



Agenda

**PUBLIC WORKS/CIP & LAND USE
COMMITTEE MEETING
CITY HALL COUNCIL CHAMBERS
MONDAY DECEMBER 9, 2019
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 OCTOBER 28, 2019 PUBLIC WORKS/CIP & LAND USE COMMITTEE MEETING
6. CONSENT AGENDA
 - a) Request Approval of a Budget Adjustments for Railyard Deferred Maintenance
 - Request Approval of a Budget Adjustment from the Santa Fe Railyard GRT Cash Balances to the Railyard Development (CIP) Fund in the Amount of \$810,000
 - Request for Approval of a Budget Adjustment from the 2013/2014 General Obligation Bond Reallocation to the Railyard Development (CIP) Fund in the Amount of \$315,000 (Robert Siqueiros, Railyard Projects Administrator, rsiqueiros@santafenm.gov, 955-6476)

COMMITTEE REVIEW

Council (Scheduled)

12/11/2019

- b) Request for Approval of Two Grant Agreements – State of New Mexico, Aging and Long Term Services Department, Capital Appropriation Project for Purchase of Vehicles in the Amount of \$110,890 and State of New Mexico, Aging and Long Term Services Department, Capital Appropriation Project for Purchase of Equipment (Security System for Mary Esther Gonzales Senior Center) in the Amount of \$22,650. (Gino Rinaldi, Senior Services Division Director, grinaldi@santafenm.gov, 955-4710)

COMMITTEE REVIEW

Finance Committee (Scheduled)

01/21/2020

Council (Scheduled)

01/29/2020

- c) Request for Approval of Contract Amendment #1 with Proscapes, Inc. for On-Call Landscape Services for City Facilities. The Total Cost of this Project is \$255,062.50, Inclusive of NMGR and Bond. Munis Contract #3200640 (Sam Burnett, Public Works Property Maintenance Manager, jsburnett@santafenm.gov, 955-5933)

COMMITTEE REVIEW

Finance Committee (Approved)
Council (Scheduled)

12/02/2019
12/11/2019

- d) Request for Approval of an On-Call Contract with B&D Industries, Inc. for On-Call HVAC & Plumbing Services for City Facilities. The Total Cost of this Project is \$271,093.75, Inclusive of NMGR and Bond. Munis Contract #3201425 (Sam Burnett, Public Works Property Maintenance Manager, jsburnett@santafenm.gov, 955-5933)

COMMITTEE REVIEW

Finance Committee (Approved)
Council (Scheduled)

12/02/2019
12/11/2019

- e) Request for the Approval of a Contract for Goods Using RFB No. 19/13/B to Purchase a Runway Friction Tester (RFT) from Dynatest Consulting, Inc. Unit Delivery will be to the City of Santa Fe Regional Airport, 121 Aviation Drive. Low Bid for the Total Amount of \$192,471.64 (Tax Exempt Sale) (Curt Temple, Santa Fe Regional Airport Project Administrator, cetemple@santafenm.gov, 955-2906)

COMMITTEE REVIEW

Finance Committee (Scheduled)
Council (Scheduled)

01/21/2020
01/29/2020

- f) Consideration of Resolution No. 2019-__: A Resolution Directing Staff to Develop a Forty-Year Water Plan and a Longer-Range, Eighty-Year Plan to Evaluate the City's Water Demand and Supplies, Including an Evaluation of Operational Scenarios to Maximize the City's Existing Water Supplies. (Councilors Romero-Wirth and Ives) (Jesse Roach, Water Division Director, jdroach@santafenm.gov, 955-4309)

COMMITTEE REVIEW

Public Utilities Committee (Scheduled)
City Council (Scheduled)

12/04/2019
12/11/2019

- g) Consideration of Resolution No. 2019-__: A Resolution Approving the Trade and Transfer of Two Tracts of City-Owned Real Property Located at 4491 Cerrillos Road and 2680 Camino Entrada to the State of New Mexico in Trade and Exchange for the Transfer of Five Tracts of State-Owned Real Property Located Within the City. (Councilors Romero-Wirth and Ives) (Kevin Kellogg, Asset Development Director, kckellogg@santafenm.gov, 955-6213)

COMMITTEE REVIEW

City Council (Scheduled)

12/11/2019

- h) Consideration of Bill No. 2019-36: An Ordinance Amending Section 2-1.4 SFCC 1987 to Clarify When Committee Appointments Shall be Made and to Clarify Which Committees are Composed Entirely of Members of the Governing Body; Amending Section 2-1.13 SFCC 1987 to Establish the Purpose of the Finance Committee, Consolidate the Public Works Committee and the Public Utilities Committee; and Create the Quality of Life Committee; Repealing Section 2-1.16 SFCC 1987; Amending References to the Public Utilities Committee and Replacing Them with the Public Works and Utilities Committee; and Amending the Reference to the Public Works Committee and Replacing it with the Public Works and Utilities Committee. (Mayor Webber) (Jesse Guillen, Legislative Liaison, jbg Guillen@santafenm.gov, 955-6518)

COMMITTEE REVIEW

City Council (Request to Publish) (Approved)	11/13/2019
Finance Committee (Approved)	12/02/2019
Public Utilities Committee (Scheduled)	12/04/2019
City Council (Public Hearing) (Scheduled)	12/11/2019

- i) Request for the Approval of a Termination Agreement of a Contract by and Between the City of Santa Fe and Santa Fe Estates, Inc., Memorialized in a Memorandum of Agreement Entered into on January 25, 1930, as Amended by an Agreement Entered into on August 30, 1978. (Collectively "the 1930 Agreement"). The Parties Seek to Terminate the 1930 Agreement, Extinguish the Obligations of the Parties Under the 1930 Agreement, Provide for Santa Fe Estates to Return and Convey the Northwest Quadrant Property to the City, and to State Certain Other Agreements of the Parties. (Kevin Kellogg, Asset Development Manager, kckellogg@santafenm.gov, 955-6213; Andréa Salazar, Assistant City Attorney, asalazar@santafenm.gov, 955-6303)

