



# Agenda

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**PUBLIC WORKS/CIP & LAND USE COMMITTEE  
MEETING  
CITY COUNCIL CHAMBERS  
MONDAY, AUGUST 10, 2009  
5:15 P.M.**

1. CALL TO ORDER
2. ROLL CALL
3. APPROVAL OF AGENDA
4. APPROVAL OF CONSENT AGENDA
5. APPROVAL OF MINUTES FROM JULY 27, 2009 PUBLIC WORKS COMMITTEE MEETINGS

**CONSENT AGENDA**

6. CIP PROJECT #328 – FIRE STATION NO. 3
  - REQUEST FOR APPROVAL OF CHANGE ORDER NO. 5 WITH SAMCON INC. IN THE AMOUNT OF \$43,363.11 (**CHIP LILIENTHAL**)
7. CIP PROJECT #438A – ACEQUIA TRAIL ON PNM EASEMENT USING BID NO. 07/57/B
  - REQUEST FOR APPROVAL OF CHANGE ORDER #2 FOR ON-CALL CONSTRUCTION SERVICES WITH A.S. HORNER, INC. IN THE AMOUNT OF \$149,135.00 EXCLUSIVE OF NMGR T (**LEROY PACHECO**)
8. GCCC CAFÉ LEASE AGREEMENT
  - REQUEST FOR APPROVAL OF AWARD OF RFP #10/03/P AND LEASE AGREEMENT BETWEEN THE CITY OF SANTA FE AND SPORTS CAFÉ TO OPERATE CONCESSIONS LOCATED AT THE GCCC (**LIZ ROYBAL**)
9. CIP PROJECT #500A – SANTA FE RIVER TRAIL
  - REQUEST FOR APPROVAL OF A CONSTRUCTION CONTRACT WITH ADVANTAGE ASPHALT AND SEAL COATING, LLC FOR CONSTRUCTION OF THE RIVER TRAIL BETWEEN RICARDO RD. TO CAMINO ALIRE IN THE AMOUNT OF \$1,008,002 PLUS APPLICABLE GROSS RECEIPTS TAX (**BRYAN DRYPOLCHER**)

**DISCUSSION**

10. REQUEST FOR APPROVAL OF MEMORANDUM OF AGREEMENT (MOA) AMENDMENT NO. 4 BETWEEN THE COUNTY OF SANTA FE AND THE CITY OF SANTA FE FOR CERTAIN JOINT REGIONAL OPEN SPACE AND TRAILS PROJECT (**ROBERT SIQUEIROS**)

11. REQUEST FOR APPROVAL OF MEMORANDUM OF UNDERSTANDING WITH THE MID-REGION COUNCIL OF GOVERNMENTS FOR THE RAILRUNNER PROJECT (**ROBERT SIQUEIROS**)
12. REQUEST FOR APPROVAL OF ESTABLISHING FEES FOR VEHICLE FORFEITURE ORDINANCE (**CAPTAIN ANTHONY ROBBIN**)
13. MATTERS FROM STAFF
14. MATTERS FROM THE COMMITTEE
15. NEXT MEETING: AUGUST 24, 2009
16. ADJOURN

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five (5) working days prior to meeting date

## **SUMMARY INDEX**

### **PUBLIC WORK, CIP & LAND USE COMMITTEE**

August 10, 2009

<b>ITEM</b>	<b>ACTION TAKEN</b>	<b>PAGE(S)</b>
2. ROLL CALL	Quorum Present	1
3. APPROVAL OF AGENDA	Approved as amended	1-2
4. APPROVAL OF CONSENT AGENDA	Approved as published	2
5. APPROVAL OF MINUTES - July 27, 2009	Approved as presented	2
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10. MOA for Regional Open Space & Trails	Postponed	3
11. MOA with MRCOG for Railrunner Project	Approved as amended	3
12. Vehicle Forfeiture Fees Ordinance	Approved as amended	3-5
13. Matters from Staff	None	6
14. Matters from the Committee	Discussion	6
15. Next Meeting	Set for August 24, 2009	6
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**MINUTES OF THE**  
**CITY OF SANTA FE**  
**PUBLIC WORKS/CIP & LAND USE COMMITTEE**

**MONDAY, AUGUST 10, 2009**

**1. CALL TO ORDER**

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

**2. ROLL CALL**

Roll Call indicated the presence of a quorum as follows:

**MEMBER PRESENT:**

Councilor Patti Bushee, Chair  
Councilor Christopher Calvert  
Councilor Rosemary Romero  
Councilor Ronald S. Trujillo

**MEMBERS ABSENT:**

Councilor Miguel Chávez

**OTHER COUNCILORS PRESENT:**

**OTHERS PRESENT:**

Mr. Robert Romero, Public Works Director  
Ms. Angelina Garcia, Public Works Staff

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

**3. APPROVAL OF AGENDA**

Mr. Romero requested that item #10 be postponed.

