez thanked him for sharing the article and wished it would have included more specifics. To highlight what is different, she reached out to the Air BnB woman in the article who has worked with the City. She asked to meet with her to see what we can change.

Councilor Maestas recalled a new provision that if any short-term renter requests the service of Air BnB, that person is registered in the City as a short-term renter. He wanted to make sure the City stays on top of that and benefits from that progressive agreement in New Orleans.

Councilor Maestas moved to approve the request. Chair Trujillo seconded the motion.

Chair Ives didn't believe there is a "most favored nations" clause in the agreement with Air BnB. But if they offer better terms to someone else, that would require them to offer that to the City, as well. He asked Ms. Martínez to see if the New Orleans terms could apply to Santa Fe.

Ms. Martínez agreed to do that. She didn't know that clause had ever been included in City contracts.

Councilor Maestas said at the end of the article, it said Air BnB shares the names and addresses of its hosts and they agreed that hosts must be registered with the City.

Councilor Villarreal returned to the meeting.

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

**17. REQUEST FOR APPROVAL OF AN ORDINANCE AMENDING ORDINANCE NO. 2016-22 FROM THE 2008 GENERAL OBLIGATION (GO) BOND FOR THE PURPOSE OF REVISING THE REALLOCATION OF FUNDS DESIGNATED FOR VARIOUS CITY PARK IMPROVEMENTS TO RECONCILE PROJECTS (COUNCILOR DOMINGUEZ) (BECKY CASPER)**

**Committee Review:**

Council (Request to publish)	12/14/16
Finance Committee (Scheduled)	01/03/17
Council (Public hearing)	01/11/17

Councilor Villarreal thanked Mr. Johnson for being present and wanted to understand how the ordinance changes are adjusted.

Mr. Johnson said regarding the outcome of projects to be funded that the answer is - exactly the same projects. The resolution is rewritten to deal first with the close-out of projects and then pick up at the bottom the projects that will still be funded. He understood the confusion was in the table on page 2 where it is not legible. He handed out a cleaner copy. [A copy is attached to these minutes as Exhibit 2.]

The boxes have the very same projects as the original resolution. Those will be funded from remaining balancers from administration of the bond.

Councilor Villarreal clarified that these will be funded but not necessarily from the 2008 bond proceeds.

Mr. Johnson agreed. The money for the remaining projects come from investment revenue, not the bond proceeds.

Councilor Villarreal said what confused her was why things were given dollar amounts.

Mr. Johnson explained it is simply money needed to close out the projects; to complete the transition.

Councilor Villarreal said that clarifies it.

Councilor Maestas asked if any of these have substantially exceeded the 5-year limit for bonds.

Mr. Johnson said those are in trails and he would have to report back.

Councilor Maestas wanted to close them out as soon as possible.

Mr. Johnson agreed.

Chair Ives asked how these amendments affect parks - like Salvador Perez.

Mr. Johnson explained that the intent was to finish the projects that were started and the allocations to trails was not the \$803,000 available for other projects. The net result is that all the projects will still be funded by investment proceeds except the Ft. Marcy Bridge.

The bridge will be funded from CIP balancers earmarked to CIP Reallocation Fund. They found the amount from investment proceeds and \$403,000 from the CIP Reallocation Fund. The 2008 proceeds were budgeted for trails and should not have been part of the \$803,000 to be reallocated. A significant portion was for trails projects.

Chair Ives noted the bridge project cost was now down to \$424,000.

Mr. Pino clarified that a consultant advised on what size bridge is needed to evacuate the park. This bridge will replace the one taken out of service and the other two city bridges will remain in place.

The Committee briefly discussed the history of the project.

**Councilor Trujillo moved to approve the request. Councilor Villarreal seconded the motion and it passed by voice vote.** Chair Ives stated that he abstained for the moment but would be ready to vote on Wednesday.

**19. REQUEST FOR APPROVAL OF A RESOLUTION CONTRIBUTING PROPERTY AND RESOURCES TO SANTA FE COMMUNITY HOUSING TRUST FOR THE DEVELOPMENT OF THE SOLERAS STATION LOW INCOME HOUSING TAX CREDIT PROJECT PURSUANT TO THE AFFORDABLE**

## HOUSING ACT (COUNCILORS HARRIS AND IVES) (ALEXANDRA LADD)

### **Committee Review:**

City Business Quality of Life Committee (Scheduled)	12/14/16
Finance Committee (Scheduled)	01/03/17
Council (Scheduled)	01/11/17

Councilor Rivera referred in the resolution to page 2, lines 18-19 where it said the City will provide an additional donation for the development of water waivers and other valuable incentives. He asked what those other valuable incentives were.

Ms. Ladd said the valuable incentive is an optimistic phrase. The projects are streamlined for approval with Staff time devoted to them. Time is money.

Councilor Rivera asked if there is no limit to incentives the City may provide.

Ms. Ladd agreed but the projects are so closely budgeted with no wiggle room. CDBG funds are awarded through that project but the funding cycles are not aligned well to help these projects. The Mortgage Finance Authority approves the tax credit and they like to see generalized language. She understood the concern. They cannot do anything beyond the Affordable Housing Act.