COMMITTEE REVIEW

Finance Committee (Approved)	12/02/2019
City Council (Scheduled)	12/11/2019

- j) Request for the Approval of Procurement Under State Price Agreement 61-805-16-14415, 60-805-16-14425 and Cooperative Education Services (CES) 16-018B-C101 in the Total Amount of \$267,317.08 for One Truck with a Plow and Dump Bed and Two Crew Cab Trucks with a Dump Bed to Replace Three trucks; Roberts Truck Center, MCT Industries INC, and Chalmers Ford. (Javier Martinez, jmartinez2@santafenm.gov 955-2402)

COMMITTEE REVIEW

Finance Committee (Scheduled)	01/21/2020
City Council (Scheduled)	01/29/2020

- k) Request for the Approval of the NM Department of Transportation Project Agreement in the Total Amount of \$89,359 to the Police Department to Conduct Traffic-Related Projects; New Mexico Department of Transportation. (Andrew Padilla, Chief of Police, aapadilla@santafenm.gov, 955-5102)

COMMITTEE REVIEW

Finance Committee (Approved)
City Council (Scheduled)

12/02/2019
12/11/2019

7. PUBLIC COMMENT
8. MATTERS FROM STAFF
9. MATTERS FROM THE COMMITTEE
10. MATTERS FROM THE CHAIR
11. NEXT MEETING: **MONDAY, JANUARY 13, 2020**
12. 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

RECEIVED AT THE CITY CLERK'S OFFICE	
DATE:	December 4, 2019
TIME:	1:49 PM

**SUMMARY OF ACTION
PUBLIC WORKS/CIP AND LAND USE COMMITTEE MEETING
CITY HALL/COUNCIL CHAMBERS
MONDAY, DECEMBER 9, 2019, 5:00 PM**

<u>ITEM</u>	<u>ACTION</u>	<u>PAGE</u>
CALL TO ORDER		1
ROLL CALL	QUORUM	1
APPROVAL OF AGENDA	APPROVED	1-2
APPROVAL OF CONSENT AGENDA	APPROVED	2
APPROVAL OF MINUTES	APPROVED	2
<u>CONSENT AGENDA</u>		
REQUEST APPROVAL OF BUDGET ADJUSTMENTS FOR RAILYARD DEFERRED MAINTENANCE	APPROVED	2-4
REQUEST FOR APPROVAL OF TWO GRANT AGREEMENTS-STATE OF NEW MEXICO, AGING AND LONG TERM SERVICES DEPARTMENT, CAPITAL APPROPRIATION PROJECT FOR PURCHASE OF VEHICLES IN THE AMOUNT OF \$110,890 AND STATE OF NEW MEXICO, AGING AND LONG TERM SERVICES DEPARTMENT, CAPITAL APPROPRIATION PROJECT FOR PURCHASE OF EQUIPMENT (SECURITY SYSTEM FOR MARY ESTHER GONZALES SENIOR CENTER) IN THE AMOUNT OF \$22,650.	APPROVED ON CONSENT	4-5
REQUEST FOR APPROVAL OF CONTRACT AMENDMENT #1 WITH PROSCAPES, INC. FOR ON-CALL LANDSCAPE SERVICES FOR CITY	APPROVED ON CONSENT	5

FACILITIES. THE TOTAL COST OF THIS PROJECT IS \$255,062.50, INCLUSIVE OF NMGR T AND BOND. MUNIS CONTRACT #3200640.

REQUEST FOR APPROVAL OF ON-CALL CONTRACT WITH B&D INDUSTRIES, INC. FOR ON-CALL HVAC & PLUMBING SERVICES FOR CITY FACILITIES. THE TOTAL COST OF THIS PROJECT IS \$271,093.75, INCLUSIVE OF NMGR T AND BOND. MUNIS CONTRACT #3201425

APPROVED ON CONSENT 5

REQUEST FOR THE APPROVAL OF A CONTRACT FOR GOODS USING RFB NO. 19/13/B TO PURCHASE A RUNWAY FRICTION TESTER (RFT) FROM DYNATEST CONSULTING, INC. UNIT DELIVERY WILL BE TO THE CITY OF SANTA FE REGIONAL AIRPORT, 121 AVIATION DRIVE. LOW BID FOR THE TOTAL OF \$192,471.64 (TAX EXEMPT SALE)

APPROVED ON CONSENT 5

CONSIDERATION OF RESOLUTION NO. 2019-____; A RESOLUTION DIRECTING STAFF TO DEVELOP A FORTY-YEAR WATER PLAN AND A LONGER RANGE, EIGHTY-YEAR PLAN TO EVALUATE THE CITY'S WATER DEMAND AND SUPPLIES, INCLUDING AN EVALUATION OF OPERATIONAL SCENARIOS TO MAXIMIZE THE CITY'S EXISTING WATER SUPPLIES

FAILED 5-9

CONSIDERATION OF RESOLUTION NO.2019-____; A RESOLUTION APPROVING THE TRADE AND TRANSFER OF TWO TRACTS OF CITY OWNED REAL PROPERTY LOCATED AT 4491 CERRILLOS ROAD AND 2680 CAMINO ENTRADA TO THE STATE OF NEW MEXICO IN TRADE AND EXCHANGE FOR THE TRANSFER OF FIVE TRACTS OF STATE OWNED REAL

APPROVED 9-10

PROPERTY LOCATED WITHIN THE CITY.