**Councilor Romero moved to approve the agenda as amended with item #10 postponed. Councilor Trujillo seconded the motion and it passed by unanimous voice vote.**

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

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

#### **5. APPROVAL OF MINUTES FROM JULY 27, 2009, PUBLIC WORKS COMMITTEE MEETING**

**Councilor Romero moved to approve the minutes from July 27, 2009 as presented. Councilor Calvert seconded the motion and it passed by unanimous voice vote.**

#### **CONSENT AGENDA LISTING**

- 6. CIP PROJECT #328 – FIRE STATION NO. 3**
  - REQUEST FOR APPROVAL OF CHANGE ORDER NO. 5 WITH SAMCON INC. IN THE AMOUNT OF \$43,363.11 (CHIP LILIENTHAL)**
- 7. CIP PROJECT #428A – ACEQUIA TRAIL ON PNM EASEMENT USING BID NO. 07/57/B**
  - REQUEST FOR APPROVAL OF CHANGE ORDER #2 FOR ON-CALL CONSTRUCTION SERVICES WITH A.S. HORNER, INC. IN THE AMOUNT OF \$149,135.00 EXCLUSIVE OF NMGR (LEROY PACHECO)**
- 8. GCCC CAFÉ LEASE AGREEMENT**
  - REQUEST FOR APPROVAL OF AWARD OF RFP #10/03/P AND LEASE AGREEMENT BETWEEN THE CITY OF SANTA FE AND SPORTS CAFÉ TO OPERATE CONCESSIONS LOCATED AT THE GCCC (LIZ ROYBAL)**
- 9. CIP PROJECT #500A – SANTA FE RIVER TRAIL**
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#### **DISCUSSION**

**10. REQUEST FOR APPROVAL OF MEMORANDUM OF AGREEMENT (MOA) AMENDMENT NO. 4 BETWEEN THE COUNTY OF SANTA FE AND THE CITY OF SANTA FE FOR CERTAIN JOINT REGIONAL OPEN SPACE AND TRAILS PROJECT (ROBERT SIQUEIROS)**

This item was postponed under Approval of the Agenda.

**11. REQUEST FOR APPROVAL OF MEMORANDUM OF UNDERSTANDING WITH THE MID-REGION COUNCIL OF GOVERNMENTS FOR THE RAILRUNNER PROJECT (ROBERT SIQUEIROS)**

Mr. Romero presented this request. He explained that when they first did the MOU with MR COG they seemed to be fine with it but when they received it they decided not to sign it. This proposed MOU they have agreed to sign. They will provide a barrier along the rail trail and reimburse SFRRRC for work done and TPL for damage to the park. The reimbursement is to cover the damage they did. It included broken concrete and pavement and damage to the irrigation systems.

Councilor Calvert asked about including the issue of bicyclists getting wheels stuck in the tracks at the intersection of Cerrillos and St. Francis. They apparently had the same problem in Albuquerque.

Mr. Romero said they were working on it separately but it could be added it here if the Committee wanted that. He suggested that could add a paragraph E to investigate the issue with bicycles getting trapped or caught between rail and roadway. Councilor Calvert agreed.

Chair Bushee said that could be part of the overpass/underpass issue.

Mr. Romero said they could do it either way. He added that DOT was actually operating the Rail Runner.

Councilor Romero noted that MR COG was doing vibration studies so doing it both ways would help. He proposed that the amendment say they would coordinate with DOT and MRCOG as appropriate.

Mr. Romero said the problem was that the track was parallel to the turning movement.

Councilor Trujillo said they needed to do Zia Road as well.

Mr. Romero said okay.

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

**12. REQUEST FOR APPROVAL OF ESTABLISHING FEES FOR VEHICLE FORFEITURE ORDINANCE (CAPTAIN ANTHONY ROBBIN)**

Captain Robbin presented the request. He reviewed the fees being proposed that included \$150 for towing, \$10 per day for the impound storage with a minimum of seven days or \$70, \$50 for a processing fee that would not include tracking charges. The interlock installation and/or removal was the responsibility of the owner. Someone needed to monitor that and make sure they showed up for court. He felt the \$250 proposed fee was reasonable. They were asking for a one time \$150 fee for boot fee. He went through the remaining policies being proposed.