Councilor Rivera understood the incentives are to take advantage of the value of building permit fees, etc.

Ms. Ladd agreed and added that it is broken out in the report - what was needed for last year's application. It is not trivial and is worth something.

Councilor Maestas recalled the whole genesis was that the developer claimed a financial hardship and requested a waiver.

Ms. Ladd said the developer satisfied the Council that it was not going to suit his market and he could not market it so it was to be alternate compliance. We should not show it as big a need and he would partner with the Housing Trust by purchasing the land and then the City would deed it over. The city had to be involved for it to be a municipal donation. It was a convoluted way to get it to the Trust and if not built, the clawback provision with alternate compliance.

Councilor Maestas said there is not much to go on in determining a financial hardship for a developer. He asked if the ordinance was changed or procedures to guide staff in what qualifies for financial hardship or if there is any other ordinance out there to compare. He was getting frustrated that some developers exploit the ambiguity. What can we do to have better handle on identifying and accepting a financial hardship?

Ms. Ladd agreed there is lack of specificity for financial hardship. Much more concrete examples have crossed her desk such as bankruptcy. She mentioned others. In this situation, the ordinance does say if the

developer can demonstrate that the alternative proposal better meets the housing needs in the community and is where the decision was made because there is just such a big need for affordable housing.

Councilor Maestas said it is up to us to keep those on the front burner and come up with a quantitative guide on the financial impact or coming up with an "in lieu of" scenario. Here, we didn't have anything to fall back on.

Developers might want to seek that loophole because of the ambiguity and he didn't want to see that become a habit on part of developers. We take Affordable Housing very seriously so we need to keep that on front burner and look at other ordinances for the Affordable Housing model. This is a special circumstance but he didn't want to see it repeated a lot.

Chair Ives agreed. We need to be careful we don't let folks off the hook without full justification. If there are other municipalities making that in different fashion, we need to learn. There might be an opportunity to ask Staff to simply find what other communities do with that.

Ms. Ladd said they will be revising the Affordable Housing ordinance any way. And she could identify where there are shortcomings to consider. The developer was frustrated that there was no spreadsheet to fill out. The language was deliberately left a little vague for an innovative alternate. She didn't think it is a rush from developers.

Chair Ives pointed out that segregated low income housing doesn't create community.

Ms. Ladd clarified that the way projects are designed and built now provides for diversity of incomes. The important aspect is having one place for them to live that also provides services - like playgrounds, tutoring, GED, etc. There is a whole community built within them you wouldn't notice that from the outside. They are quite nice communities.

Chair Ives referred to page 2 of the ordinance, lines 23-25 about meeting city goals for creating housing that avoids common illness triggers - a term that was unfamiliar. Also, pursuant to the design of the Soleras station pilot, multi-family project by the Well Build Institute for creation of a nationally healthy, multi-family residential building strictification process by the US Green Building Coalition and LEED Building Certification. He was not sure what they connote.

Ms. Ladd said the Well Build certification is for the indoors what LEED is for outdoors. It is looking at the quality of air, water, daylight amounts, etc to keep people happy. It is how to keep the inhabitants healthy.

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

## **20. MATTERS FROM STAFF**

Mr. Pino announced a sink hole or crater appeared on East Santa Fe Avenue near Old Santa Fe Trail



and consumed the front end of a pickup and was removed. We are sure it is not a water leak but it is cordoned off tonight to get to the bottom of it.

## **21. MATTERS FROM THE COMMITTEE**

Councilor Maestas noted there are two projects on the ICIP in District 2 - road lighting and the Water History Museum that is already funded. They are no longer on the ICIP. He knew they took action to meet the deadline but had no idea they would be removed.

There has to be some kind of understood process there. The ICIP is required by the state in advance of our legislative agenda. So, at some point, he wanted to find out the process of ICIP. How do we revisit and amend it and what are the guidelines for CIP?

What are the guidelines for project removal? He asked that it be put on the agenda sometime. It didn't sit well with him. He wanted to include the road lighting project in the priorities. Canyon Road had a second robbery in the evening. He didn't know if they could include it in the CIP but he wanted to pursue it. It was placed in the list a couple of years ago.

Chair Ives said he had discussion with Mr. Pino on development of the City's CIP plan to make it fully integrated in one document and talk about priorities. It would include a number of projects for things like sidewalks. The need is not less. The objective is to look at it all.

Because we were talking about CIP in terms of ICIP. We can work hard here to make sure we understand the needs across the City and bring forth some kind of policy for the Governing Body on how we do those allocations. There are city-wide projects that require funding anywhere across the city. Everybody in Santa Fe is paying into the coffers for work to be done across the City. He agreed to try to bring it forward in January to look at it.

Councilor Trujillo wanted to thank whoever cleaned the arroyo at Camino Consuelo. He was grateful for it. He still sees people living there but it is much cleaner now.

Mr. Pino said it was Parks.