**CONSIDERATION OF BILL
NO. 2019-36; AN ORDINANCE
AMENDING SECTION 2-1.4 SFCC 1987
TO CLARIFY WHEN COMMITTEE
APPOINTMENTS SHALL BE MADE AND
TO CLARIFY WHICH COMMITTEES ARE
COMPOSED ENTIRELY OF MEMBERS
OF THE GOVERNING BODY, AMENDING
SECTION 2.1-13 SFCC 1987 TO
ESTABLISH THE PURPOSE OF THE
FINANCE COMMITTEE, CONSOLIDATE
THE PUBLIC WORKS COMMITTEE AND
THE PUBLIC UTILITIES COMMITTEE,
AND CREATE THE QUALITY OF LIFE
COMMITTEE, REPEALING SECTION 2-1.16
SFCC 1987, AMENDING REFERENCES TO
THE PUBLIC UTILITIES COMMITTEE AND
REPLACING IT WITH THE PUBLIC WORKS
AND UTILITIES COMMITTEE.**

APPROVED

11-14

**REQUEST FOR THE APPROVAL OF A
TERMINATION AGREEMENT OF A
CONTRACT BY AND BETWEEN THE CITY
OF SANTA FE AND SANTA FE ESTATES,
INC. , MEMORIALIZED IN A MEMORANDUM
OF AGREEMENT ENTERED INTO ON
JANUARY 25, 1930, AS AMENDED BY AN
AGREEMENT ENTERED INTO ON AUGUST
30, 1978. (COLLECTIVELY "THE 1930
AGREEMENT"). THE PARTIES SEEK TO
TERMINATE THE 1930 AGREEMENT,
EXTINGUISH THE OBLIGATIONS OF THE
PARTIES UNDER THE 1930 AGREEMENT,
PROVIDE FOR SANTA FE ESTATES TO
RETURN AND CONVEY THE NORTHWEST
QUADRANT PROPERTY TO TE4H CITY,
AND TO STATE CERTAIN OTHER
AGREEMENTS OF THE PARTIES.**

APPROVED

14-17

**REQUEST FOR THE APPROVAL OF
PROCUREMENT UNDER STATE PRICE
AGREEMENT 61-805-16-14415,**

APPROVED ON CONSENT

17

60-805-16-14425 AND COOPERATIVE
EDUCATION SERVICES (CES)
16-018B-C101 IN THE TOTAL AMOUNT
OF \$267,317.08 FOR ONE TRUCK WITH
A PLOW AND DUMP BED AND TWO CREW
CAB TRUCKS WITH A DUMP BED TO
REPLACE THREE TRUCKS; ROBERTS
TRUCK CENTER, MCT INDUSTRIES INC,
AND CHALMERS FORD.

REQUEST FOR THE APPROVAL OF THE NM DEPARTMENT OF TRANSPORTATION PROJECT AGREEMENT IN THE TOTAL AMOUNT OF \$89,359 TO THE POLICE DEPARTMENT TO CONDUCT TRAFFIC RELATED PROJECTS; NEW MEXICO DEPARTMENT OF TRANSPORTATION.	APPROVED ON CONSENT	17
PUBLIC COMMENT	INFORMATION/DISCUSSION	17-18
MATTERS FROM STAFF	INFORMATION/DISCUSSION	18
MATTERS FROM THE COMMITTEE	INFORMATION/DISCUSSION	18-19
MATTERS FROM THE CHAIR	INFORMATION/DISCUSSION	19
NEXT MEETING	JANUARY 13, 2020	19
ADJOURN	ADJOURNED	19

**PUBLIC WORKS/CIP AND LAND USE COMMITTEE MEETING
CITY HALL/COUNCIL CHAMBERS
MONDAY, DECEMBER 9, 2019, 5:00 PM**

1. CALL TO ORDER

A regular meeting of the Public Works/CIP & Land Use Committee was called to order on Monday, December 9, 2019, by Councilor Peter Ives, Chair at approximately 5:00 PM 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 Ives, Chair
Councilor Roman Abeyta
Councilor Renee Villarreal
Councilor JoAnne Vigil Coppler

MEMBERS EXCUSED:

Councilor Michael Harris

STAFF PRESENT:

Regina Wheeler, Public Works Director

OTHERS PRESENT:

Elizabeth Martin, Stenographer

NOTE: All items in the Committee packets 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

Ms. Wheeler said there is a substitute Resolution that was submitted for item F. It was emailed to the Committee today. Also there is an amendment for item H.

Councilor Ives said please have someone make copies of the amended Resolution for item F for everyone.

MOTION A motion was made by Councilor Villarreal, seconded by Councilor Abeyta, to approve the agenda.

VOTE The motion passed unanimously by voice vote.

4. APPROVAL OF CONSENT AGENDA

Councilor Villarreal pulled items A, F, G, H and I for discussion.

Councilor Vigil Coppler pulled items F, G, H and I for discussion.

MOTION A motion was made by Councilor Villarreal, seconded by Councilor Vigil Coppler, to approve the consent agenda as amended.

VOTE The motion passed unanimously by voice vote.

5. APPROVAL OF MINUTES

MOTION A motion was made by Councilor Abeyta, seconded by Councilor Vigil Coppler, to approve the minutes as presented.

VOTE The motion passed unanimously by voice vote.

6. CONSENT AGENDA

A. REQUEST APPROVAL OF BUDGET ADJUSTMENTS FOR RAILYARD DEFERRED MAINTENANCE

1. REQUEST APPROVAL OF A BUDGET ADJUSTMENT FROM THE SANTA FE RAILYARD GRT CASH BALANCES TO THE RAILYARD DEVELOPMENT (CIP) FUND IN THE AMOUNT OF \$810,000

2. REQUEST FOR APPROVAL OF A BUDGET ADJUSTMENT FROM THE 2013/2014 GENERAL OBLIGATION BOND REALLOCATION TO THE RAILYARD DEVELOPMENT (CIP) FUND IN THE AMOUNT OF \$315,000

Robert Siqueiros, Railyard Projects Administrator

Councilor Villarreal said she pulled this mostly to say yeah, this is good. We have these issues we need to take care of. She is assuming the biggest one is to improve the safety of some of the playground equipment.

Mr. Siqueiros said yes, that has been an issue for four to five years. Primarily it is in the children's play area in the park and the water feature refurbishment. The Conservancy would like to have a water feature there, but they may look at abandoning it.

Councilor Villarreal said on the page 6 of 7, the break down of the funds and ending cash line for Railyard security, that is not necessarily part of this budget adjustment. Is there a plan for security for the Railyard Park for the next budget.

Mr. Siqueiros said we are looking at getting proposal from the security company for the remainder of this fiscal year and for the next fiscal year. The likelihood for the next fiscal year is better than the remainder of this fiscal year. He is hoping to get that before the Public Works Director by the end of this week.

Councilor Villarreal asked so the budget adjusting in this scenario does not cover security.