He referred to the accompanying FIT in the packet and explained the costs for fencing, monitoring, lot preparations, etc. the auctioneer's cost would be about 10% of the revenue generated. The Hearing officer would be about \$100 per hour. The boots would cost \$490 to purchase.

Chair Bushee asked how quickly the lot would be prepared and what cost sharing there might be with the County.

Captain Robbin said it would probably be ready by Sept 15<sup>th</sup>, depending on how fast they were approved. He said Mr. Katz said he found someone to be the hearing officer so on Aug 26<sup>th</sup> it would go to Council and then they could start. There was no cost sharing with the County envisioned right now.

Chair Bushee asked that he investigate that. When it was first proposed they were going to work with the County to reduce costs. She requested a report back on that and said she was glad to see their progress on it.

Councilor Trujillo asked if the City had to hire the auctioneers.

Captain Robbin said it was convenient that way.

Councilor Calvert asked what Albuquerque and the State charged for storage.

Captain Robbin said the State charged \$8 and Albuquerque was \$8 - 10.

Councilor Calvert wanted to see them recoup the City's investment as quickly as possible. So the fee seemed a little light compared to the capital expense. He asked if there would be security personnel in addition to the cameras.

Captain Robbin felt the \$10 storage fee was reasonable. Some cars might be there six months before the owner went to court. He said the cameras would record to a hard drive continuously and be retained. There had been no talk of hiring personnel to cover the lot. The camera and razor wire and being situated between the state lots they felt was sufficient. That could always change as they got into it. The State had not had any problem for operating there for a year but he realized things could happen.

Councilor Calvert noted the towing option to their home was also the same and favored saying a minimum of \$150 in case they lived far away.

Captain Robbin explained that the location had to be within the city limits.

Councilor Calvert thought if the actual cost exceeded \$150, the City should charge the actual cost.

Captain Robbin said it was easier to let a contract for a set fee. The Department would pay the towing company the initial fee for the two and then collect from the owner.

Councilor Calvert asked if the boot fee was \$150 regardless of how long it sat there.

Captain Robbin agreed. The car could not be driven. They would like to see it booted until it went to court.

Chair Bushee suggested building in a six month review. It was not to gouge people but was a tool. But if they were not heavy enough it might not do what it was intended to do. It was a tool to enforce and prevent multiple DUIs from happening.

Chair Bushee asked how Albuquerque's boot program worked.

Captain Robbin said Albuquerque had a program with 30, 60, or 90 days. 30 for first offense. The fourth offense automatically went to auction.

Captain Robbin asked that instead of looking at amendments to the ordinance that would delay the program, to just start the fees now and get it going. Then they could assess how well it was working. Albuquerque won at the Supreme Court with their program. This was the way to do it now.

Chair Bushee said it was important to have that data when they reviewed the program. Maybe the boots and interlock were a better combination than forfeiture.

Councilor Romero agreed. She hoped they could change the administrative fee and commented that it was really a GPS Tracking Fee with an actual cost. She was concerned if it was called administrative fee, it could be eliminated later on. Captain Robbin agreed.

Councilor Calvert thought they should also consider a discharge fee because it cost money to process a car out as well as in.

Captain Robbin said they wanted something that was reasonable and not have it so high that they would endure a challenge.

Councilor Calvert - but there were specific things that you need to do. On some of them, you don't need to worry but we need to make sure we cover our costs.

**Councilor Calvert moved for approval with the amendment of a six month review or sooner if needed. Councilor Romero seconded the motion and it passed by unanimous voice vote.**



**13. MATTERS FROM STAFF**

None.

**14. MATTERS FROM THE COMMITTEE**

Councilor Trujillo asked staff to check on the timing of the traffic signal on Cerrillos Road at Camino Consuelo.

Mr. Romero agreed to check it.

Chair Bushee noted that the prairie dogs on the north side of river have multiplied.

**15. NEXT MEETING: AUGUST 24, 2009**

**16. ADJOURN**

The meeting was adjourned at 5:55 p.m.

Approved by:

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Patti J. Bushee, Chair

Submitted by;

  
\_\_\_\_\_  
Carl Boaz, Stenographer