## **22. MATTERS FROM THE CHAIR**

Chair Ives asked what will be done on Santa Fe Avenue.

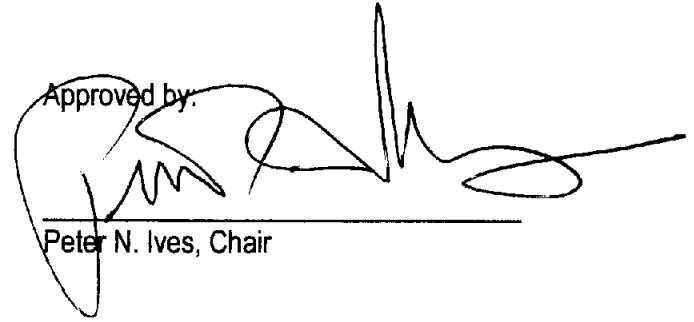
Mr. Pino said they will evaluate what made it sink and refill it. There are lots of old patches and cracks where it happened so probably water caused it over time.

## **23. NEXT MEETING: MONDAY, JANUARY 9, 2017**

## 24. ADJOURNMENT

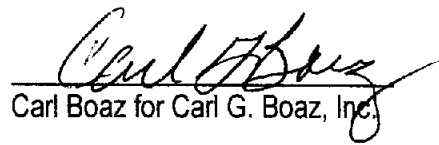
The meeting was adjourned at 6:35 p.m.

Approved by:

A handwritten signature in black ink, appearing to be "Peter N. Ives", written over a horizontal line.

Peter N. Ives, Chair

Submitted by:

A handwritten signature in black ink, appearing to be "Carl Boaz", written over a horizontal line.  
Carl Boaz for Carl G. Boaz, Inc.

Public Works Committee  
December 12, 2016

## **EXHIBIT 1**

# City of Santa Fe, New Mexico

## LEGISLATIVE SUMMARY

### Resolution No. 2016-\_\_\_\_ Legislative Priorities (2017)

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**SPONSOR(S):** Mayor Gonzales, Councilors Lindell, Villarreal, Ives, Maestas, Dominguez, Rivera, Trujillo and Harris.

**SUMMARY:** The proposed resolution establishes the City of Santa Fe legislative priorities for the 53<sup>rd</sup> Legislature, First Session, 2017.

**PREPARED BY:** Rebecca Seligman, Legislative Liaison Assistant

**FISCAL IMPACT:** No

**DATE:** December 8, 2016

**ATTACHMENTS:** Substitute Resolution  
FIR

**CITY OF SANTA FE, NEW MEXICO**

**RESOLUTION NO. 2016-\_\_**

**INTRODUCED BY:**

Mayor Javier M. Gonzales

Councilor Signe I. Lindell

Councilor Renee D. Villarreal

Councilor Peter N. Ives

Councilor Joseph M. Maestas

Councilor Carmichael A. Dominguez

Councilor Christopher M. Rivera

Councilor Ronald S. Trujillo

Councilor Mike Harris

**A RESOLUTION**

**ESTABLISHING CITY OF SANTA FE LEGISLATIVE PRIORITIES FOR  
CONSIDERATION BY THE NEW MEXICO STATE LEGISLATURE DURING THE 53<sup>RD</sup>  
LEGISLATURE - STATE OF NEW MEXICO – FIRST SESSION, 2017.**

**WHEREAS**, the 60 day session of the 2017 Legislative Session begins on January 17, 2017;  
and

**WHEREAS**, the Governing Body approved the submission of an ICIP plan for 2018 through  
2022 to the state; and

**WHEREAS**, the Governing Body desires to establish City of Santa Fe legislative priorities to  
be considered by the State Legislature based on the 2016-2020 ICIP approved on August 13, 2014;  
and

**WHEREAS**, the Governing Body has other legislative priorities to be considered by the  
State Legislature.

**NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE  
CITY OF SANTA FE** that the Governing Body hereby establishes the following legislative funding

1 priorities for consideration by the New Mexico Legislature, during the 2017 Legislative Session.

2 **Funding is requested, in the total amount of \$1,000,000 for the following citywide**  
3 **improvements, as identified in the City's 2016-2020 ICIP:**

4       1.     **Project: Airport Expansion**

5                   **Amount Requested: \$1,000,000**

6                   **Project Description: To design and construct an expansion of the Santa Fe**  
7                   **Municipal Airport Passenger Terminal Building within the City of Santa Fe,**  
8                   **Santa Fe County.**

9       **BE IT FURTHER RESOLVED** that the Governing Body hereby establishes the following  
10 legislative funding priorities by district for consideration by the New Mexico Legislature, during the  
11 2017 Legislative Session.