Mr. Siqueiros said correct.

Councilor Villarreal said this is based off ideas of some of the projects mentioned in discussions as to how to use the funds. There was one note that said tourism maps. Is that specific to the Railyard.

Mr. Siqueiros said all of these are specific to the Railyard Park.

Councilor Villarreal asked is it tourism.

Mr. Siqueiros said this is for the Railyard. They are not from Tourism.

Councilor Villarreal asked do you think they should come from Tourism.

Mr. Siqueiros said they focus on tourism for the City as a whole and we are focused on the Railyard only.

Councilor Villarreal asked so the map is of what.

Mr. Siqueiros said specifically it is a map sign by the depot.

Councilor Villarreal asked so it is a physical structure, not paper maps.

Mr. Siqueiros said yes.

Councilor Abeyta said he saw this is not scheduled to go to Finance. Why is that.

Mr. Siqueiros said to expedite, not to circumvent Finance. His understanding is

if this goes here then there will be a discussion at Council on Wednesday.

Councilor Abeyta said a BAR is a function of the Finance committee.

Ms. Wheeler said we have been approached as being out of compliance several times on the water flow across St. Francis and a couple of other things. We need to get this done.

Councilor Abeyta asked has the Finance Department signed off on the BAR.

Ms. Wheeler said it is being routed to them.

Councilor Abeyta asked what if there is a problem with it.

Ms. Wheeler said then it will not pass.

Councilor Abeyta asked you don't have anything signed off on.

Ms. Wheeler said no, but you could have it by Wednesday.

Councilor Vigil Coppler asked will we see the turnaround at the Railyard garage as a project.

Mr. Siqueiros said it will primarily function as an exit for entering. If someone is coming into the structure now and they want to turn around there is no way for them to do that. This would provide that.

Councilor Vigil Coppler said she was hoping that was your answer. She is glad to see this. She hopes you can get this done.

MOTION A motion was made by Councilor Villarreal, seconded by Councilor Vigil Coppler, to approve the request.

Councilor Abeyta said he will support this, but in the future, as Chair of Finance, it seems that this is within the purpose of the Finance committee. It is just as critical to go to Finance as it is Public Works. He will discuss this with the Mayor and City Manager.

VOTE The motion passed unanimously by voice vote.

B. REQUEST FOR APPROVAL OF TWO GRANT AGREEMENTS - STATE OF NEW MEXICO, AGING AND LONG TERM SERVICES DEPARTMENT, CAPITAL APPROPRIATION PROJECT FOR PURCHASE OF VEHICLES IN THE AMOUNT OF \$110,890 AND STATE

**OF NEW MEXICO, AGING AND LONG TERM SERVICES
DEPARTMENT, CAPITAL APPROPRIATION PROJECT FOR
PURCHASE OF EQUIPMENT (SECURITY SYSTEM FOR MARY
ESTHER GONZALES SENIOR CENTER) IN THE AMOUNT OF \$22,650.**

Approved on consent.

- C. REQUEST FOR APPROVAL OF CONTRACT AMENDMENT #1 WITH PROSCAPES, INC. FOR ON-CALL LANDSCAPE SERVICES FOR CITY FACILITIES. THE TOTAL COST OF THIS PROJECT IS \$255,062.50, INCLUSIVE OF NMGRS AND BOND. MUNIS CONTRACT #3200640.**

Approved on consent.

- D. REQUEST FOR APPROVAL OF ON-CALL CONTRACT WITH B&D INDUSTRIES, INC. FOR ON-CALL HVAC & PLUMBING SERVICES FOR CITY FACILITIES. THE TOTAL COST OF THIS PROJECT IS \$271,093.75, INCLUSIVE OF NMGRS AND BOND. MUNIS CONTRACT #3201425**

Approved on consent.

- E. REQUEST FOR THE APPROVAL OF A CONTRACT FOR GOODS USING RFB NO. 19/13/B TO PURCHASE A RUNWAY FRICTION TESTER (RFT) FROM DYNATEST CONSULTING, INC. UNIT DELIVERY WILL BE TO THE CITY OF SANTA FE REGIONAL AIRPORT, 121 AVIATION DRIVE. LOW BID FOR THE TOTAL OF \$192,471.64 (TAX EXEMPT SALE)**

Approved on consent.

- F. CONSIDERATION OF RESOLUTION NO. 2019-____; A RESOLUTION DIRECTING STAFF TO DEVELOP A FORTY-YEAR WATER PLAN AND A LONGER RANGE, EIGHTY-YEAR PLAN TO EVALUATE THE CITY'S WATER DEMAND AND SUPPLIES, INCLUDING AN EVALUATION OF OPERATIONAL SCENARIOS TO MAXIMIZE THE CITY'S EXISTING WATER SUPPLIES**

Councilor Villarreal said we talked about this extensively in the PUC meeting last week. She is not opposed to a 40 year plan or beyond that and all the aspects to the Resolution. What she was anticipating was that we have these possibilities for long range planning and it could possibly include a pipeline. There have been iterations over the years of people's understanding of a gap for the municipal water supply. She felt

we would have some community meetings and stakeholder meetings to understand our options and she saw it as another way to understand what would be possible through another Resolution to outline our options for the City. When she saw this Resolution she was initially in favor of it, but she thinks in adding in the amendments it changed the focus of the Resolution and transparency. She thought there would be a next step with more collaboration and getting the County involved. There are implications beyond the City limits. Her concern is that she wanted to see and understand some of the concerns of acequia users and agriculture stakeholders. She is not opposed to some of the language added in, but she is not comfortable with the insertion of the pipeline, It is really outlining and making official the implementation of the design and construction of a full pipeline. While she learned more today about that pipeline and the misinformation in the media it is still clear that we don't have full understanding of what parts of our water system are impacted. She is not comfortable that the "Further Be It Resolved" section that makes it specific about moving forward with the pipeline. There are a lot of other steps to get to that, but she did not feel like this was the platform to make that happen. She was anticipating another Resolution with next steps. Tonight she is not going to support the amendments. The body of the Resolution makes sense, but not the amendments. There is another pathway we need to take as we look at the potential of a pipeline and other gaps into the future. We all need to understand the pros and cons of the pipeline and she does not think this Resolution is the vehicle for that.