12       **Section 1.     Funding is requested, in the total amount of \$250,000, for the following**  
13 **City Council District 1 ICIP projects, as identified in the City's 2016-2020 ICIP list:**

14           A.     **Project: Fort Marcy Complex**

15                   **Amount Requested: \$250,000**

16                   **Project Description: To plan, design, construct, furnish and equip the**  
17                   **Fort Marcy Complex for the City of Santa Fe.**

18           B.     **Project: \_\_\_\_\_**

19                   **Amount Requested: \_\_\_\_\_**

20                   **Project Description: \_\_\_\_\_**

21           C.     **Project: \_\_\_\_\_**

22                   **Amount Requested: \_\_\_\_\_**

23                   **Project Description: \_\_\_\_\_**

24       **Section 2.     Funding is requested, in the total amount of \$250,000, for the following**  
25 **City Council District 2, ICIP projects, as identified in the City's 2016-2020 ICIP list.**

1           A.    Project: Sandoval/Montezuma Intersection  
2                   Amount Requested: \$100,000  
3                   Project Description: To plan, design and construct intersection  
4                   improvements with in the City of Santa Fe.

5           B.    Project: \_\_\_\_\_  
6                   Amount Requested: \_\_\_\_\_  
7                   Project Description: \_\_\_\_\_

8           C.    Project: \_\_\_\_\_  
9                   Amount Requested: \_\_\_\_\_  
10                  Project Description: \_\_\_\_\_

11       Section 3.   Funding is requested, in the total amount of \$250,000, for the following  
12   City Council District 3, ICIP projects, as identified in the City's 2016-2020 ICIP list.

13           A.    Project:     SWAN Park Cameras  
14                   Amount Requested: \$250,000  
15                   Project Description: To continue to plan, design and construct the  
16                   Southwest Activity Node park for the City of Santa Fe.

17           B.    Project: Agua Fria/South Meadows Intersection Improvements  
18                   Amount Requested: \$375,000  
19                   Project Description: To plan, design, and construct right-of-way  
20                   improvements to Agua Fria and South Meadows within the City of  
21                   Santa Fe.

22           C.    Project: \_\_\_\_\_  
23                   Amount Requested: \_\_\_\_\_  
24                   Project Description: \_\_\_\_\_

25       Section 4.   Funding is requested, in the total amount of \$250,000, for the following

City Council District 4, ICIP projects, as identified in the City's 2016-2020 ICIP list.

A. Project: Southwest Booster Station  
Amount Requested: \$170,000  
Project Description: To design and construct a new 2500 square foot open booster pump station and 4000 linear feet of 16" diameter water transmission pipeline within the City of Santa Fe.

B. Project: \_\_\_\_\_  
Amount Requested: \_\_\_\_\_  
Project Description: \_\_\_\_\_

C. Project: \_\_\_\_\_  
Amount Requested: \_\_\_\_\_  
Project Description: \_\_\_\_\_

BE IT FURTHER RESOLVED that the Governing Body hereby establishes the following priority water projects for consideration by the New Mexico Legislature, during the 2016 Legislative Session and subsequently by the New Mexico Water Trust Board:

1. Project: FY 2017 Water Trust Board Application  
Amount Requested: \$895,843  
Project Description: To design and construct a 4 million gallon finished water storage tank for the purpose of storing treated water diverted from the Rio Grande and intended for municipal use within the service area of the City of Santa Fe and Santa Fe County.

BE IT FURTHER RESOLVED that the Governing Body requests that the Legislature, during the 2017 Legislative Session, enact legislation pursuant to the following City of Santa Fe resolutions of the Governing Body:



- 1       **Section 1.       City of Santa Fe Resolution No. 2016-70, attached hereto as Exhibit A:**  
2                       Calling on the New Mexico legislature to reduce gun violence by enacting  
3                       legislation requiring comprehensive background checks for firearm sales, and  
4                       strengthening the criminal background check system.
- 5       **Section 2.       City of Santa Fe Resolution No. 2015-75, attached hereto as Exhibit B:**  
6                       Supporting legislation amending NMSA 1978, § 72-1-9 preservation of  
7                       municipal, county, and state university water supplies.
- 8       **Section 3.       City of Santa Fe Resolution No. 2015-76, attached hereto as Exhibit C:**  
9                       Supporting legislation amending NMSA 1978, § 72-6-4 Lessee's application,  
10                      use before approval.
- 11       **Section 4.       City of Santa Fe Resolution No. 2015-77, attached hereto as Exhibit D:**  
12                      Supporting legislation amending the OSE's hearing procedures, NMSA  
13                      1978, § 72-7-1 and NMSA 1978, § 72-2-16.
- 14       **Section 5.       City of Santa Fe Resolution No. 2015-78, attached hereto as Exhibit E:**  
15                      Supporting legislation amending NMSA 1978, § 72-12-3(D) and 72-5-5(B),  
16                      to define the standing of protestants.
- 17       **Section 6.       City of Santa Fe Resolution No. 2015-79, attached hereto as Exhibit F:**  
18                      Supporting legislation amending NMSA 1978, § 72-12-24 supplemental  
19                      well, and § 72-12-22, replacement wells.
- 20       **Section 7.       City of Santa Fe Resolution No. 2015-109, attached hereto as Exhibit G:**  
21                      For action beyond prayers, a call for gun purchase reform and support for  
22                      gun purchase reform from the state legislature during the 2016 legislative  
23                      session; and in support of Santa Fe public schools resolution 2015/16-11.
- 24       **Section 8.       City of Santa Fe Resolution No. 2014-66, attached hereto as Exhibit H:**  
25                      Calling on our state legislative delegation to request a State Attorney

General's opinion to clarify the taxing power a home rule municipality possesses pursuant to the New Mexico Constitution and statutory law and whether a home rule municipality has the authority to impose a tax on items that are not expressly prohibited from taxation pursuant to state law.

**BE IT FURTHER RESOLVED** that the Governing Body requests that the Legislature, during the 2016 Legislative Session, enact legislation in accordance with the following resolutions of the New Mexico Municipal League:

**Section 1. New Mexico Municipal League Resolution No. 2016-18** – Concerning State and Local Tax Reform and the formation of a working group to study tax reform.

**Section 2. New Mexico Municipal League Resolution No. 2016-32** – Concerning an Offender's Possession of Firearms while Subject to an order of Protection or Following Conviction for a Domestic Violence Offense

**Section 3. New Mexico Municipal League Resolution No. 2016-30** – Concerning the Extension of the New Mexico Solar Market Development Tax Credit

**Section 4. New Mexico Municipal League Resolution No. 2016-26** – Concerning EMS Funding

**Section 5. New Mexico Municipal League Resolution No. 2016-36** – Concerning Exemption to the Lodgers' Tax Act

**Section 6. New Mexico Municipal League Resolution No. 2016-16** -- Concerning the Development of State Engineer Guidelines or Policies Regarding Municipal Best Management Practices for Precipitation Capture and Use

**Section 7. New Mexico Municipal League Resolution No. 2016-24** – Concerning Municipal Technology Infrastructure Fees

**Section 8. New Mexico Municipal League Resolution No. 2016-34** – Concerning

State Grants for Libraries

**BE IT FURTHER RESOLVED** that the Governing Body requests that the following items be monitored by the City's lobbyist during the 2017 Legislative Session:

**Section 1.**

**A. Amend state law to repeal the sections of HB 641 that phased out the hold harmless provision and enacted a new municipal hold harmless tax and reenact the Hold Harmless distribution from the State to the municipalities.**

During the 2013 Legislative Session, the Legislature approved HB 641 which amended the law to phase out the hold harmless distribution that is made by the State to municipalities and counties. The hold harmless distribution was originally introduced by the State as a way to offset money lost to the municipalities and counties due to certain deductions provided by the tax code (food and medical). The phase out of the hold harmless provision is scheduled to begin in FY16 at 10% per year over 15 years until it is eliminated in FY 30. In conjunction with the phase-out, HB 641 added a new section allowing a municipal hold harmless gross receipts tax to be imposed by ordinance but not to exceed an aggregate rate of 3/8 percent of the gross receipts of any person engaging in business in the municipality. Finally, the former hold harmless distribution from the State to the municipalities and counties should be reenacted.

**B. Or, in the alternative, amend state law to clarify that counties that impose the permitted 3/8% GRT are only authorized to do so within the county jurisdictional boundaries located outside the municipal jurisdictional boundaries.** HB 641, as a way to compensate for the lost revenue caused by the phase out of the hold harmless distribution, also authorized any county and municipality to impose an excise tax not to exceed a maximum of 3/8% of the gross

1 receipts of any person engaging in business in the municipality. Pursuant to HB 641,  
2 if a county and a municipality located solely within the county, both choose to each  
3 impose the full 3/8%, then municipal residents would end up paying the increase of  
4 6/8% or 3/4% of the gross receipts of any person engaging in business in the  
5 municipality. However, with this alternative amendment to HB 641, the municipality  
6 residents at most would end up paying an increase of 3/8% of gross receipts tax  
7 imposed on businesses in the municipality.

8 **Section 2.**

9 **Measures that pertain to alcohol tax that increase revenue for prevention and**  
10 **treatment, such as:**

11 A. Creating an alcohol excise tax that will fund the prevention of and the  
12 treatment for alcohol abuse and addiction.

13 B. Changing the percent of the liquor tax dedicated to the L-DWI fund.

14 **Section 3.**

15 **Measures comprising women's reproductive rights.** Rights such as late term  
16 abortion bans, and requirements for parental notifications of minors.

17 **Section 4.**

18 **Matters concerning immigrant rights such as sanctuary status efforts.** To  
19 regulate smaller cities and counties and require them to collaborate with Immigration  
20 and Customs Enforcement (ICE); and the Real ID and immigration driver's license  
21 implementation changes with the New Mexico Motor Vehicle Division.

22 **Section 5.**

23 **Matters concerning the lesbian, gay, bisexual, transgender questioning**  
24 **(LGBTQ) community.** Issues such as "religious freedom", legislation giving  
25 protection to business owners, prevention of doing business with the LGBTQ

community.