Councilor Ives said in his time on the Council he cannot think of an issue that has been studied more extensively than this in terms of the number of meetings held. About 50 different meetings happened this year alone. This process started in 2015 with the basin study. From his perspective for the capacity to use or reuse return flow credits to allow us to boost the City water supply this is the most direct pathway to that. We do have the City's northwest well system that allows us to take 3,700 acre feet over a ten year period. We use over 9,000 acre feet per year. Building this pipeline could result in our having return flow credits that we could need. We are protecting the interests of the people of Santa Fe first and foremost. He is in favor of this. He has tried to move this forward for several years.

Councilor Abeyta said he supports the Resolution and the amendments. You don't actually get to the facts and participation until you have a design and start to apply for permits. We have been talking and been talking and been talking about this. It is not until you have something tangible with the design until you can really see where the discussion goes. He thinks we should move forward with the pipeline.

Councilor Vigil Coppler said when she first read this she agreed with the 40 year water plan. It is important to do that to deal with water in the future. Recently some concerns were raised by the acequia users and the farmers downstream. They are very real concerns. They were brought to her attention. How do we plan for the viability of the farmers and does this, in fact, effect them. She has not seen anything about that. Acequia users are a big group and a have a big lobby effort. They usually are pretty

vocal. Until now they have not raised any issues. She does not know if there is a misunderstanding. Is this going to effect the water they get downstream. She understand we have to protect our City residents first with water, but we cannot ignore the fact that these farmers do participate in our economic development in the City. She does not know if she has enough information. Were the acequia users and officials a group that participated in commenting on this when it was brought forward.

Councilor Ives said he couldn't tell her about the multitude of stakeholder meetings over the years. The stakeholders uses have been studied. The Las Acequias Association met with the City to discuss issues as well as the Sierra Club, the State Engineers Office, the City and County Planning Offices and the La Cienega Traditional Acequia Organization, who collaborated three times. Folks are invited to public meetings. There has not been an attempt to not speak to a group, but rather a robust public engagement process. His own belief is the proliferation of wells south and west of the City dipping into the aquifer has resulted in something that is a more appropriate thing for the farmers to be talking about if they have senior water rights. The City of Santa Fe holds 5,040 acre feet of rights in the Santa Fe river. The majority of them are pre 1907 rights. Some are from the 1930s. So the City is senior to almost any other downstream users. We settled with the acequia users and that is getting accomplished though the generosity of the City. There has been unchecked development in the County resulting in folks getting used to using the City water and the City itself uses it to water parks as well. A significant portion of that is reclaimed wastewater that would be used there. It puts the City in a much better situation. When it comes to compromising our water rights we have to make sure we can deliver water to the City of Santa Fe.

Councilor Vigil Coppler said she appreciated your amendment. Based on your experience are the farmers off base. Is this something they are worrying about that won't happen. If it is true what is the city's response to those who maybe feel they would lose water they need for their crops.

Councilor Ives said our whole water system including all those folks who have expanded usage that post dates the City water rights and the earlier agriculture users in the County, if there were a shortage there would be a call on the river and they would prevail and have water for their use. A lot of folks ignore the system of water rights. This is affirming the City ownership of the water rights and our capacity to use them for the people of the City of Santa Fe.

Councilor Villarreal said she would like to know the best knowledge you have and how it is shared to stakeholders. That is why she thought there would be next steps. She did learn more today that helped her understand more. That is why she feels this is not the right avenue to start moving forward with the implementation and design. There are some things that need to be clarified. We need to take some time to explain it. She wanted that to be a separate tract. The 40 year and beyond water plan is a separate thing. She wanted different tracts.

Councilor Ives said he does not think any of this has been secret. His knowledge comes from the multitude of reports we have received and the extensive number of public meetings they have had. He doesn't disagree with Councilor Abeyta's point that until you start making things concrete, people don't participate. He can paint a scenario where Buckman shuts down and we have a catastrophic fire in the watershed and we would use every drop of water. This is still years in the making. This is direction to look seriously at the design. Those designs and alternatives will continue to come before this Body. This Resolution directs that looking at alternatives continue to happen. This pipeline would run through Pojoaque Valley and could result in additional opportunities. We are sharing water from the get go with the County. We operate Buckman as a regional system and have for ten to fifteen years.

Councilor Villarreal said her question is about the County and what they are doing to support their farmers and also we need to make sure we coordinate with BDD system. She does not like the pathway for this. She thinks there is another way to do it.

Councilor Ives said he would have done this earlier if it had been possible.

MOTION A motion was made by Councilor Abeyta, seconded by Chair Ives, to approve the request as amended.

Councilor Ives said this has passed PUC and it is on it's way to Council.

VOTE The motion failed on a tie voice vote with Councilors Abeyta and Ives voting yes and Councilors Villarreal and Vigil Coppler voting no.

MOTION A motion was made by Councilor Villarreal, seconded by Councilor Vigil Coppler, to approve the Resolution with the amendments except for on page 3 take out as to outreach and directions and strike the "Be It Further Resolved" that speaks to implementing the design and construction of the return flow pipeline. Remove that section. Keep in the evaluation on line 13, page 3.

Councilor Abeyta asked what happens if this motion fails.

Councilor Ives said Public Utilities has approved the measure so it will move forward anyway.

Councilor Villarreal asked if her motion fails do we motion to move it forward without recommendation.

Chair Ives said that is an option.

Councilor Vigil Coppler asked when you mentioned if it passed in PUC were these amendments on it for the vote.

Chair Ives said yes.

VOTE The motion failed on a tie voice vote with Councilors Villarreal and Vigil Coppler voting yes and Councilors Ives and Abeyta voting no.

Chair Ives said the measure does not move forward.

MOTION A motion was made by Councilor Abeyta, seconded by Chair Ives, to move the request forward without recommendation.

VOTE The motion failed on a tie voice vote with Councilors Abeyta and Ives voting yes and Councilors Villarreal and Vigil Coppler voting no.

Councilor Ives said it is clear this is not going anywhere tonight. We will move on to the next item on the agenda.

G. CONSIDERATION OF RESOLUTION NO.2019-____; A RESOLUTION APPROVING THE TRADE AND TRANSFER OF TWO TRACTS OF CITY OWNED REAL PROPERTY LOCATED AT 4491 CERRILLOS ROAD AND 2680 CAMINO ENTRADA TO THE STATE OF NEW MEXICO IN TRADE AND EXCHANGE FOR THE TRANSFER OF FIVE TRACTS OF STATE OWNED REAL PROPERTY LOCATED WITHIN THE CITY.
Kevin Kellogg, Assets Manager

Councilor Villarreal said thank you staff for working on this. It seems fairly complex. Her only question is there is a section in the Resolution on page 2, line 10 that says this tract contains abandoned army barracks scheduled for demolition. She wanted to make sure the State is still paying for that and not us.

Mr. Kellogg said the demolition has already occurred. We will change that language.

Councilor Villarreal said she thought there was one more structure that needed to be demolished.

Mr. Kellogg said not to his knowledge.

Councilor Villarreal said on page 3, line 3 what we get paid for the land transfer, the difference of \$4 million, do we get that back in cash.

Mr. Kellogg said yes after a lengthy process of closing this deal.

Councilor Villarreal asked where does that go.

Mr. Kellogg said to the Economic Development Fund.

Councilor Villarreal asked that is how it was structured to begin with, correct.

Mr. Kellogg said yes.

Councilor Villarreal said she is curious, the State is already using the property for the headquarters for the State Police and the Law Enforcement Academy and impound lot. They will continue using it for that purpose and they will just own the land.

Mr. Kellogg said yes.

Chair Ives said we certainly have no knowledge of the State intending to change the use of that property. It will be there to do with as they want.

Councilor Vigil Coppler said she wondered, we have gotten pretty far down the road on this, have we reached an agreement with the State for payment.

Mr. Kellogg said this is a Resolution that when passed will indicate to the State that we approved this and that we have worked it out at a staff level. Then it has to go to the Governor's Call and be sponsored and go through the Legislative process in the coming session.

Councilor Vigil Coppler said she knows an appraisal is pending. When is it due.

Mr. Kellogg said upon preliminary approval. When it is on the Call for the session we will reappraise all these properties. The preliminary results are that there will not be a change in any of the values.

Councilor Vigil Coppler asked who pays for the appraisal.

Mr. Kellogg said the State pays for the State land and the City pays for the City land. That has already been negotiated.

MOTION A motion was made by Councilor Villarreal, seconded by Councilor Vigil Coppler, to approve the request.

VOTE The motion passed unanimously by voice vote.

Councilor Villarreal said she would like to be added as a co-sponsor.

H. CONSIDERATION OF BILL NO. 2019-36; AN ORDINANCE AMENDING SECTION 2-1.4 SFCC 1987 TO CLARIFY WHEN COMMITTEE APPOINTMENTS SHALL BE MADE AND TO CLARIFY WHICH COMMITTEES ARE COMPOSED ENTIRELY OF MEMBERS OF THE GOVERNING BODY, AMENDING SECTION 2.1-13 SFCC 1987 TO ESTABLISH THE PURPOSE OF THE FINANCE COMMITTEE, CONSOLIDATE THE PUBLIC WORKS COMMITTEE AND THE PUBLIC UTILITIES COMMITTEE, AND CREATE THE QUALITY OF LIFE COMMITTEE, REPEALING SECTION 2-1.16 SFCC 1987, AMENDING REFERENCES TO THE PUBLIC UTILITIES COMMITTEE AND REPLACING IT WITH THE PUBLIC WORKS AND UTILITIES COMMITTEE. Jesse Guillen

Councilor Villarreal said we talked a lot about this at PUC. She had an amendment and Councilor Romero-Wirth had some amendments. Will we see those at Council on Wednesday. Her amendment was to add the words land use as to what the Public Works and Public Utilities be charged with. It would be on page 3, line 16. There were some other clarifications as well.

Mr. Guillen said the Romero-Wirth amendment is for page 3, line 14, to strike 3 and insert 5. He is still finalizing the second amendment. We will have that at Council.

Chair Ives said the primary concern was the three standing committees composed of Councilors and that they not be reduced to three members because of the opportunities for discussion and to get answers to questions so by the time they get to Council most Councilors have had the opportunity to see the measure and have input and amend it if they would like to. The Council is the primary Legislation making body for the City. The Romero-Wirth amendments are to clarify that this is the set of standing committees composed of City Councilors and that those committees continue to have 5 Councilors serving on them. There was an excessive amount of discussion about other standing committees some of whom have Councilors assigned and some don't. For example, with Water Conservation there is a Councilor who sits on it as Chair. Jesse is going to undertake a review of the various committees to see what is out there and we will have the opportunity to discuss it more fully if we desire to see any other changes.

Councilor Vigil Coppler said she is wondering if anyone can provide us with a succinct answer to what was broken here.

Chair Ives said he thinks the Mayor's intent was in creating the new Quality of Life Committee. That committee will take on issues that serve the health and welfare of the people of the City of Santa Fe. This will take those from Public Works and create a new committee that would have that function. It also allows Public Works to bring on Public Utilities, given the similarity of function such as capital projects. He has not

spoken to the Mayor directly about it.

Councilor Vigil Coppler said she does not feel the system is broken. Maybe some things could be combined, but she doesn't know if it is really worth all this. She does know that the Community Services Department does many of these things as well and they have committees who do make some of these decisions as described. She does believe Community Services has too many committees, but she does not see anything here that deletes them. What is going to happen inside the Community Services Department and is there going to be a dual tract here. She will ask that question at Council. The other question is how will staff, between Public Works and Public Utilities, handle this overall.

Ms. Wheeler said in case you were not associated with this change initially, staff is undertaking to answer all the questions you are asking. There are a lot of questions as to how things will flow from public committees to Council committees. That is already on the calendar for a study session in January. We have a staff meeting every two weeks on this. We will bring answers to the study session. Shannon has consented to letting her still head this committee. She looks forward to that.