**BE IT FURTHER RESOLVED** that the Governing Body requests that the Legislature, during the 2017 Legislative Session, enact an Amendment to HB 641 that would:

1. Prohibit the acceleration of declining hold harmless payments to any Municipality that has not enacted an increment of the Hold Harmless Gross receipts tax; and
2. In order to keep tax rates competitive and local government revenues equitable, reduce the amount a County can collect to the unincorporated areas of the County in the event a municipality enacts an increment of the Hold Harmless GRT, to the extent that revenue bonds are not impacted

**BE IT FURTHER RESOLVED** that through the Santa Fe City Council Committee and City Council process, general operating fund and other statutory changes may be established for consideration by the State Legislature.

**BE IT FURTHER RESOLVED** that the City of Santa Fe lobbying team is directed to work with the Santa Fe Legislative Delegation on any unencumbered capital outlay funds to be used towards identified City of Santa Fe projects.

**BE IT FURTHER RESOLVED** that while this resolution represents a majority of the intent of the Governing Body as to 2017 New Mexico legislative priorities, other timely priorities that may be identified and approved by the Governing Body shall be forwarded to the City's lobbying team for action.

**BE IT FURTHER RESOLVED** that the City Clerk is directed to forward a copy of this resolution to the City of Santa Fe lobbyist and the City of Santa Fe State Legislative Delegation.

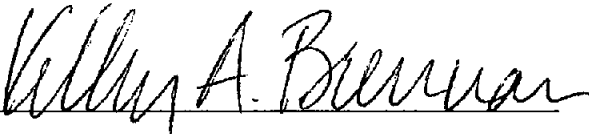
PASSED, APPROVED, and ADOPTED this \_\_\_\_\_ day of \_\_\_\_\_, 2016.

\_\_\_\_\_  
JAVIER M. GONZALES, MAYOR

ATTEST:

\_\_\_\_\_  
YOLANDA Y. VIGIL, CITY CLERK

APPROVED AS TO FORM:

  
\_\_\_\_\_  
KELLEY A. BRENNAN, CITY ATTORNEY

## City of Santa Fe Fiscal Impact Report (FIR)

This Fiscal Impact Report (FIR) shall be completed for each proposed bill or resolution as to its direct impact upon the City's operating budget and is intended for use by any of the standing committees of and the Governing Body of the City of Santa Fe. Bills or resolutions with no fiscal impact still require a completed FIR. Bills or resolutions with a fiscal impact must be reviewed by the Finance Committee. Bills or resolutions without a fiscal impact generally do not require review by the Finance Committee unless the subject of the bill or resolution is financial in nature.

### Section A.      General Information

(Check) Bill: \_\_\_\_\_ Resolution:   X  

(A single FIR may be used for related bills and/or resolutions)

Short Title(s): **A RESOLUTION ESTABLISHING CITY OF SANTA FE LEGISLATIVE PRIORITIES FOR CONSIDERATION BY THE NEW MEXICO STATE LEGISLATURE DURING THE 53<sup>RD</sup> LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2017.**

Sponsor(s): Mayor Gonzales, Councilors Lindell, Villarreal, Ives, Maestas, Dominguez, Rivera, Trujillo and Harris

Reviewing Department(s): City Manager

Persons Completing FIR: Brian Snyder Date: 10/27/16 Phone: 955-6848

Reviewed by City Attorney: Kelly A. Brennan Date: 10/28/16  
(Signature)

Reviewed by Finance Director: Ad K. [Signature] Date: 10-28-16  
(Signature)

### Section B.      Summary

Briefly explain the purpose and major provisions of the bill/resolution:

**This resolution details the capital project priorities for which the City of Santa Fe requests the State of New Mexico fund through the annual capital outlay legislation.**

### Section C.      Fiscal Impact

**Note:** Financial information on this FIR does not directly translate into a City of Santa Fe budget increase. For a budget increase, the following are required:

- a. The item must be on the agenda at the Finance Committee and City Council as a "Request for Approval of a City of Santa Fe Budget Increase" with a definitive funding source (could be same item and same time as bill/resolution)
- b. Detailed budget information must be attached as to fund, business units, and line item, amounts, and explanations (similar to annual requests for budget)
- c. Detailed personnel forms must be attached as to range, salary, and benefit allocation and signed by Human Resource Department for each new position(s) requested (prorated for period to be employed by fiscal year)\*

#### **1. Projected Expenditures:**

- a. Indicate Fiscal Year(s) affected – usually current fiscal year and following fiscal year (i.e., FY 03/04 and FY 04/05)
- b. Indicate:      "A" if current budget and level of staffing will absorb the costs  
                      "N" if new, additional, or increased budget or staffing will be required
- c. Indicate:      "R" – if recurring annual costs  
                      "NR" if one-time, non-recurring costs, such as start-up, contract or equipment costs
- d. Attach additional projection schedules if two years does not adequately project revenue and cost patterns
- e. Costs may be netted or shown as an offset if some cost savings are projected (explain in Section 3 Narrative)

Finance Director: \_\_\_\_\_

X     Check here if no fiscal impact

Column #:	1	2	3	4	5	6	7	8
	Expenditure Classification	FY _____	"A" Costs Absorbed or "N" New Budget Required	"R" Costs Recurring or "NR" Non-recurring	FY _____	"A" Costs Absorbed or "N" New Budget Required	"R" Costs – Recurring or "NR" Non-recurring	Fund Affected

Personnel\*      \$ \_\_\_\_\_      \_\_\_\_\_      \_\_\_\_\_      \$ \_\_\_\_\_      \_\_\_\_\_      \_\_\_\_\_      \_\_\_\_\_

Fringe\*\*      \$ \_\_\_\_\_      \_\_\_\_\_      \_\_\_\_\_      \$ \_\_\_\_\_      \_\_\_\_\_      \_\_\_\_\_      \_\_\_\_\_

Capital Outlay      \$ \_\_\_\_\_      \_\_\_\_\_      \_\_\_\_\_      \$ \_\_\_\_\_      \_\_\_\_\_      \_\_\_\_\_      \_\_\_\_\_

Land/ Building      \$ \_\_\_\_\_      \_\_\_\_\_      \_\_\_\_\_      \$ \_\_\_\_\_      \_\_\_\_\_      \_\_\_\_\_      \_\_\_\_\_

Professional Services      \$ \_\_\_\_\_      \_\_\_\_\_      \_\_\_\_\_      \$ \_\_\_\_\_      \_\_\_\_\_      \_\_\_\_\_      \_\_\_\_\_

All Other Operating Costs      \$ \_\_\_\_\_      \_\_\_\_\_      \_\_\_\_\_      \$ \_\_\_\_\_      \_\_\_\_\_      \_\_\_\_\_      \_\_\_\_\_

Total:      \$ \_\_\_\_\_      \_\_\_\_\_      \_\_\_\_\_      \$ \_\_\_\_\_      \_\_\_\_\_      \_\_\_\_\_      \_\_\_\_\_

\* Any indication that additional staffing would be required must be reviewed and approved in advance by the City Manager by attached memo before release of FIR to committees. \*\*For fringe benefits contact the Finance Dept.

## 2. Revenue Sources:

a. To indicate new revenues and/or

b. Required for costs for which new expenditure budget is proposed above in item 1.

Column #:	1	2	3	4	5	6
	Type of Revenue	FY _____	"R" Costs Recurring or "NR" Non-recurring	FY _____	"R" Costs – Recurring or "NR" Non-recurring	Fund Affected

\_\_\_\_\_      \$ \_\_\_\_\_      \_\_\_\_\_      \$ \_\_\_\_\_      \_\_\_\_\_      \_\_\_\_\_

\_\_\_\_\_      \$ \_\_\_\_\_      \_\_\_\_\_      \$ \_\_\_\_\_      \_\_\_\_\_      \_\_\_\_\_

\_\_\_\_\_      \$ \_\_\_\_\_      \_\_\_\_\_      \$ \_\_\_\_\_      \_\_\_\_\_      \_\_\_\_\_

Total:      \$ \_\_\_\_\_      \_\_\_\_\_      \$ \_\_\_\_\_      \_\_\_\_\_      \_\_\_\_\_      \_\_\_\_\_



### 3. Expenditure/Revenue Narrative:

Explain revenue source(s). Include revenue calculations, grant(s) available, anticipated date of receipt of revenues/grants, etc. Explain expenditures, grant match(s), justify personnel increase(s), detail capital and operating uses, etc. (Attach supplemental page, if necessary.)

If approved by the Legislature, funding will be available for multiple projects throughout the City, with funding provided through the State.

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### **Section D. General Narrative**

**1. Conflicts:** Does this proposed bill/resolution duplicate/conflict with/companion to/relate to any City code, approved ordinance or resolution, other adopted policies or proposed legislation? Include details of city adopted laws/ordinance/resolutions and dates. Summarize the relationships, conflicts or overlaps.

No.

### **2. Consequences of Not Enacting This Bill/Resolution:**

Are there consequences of not enacting this bill/resolution? If so, describe.

The City of Santa Fe would not have legislative priorities to present to the New Mexico Legislature at the 53<sup>rd</sup> Legislature, 1<sup>st</sup> Session 2017 and would therefore not benefit from any potential financial assistance provided through the legislative capital outlay process.

### **3. Technical Issues:**

Are there incorrect citations of law, drafting errors or other problems? Are there any amendments that should be considered? Are there any other alternatives which should be considered? If so, describe.

None.

### **4. Community Impact:**

Briefly describe the major positive or negative effects the Bill/Resolution might have on the community including, but not limited to, businesses, neighborhoods, families, children and youth, social service providers and other institutions such as schools, churches, etc.

With approval of the resolution, the city of Santa Fe would be able to establish legislative priorities for the upcoming legislative session in 2017. The potential for financial assistance through the state level would be beneficial to projects advantageous to our community.