Councilor Vigil Coppler said usually when you have a reorganization like this you have the study session first then to the Governing Body. She does not have enough answers on this yet. She does agree with the amendment to go from three to five Councilors.

Councilor Villarreal said the language on page 3 says the Mayor will appoint members of these standing committees at the first meeting of the Governing Body on even numbered years.

Mr. Guillen said the new Governing Body takes office in 2020 so that is an even numbered year.

Chair Ives said the concern was that the cycles line up correctly.

Councilor Villarreal said so we are good. She does agree we should have had the study session before we moved forward with this. She is not opposed to change. It is important to see how the Quality of Life committee interacts with other committees.

Mr. Guillen said the Mayor's idea about beginning the Quality of Life committee is that there is no committee comprised entirely by Governing Body members that addresses the issues listed under that committee. The idea is to create a Body where those issues are relevant to their oversight.

Chair Ives said presumably that does not change all the Executive Committee structures overnight. They would continue to exist, but when issues come forward relevant to the Quality of Life committee they would go to that committee rather than

Public Works or Public Utilities.

Councilor Vigil Coppler asked when we talk about safety, what kind of safety are we talking about. We have the Public Safety Committee. Is this employee safety.

Mr. Guillen said it is safety in the general term that includes essential fire and police. Right now they don't have a Governing Body committee they go to. The idea is between the three Council committees they will oversee everything the City does.

Councilor Vigil Coppler asked will the current Public Safety Committee remain independent.

Mr. Guillen said the Bill does not say anything about the Public Safety Committee falling under the Quality of Life Committee. If there is an issue that goes to the Public Safety Committee it then goes to a Council Committee and with this Bill it would go to the Quality of Life Committee.

Councilor Abeyta asked is it right that now we don't have an Ordinance for the Finance Committee.

Councilor Villarreal said that is what we were told in PUC.

Mr. Guillen said currently only PUC is established in City Code. They are referenced, but were never formally established.

Councilor Abeyta said so it would be good to move forward with this Ordinance sooner than later. He understands that we need to further define what the Quality of Life Committee does.

Mr. Guillen said he did work with Kyra Ochoa to establish what that would consist of and with the Mayor on definitions as to what the committee would do.

Councilor Abeyta asked when will this be in front of Council.

Mr. Guillen said on Wednesday

Councilor Abeyta said the appointments will be in January. Will this be in effect.

Mr. Guillen said one of the amendments of the Mayor's is to put in a 120 day effective date so it will not go into effect until sometime in April.

Councilor Abeyta asked what is the normal effective time limit.

Mr. Guillen said five days after adoption.

Councilor Abeyta asked so why the rush. Maybe there is time to do a study session first and then the Ordinance.

Mr. Guillen said that is your prerogative.

Chair Ives said it is important to talk about such a major change so when you get into the budget process it can be done within that structure. He has not talked to the Mayor about this. That is his thinking.

Councilor Vigil Coppler asked has there been any discussion about when these meetings will be held.

Ms. Wheeler said that has not been decided, but she would guess the combined Public Works and Public Utilities Committee would be on the Public Works schedule. Finance would remain on their schedule and the Quality of Life Committee would have to find a new date.

Councilor Villarreal said they could take the PUC date.

Ms. Wheeler said that is only monthly.

Councilor Villarreal said she would like to learn more.

MOTION A motion was made by Councilor Villarreal, seconded by Councilor Abeyta, to move the item forward without recommendation.

VOTE The motion passed by a vote of 3 yes and 1 abstention. The abstention was by Councilor Vigil Coppler.

- I. REQUEST FOR THE APPROVAL OF A TERMINATION AGREEMENT OF A CONTRACT BY AND BETWEEN THE CITY OF SANTA FE AND SANTA FE ESTATES, INC. , MEMORIALIZED IN A MEMORANDUM OF AGREEMENT ENTERED INTO ON JANUARY 25, 1930, AS AMENDED BY AN AGREEMENT ENTERED INTO ON AUGUST 30, 1978. (COLLECTIVELY "THE 1930 AGREEMENT"). THE PARTIES SEEK TO TERMINATE THE 1930 AGREEMENT, EXTINGUISH THE OBLIGATIONS OF THE PARTIES UNDER THE 1930 AGREEMENT, PROVIDE FOR SANTA FE ESTATES TO RETURN AND CONVEY THE NORTHWEST QUADRANT PROPERTY TO THE CITY, AND TO STATE CERTAIN OTHER AGREEMENTS OF THE PARTIES.**
Kevin Kellogg, Andrea Salazar

Councilor Villarreal said she understands what is happening here. There is a

sum of money to be paid to us. How was that negotiated.

Mr. Kellogg said it is an amount that was owing from a previous transaction. It was appraised at \$4.2 million approximately. That sum will come in cash as part of the deal.

Councilor Villarreal asked is that based on the 2018 appraisal.

Mr. Kellogg said yes.

Councilor Villarreal asked is that the amount or will it have to be appraised again for 2019.

Mr. Kellogg said it is not a requirement to have any additional appraisals.

Ms. Salazar said they did an updated appraisal. The first page of the appraisal is in the packet, exhibit E, part 1. It confirms that this appraiser believes that the market conditions are the same as with the previous appraisal.

Councilor Villarreal asked so it is based on current conditions.

Ms. Salazar said it says it is based on her research and market conditions.

Councilor Villarreal asked once we enter into this agreement and essentially take over the rest of the tract of land what is the possibility or ability for the City to then try to change the uses or zoning as outlined in the Las Estrellas Master Plan.

Mr. Kellogg said the City, once the transaction is concluded or before, will assemble a small working group between departments to look at the existing Master Plan and entitlements and conclude if any changes are needed to adapt to the current market or other policy objectives. If there are any changes, it will go through the public engagement process and then they will make those changes through the standard Land Use process.

Councilor Villarreal said they are not contiguous. Are they designated for certain uses.

Mr. Kellogg said even in bulk parcels they are subdivided into different uses and density.

Councilor Villarreal asked what about the outlier piece.

Mr. Kellogg said there are a couple of outliers. There are two on the south side of 599. One is adjacent to our northwest quadrant project. We will envision how that can be part of that. The other small parcel is by the overpass and is designated for

community use. We have to look at the implications of that as we work through this.

Councilor Villarreal said she is wondering if this adds another financial obligation for us as we own the land. Is that correct.

Mr. Kellogg said yes, to some extent, because there will be maintenance and planning expenses and costs of disposition as we start to sell the property.

Councilor Villarreal asked we won't be the developers in the future.

Mr. Kellogg said if we sell it in one bulk sale or in smaller parts there will still be transaction costs if anything changes.

Chair Ives said he is pleased to see that this is finally happening. It was on our list to promote affordable housing across the City. The review period is 90 days after execution.

Mr. Kellogg said yes.

Chair Ives asked have you done preliminary title or environmental work.

Ms. Salazar said there was a quiet title lawsuit right after the agreement with the City that did the title work on all the land. When we take over the warranty deed it will go to our ownership.

Chair Ives said he presumes we will get title insurance.

Ms. Salazar said that will be in our due diligence. We still have work to do to move forward on this.

Chair Ives said there is an interesting provision that Santa Fe Estates is going to assign their rights as a declarant to a third party that will hold those rights. That is unique in his experience.

Ms. Salazar said very unique. We have had many discussions about the City taking over the property with the trails and open spaces. There is a Master HOA and a Homeowner HOA. Voting rights are attached to them. Santa Fe Estates has held that in abeyance as the developer. The City wanted to have the ability to hold those rights so if a developer came in they would have voting rights in the future. This was created to hold the rights and ability for the next developer in the future.

Chair Ives said it is unclear as to how that happens when it is usually held strictly by the owners of the property. He is curious to see that work out. He urges consideration of a review of the litigation that occurred in Estancia over the course of this as development plans change. He offers caution.

MOTION A motion was made by Councilor Vigil Coppler, seconded by Councilor Abeyta, to approve the request.

VOTE The motion passed unanimously by voice vote.

- J. REQUEST FOR THE APPROVAL OF PROCUREMENT UNDER STATE PRICE AGREEMENT 61-805-16-14415, 60-805-16-14425 AND COOPERATIVE EDUCATION SERVICES (CES) 16-018B-C101 IN THE TOTAL AMOUNT OF \$267,317.08 FOR ONE TRUCK WITH A PLOW AND DUMP BED AND TWO CREW CAB TRUCKS WITH A DUMP BED TO REPLACE THREE TRUCKS; ROBERTS TRUCK CENTER, MCT INDUSTRIES INC, AND CHALMERS FORD.**

Approved on consent.

- K. REQUEST FOR THE APPROVAL OF THE NM DEPARTMENT OF TRANSPORTATION PROJECT AGREEMENT IN THE TOTAL AMOUNT OF \$89,359 TO THE POLICE DEPARTMENT TO CONDUCT TRAFFIC RELATED PROJECTS; NEW MEXICO DEPARTMENT OF TRANSPORTATION.**

Approved on consent.

7. PUBLIC COMMENT

Don Richardson. Mr. Richardson asked is this item likely to be pulled from the consent agenda on Wednesday.

Chair Ives said this is an opportunity for you to address us.

Mr. Richardson said his desire is that the item be pulled. There are a number of people who live in the area and that have questions.

Chair Ives said it may or may not be up for public comment on Wednesday. We do all have email addresses for you to contact us.

Mr. Richardson said the City website discourages that. Okay, thanks.

Chair Ives said he is not sure those prohibitions apply in this instance.

Councilor Villarreal said we get lots of emails and we read them.

Jim Roszell. Mr. Roszell said he is a resident of the area and has one concern.

Affordable housing to him means high density housing and taxes on schools, crime etc. Those things have to be addressed because of property taxes. Low income housing is difficult to accomplish. He would like the Council to consider that as you develop ideas. Our community is generally low density and low crime. High density housing also means if you are putting in condos and apartment buildings the terrain will have to be modified so our natural habitat in the area would potentially be modified and we all have concerns about that. Thank you.

8. MATTERS FROM STAFF

Ms. Wheeler said she appreciated Councilor Ives being Chair of Public Works and working in partnership with staff to bring ideas forward. She also appreciates his statesmanly presence and the opportunity to serve with him.

Chair Ives said it has been his pleasure and privilege.

9. MATTERS FROM THE COMMITTEE

Councilor Vigil Coppler said she had enjoyed Councilor Ives as Chair and wishes him well in his new freedom. God's speed.

Chair Ives said thank you.

Councilor Abeyta said he has enjoyed serving on this committee with Councilor Ives as Chair and he has learned a lot.

Councilor Villarreal said thank you for being a mentor. She really does appreciate his vast knowledge. Your graduation will be wonderful for you.

Chair Ives said thank you all. It has been a pleasure and a privilege to serve with all of you as well. The function of the Chair is to see the things up for discussion and to make sure to carry them through for a vote. We also participate in setting the agenda and he has not tried to use that power to prevent things from getting heard. He is much more of a believer in being informed and taking a vote. Even if we disagree, we disagree in a civil manner. That is a reflection of all of us. Compliments to the entire committee as to how it has conducted its business and dealt with City business in an intelligent and reasonable fashion. What a joy it has been to work with the Director. It has been fun to see her come into her own. She has had a delightful and well balanced blend of support for City staff as well as a drive to get things done. It has been a delight working with her. Public Works, under her leadership, will be handled very well with the intent to move the business of the City forward. Thank you for your faithful reporting Ms. Martin. God bless you.

Chair Ives said thank you all for giving him the opportunity to chair this

committee and the Mayor too. It has been a delight to do this under two Mayors and with a City infrastructure that has moved forward in significant ways. You don't serve as a City Councilor unless you have passion about trying to fix the issues and problems of the people of the City of Santa Fe.

10. MATTERS FROM THE CHAIR

Chair Ives said Merry Christmas and have a wonderful holiday season.

**11. NEXT MEETING
JANUARY 13, 2020**

12. ADJOURN

There being no further business before the Committee the meeting adjourned at 6:55 pm.



Councilor Peter Ives, Chair



Elizabeth Martin, Stenographer