Public Works Committee  
December 12, 2016

## **EXHIBIT 2**

# City of Santa Fe New Mexico

## MEMO

**DATE:** October 26, 2016

**TO:** City Council

**VIA:** Brian Snyder, City Manager  
Adam K. Johnson, Director of Finance (Interim)

**FROM:** Becky Casper, Budget Analyst, Budget Office

### ITEM AND ISSUE:

Amendment of Ordinance 2016-22 to properly reallocate unspent funds from the 2008 General Obligation (GO) Bond balance with accounting for budgeted trails projects; and fund the previously proposed projects of Ordinance 2016-22 with money from the CIP Reallocation (3103) and Parks Administration (43000) funds; and amend FY16/17 CIP budget to account for \$150,000 re-appropriated from FY15/16 CIP Budget for the Fort Marcy Bridge project.

### SUMMARY:

February 23, 2016 Atkinson & Co. Ltd conducted an audit exit interview with Staff regarding the 2008 General Obligation (GO) Bond issuance and expenditures. During this exit interview, documentation was provided confirming an ending balance of \$803,178.13 in unspent funds. As a result, Finance Department Staff advised Parks Department Staff and Council of this full amount available for reallocation.

April 19, 2016 the City Council passed Bill 2016-19 which authorized an amendment to the 2008 General Obligation (GO) Bond to reallocate \$803,000 currently designated for various city park improvements to complete certain incomplete projects at city parks and recreation facilities and to allocate \$600,000 for the purpose of pedestrian bridge repair between Fort Marcy Ball Park and Magers Field. At this meeting City Council asked staff to work with the Kiwanis and with the City's Fire Marshal to determine the appropriate number and size of bridges.

During the FY15/16 CIP Budget process, \$150,000 was approved for design and the start of construction with an additional \$450,000 in construction to be requested for FY16/17 to complete the project. Due to unforeseen delays, the funding from FY15/16 needs re-appropriation to FY16/17.

Staff at the time did not segregate remaining funds available between park projects and trails projects. As such, Bill 2016-19 requests the closure of 36 parks and one trails project in the amount of \$803,000. However, five trail projects remain open and in progress. These five funds comprise \$628,063.69 of the amount requested to be reallocated. In addition, 19 park project accounts have incurred negative balances that need reconciled. As such, the balance available prior to clearing negative balances is \$267,040. Once funds are transferred to clear negative balances, the amount remaining available for reallocation to the Fort Marcy Bridge project is \$175,084.

As a result of the above reallocation correction, the projects listed below remain in need of funding. Item# 1 and Item#'s 3 thru 11 are able to be funded through the use of monies in the Parks Administration fund (43000). Funding for the remaining \$424,916 needed for the Fort Marcy Pedestrian Bridge project can be found in CIP Reallocation fund (3103).

Item #	Fund	Park	Project	Funds Needed
1	3738	Ft Marcy Complex	Install Handicap Doors	\$ 8,000.00
2	3738	Ft Marcy Complex	Fort Marcy Bridge Project	\$ 424,916.00
3	43019	Frenchy's Field	Purchase and Install Solar Lighting	\$ 14,500.00
4	43024	John Griego Park	Replace Basketball Court	\$ 46,000.00
5	43006	Calle Lorca Park	Purchase and Install Security Lighting Near Playground	\$ 7,100.00
6	43012	East De Vargas Park	Purchase and Install Water Fountain	\$ 5,000.00
7	43053	Young Park	Install Sidewalks; Replace Basketball Court	\$ 72,000.00
8	43023	Herb Martinez Park	Resurface Tennis Courts	\$ 7,200.00
9	43032	Marc Brandt Park	Landscaping Improvements to Include: Drainage Extensions and Planting of Trees	\$ 12,200.00
10	43034	Monica Lucero Park	Landscaping Improvements to Include: Installation of Post and Cable and Planting of Trees	\$ 6,000.00
11	43051	Villa Caballero Park	Purchase and Install Shade Structure	\$ 5,000.00
				<b>\$ 607,916.00</b>

### ACTION:

Staff requests:

1. Modification of Ordinance 2016-22 to account for the closing of all park funds with negative balances and corresponding Budget Amendment Resolution<sup>1</sup>.
2. Approval of Budget Amendment Resolution<sup>2</sup> to align 2008 bond monies in the above mention project accounts.
3. Approval of amendment to FY 16/17 CIP Budget to re-appropriate \$150,000 previously approved for Ft. Marcy Bridge Replacement for a project total of \$600,000 along with approval to reallocate \$424,916 from the CIP Reallocation fund (3103) to Ft. Marcy Complex (3738) to fully fund replacement of pedestrian bridges and corresponding Budget Amendment Resolution<sup>3</sup>.
4. Approval of Budget Amendment Resolution<sup>4</sup> to reallocate \$183,000 from the Park Administration fund (43000) to remaining, incomplete park projects identified above

### ATTACHMENTS:

Bond Reconciliation (2008 Bill)  
FIR  
2008 General Obligation Bond Spreadsheet  
Budget Amendment Resolution<sup>1</sup>  
Budget Amendment Resolution<sup>2</sup>  
Budget Amendment Resolution<sup>3</sup>  
Budget Amendment Resolution<sup>4</sup>