



Agenda

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**PUBLIC WORKS/CIP & LAND USE COMMITTEE
MEETING
CITY COUNCIL CHAMBERS
MONDAY, AUGUST 24, 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 AUGUST 10, 2009 PUBLIC WORKS COMMITTEE MEETINGS

INFORMATIONAL AGENDA

6. UPDATE TO SHORT TERM RENTALS ISSUE
 - REQUEST FOR APPROVAL OF STAFF REPORT WITH RECOMMENDATIONS INCLUDING ORDINANCE AMENDMENTS TO SECTION 14-14-6.2(A)(6) SFCC 1987 REGARDING SHORT TERM RENTALS (**COUNCILORS WURZBURGER AND ROMERO**) (**JACK HIATT AND FRANK KATZ**)

CONSENT AGENDA

7. REQUEST FOR APPROVAL OF MEMORANDUM OF AGREEMENTS BETWEEN THE MID REGION COUNCIL OF GOVERNMENTS AND THE CITY OF SANTA FE IN ORDER TO RECEIVE \$50,000 IN FUNDS FOR FY 09/10 TEMPORARY ASSISTANCE FOR NEEDY FAMILIES (TANF) FUNDS (**JON BULTHUIS**)
8. CIP PROJECT #879A – SILER ROAD EXTENSION PROJECT
 - REQUEST FOR APPROVAL OF CHANGE ORDER NO. 1 FOR VARIOUS ADDITIONAL ITEMS AND CONTRACT TIME ADJUSTMENT IN THE AMOUNT OF \$54,856.44 PLUS \$4,422.80 NMGR (DEIRA LUIAN)
9. CIP PROJECT #219 – POLICE DUI LOT AND FIRE STATION #8 GENERATOR
 - REQUEST FOR APPROVAL OF A BUDGET ADJUSTMENT REQUEST IN THE AMOUNT OF \$140,000 TO PROVIDE FUNDING FOR CONSTRUCTION OF THE POLICE DUI LOT
 - REQUEST FOR APPROVAL OF A BUDGET ADJUSTMENT IN THE AMOUNT OF \$60,000 TO PROVIDE FUNDING FOR A BACKUP GENERATOR AT FIRE STATION #8 (**CHIP LILIENTHAL**)
10. REQUEST FOR APPROVAL FOR A DELETION FROM THE 2005 GENERAL FUND GRANT AGREEMENT AMENDMENT #3 WHICH DELETES PROJECT 05-1600 FOR \$110,000 TO PLAN, DESIGN, CONSTRUCT AND ACQUIRE LAND FOR A MULTIPURPOSE PARK ON PASEO DE LA CONQUISTADORA IN SANTA FE. NO EXPENDITURES WERE MADE ON

THIS GRANT. THESE APPROPRIATIONS ARE REAUTHORIZED TO PROJECT 09-3641 FOR RAILYARD PARK IMPROVEMENTS PER SENATE BILL 443, SECTION 484 **(DAVID CHAPMAN)**

11. REQUEST FOR APPROVAL OF THE 2005 GENERAL FUND GRANT AGREEMENT AMENDMENT #2 WHICH REAUTHORIZES PROJECT 05-477 FOR \$50,000 TO PLAN, DESIGN, CONSTRUCT AND RENOVATE STUDIO AND OFFICE SPACE AT THE MUSEO CULTURAL INCLUDING UPGRADING THE PERFORMANCE SPACE FOR USE BY THE MARIA BENITEZ INSTITUTE FOR SPANISH ARTS IN SANTA FE TO PROJECT NO. 06-2529. NO EXPENDITURES WERE MADE ON THIS GRANT. PROJECT 06-2529 IS FOR \$50,000 FOR THE BATAAN MEMORIAL COMPLEX TO ACCOMMODATE MARIA BENITEZ INSTITUTE FOR SPANISH ARTS IN SANTA FE BY THE CITY OF SANTA FE WAS NOT DESIGNATED AS THE FISCAL AGENT FOR THE PROJECT, THUS THE BUDGET DECREASE
 - REQUEST FOR APPROVAL OF THE 2005 GENERAL FUND GRANT AGREEMENT AMENDMENT #1 WHICH HAD INCORRECT LANGUAGE IN THE LAST PARAGRAPH ON THE FIRST PAGE AND HAD A DUPLICATE PROJECT NUMBER (05-1603). 2005 GENERAL FUND GRANT AGREEMENT AMENDMENT NO. 2 CORRECTS THESE ERRORS **(DAVID CHAPMAN)**
12. REQUEST FOR APPROVAL OF RFP #09/1/P AND PROFESSIONAL SERVICES AGREEMENT WITH ELEVATE MEDIA FOR THE MARKETING SERVICES AT THE MUNICIPAL RECREATION COMPLEX (MRC) IN A TOTAL AMOUNT OF \$307,000 **(LARRY LUJAN)**
13. CITY OF SANTA FE ADA 1992 TRANSITION PLAN UPDATE RFP #09/28/P
 - REQUEST FOR APPROVAL OF THE AGREEMENT BETWEEN THE CITY OF SANTA FE AND SALLY SWANSON ARCHITECTS IN THE AMOUNT OF \$162,093.75 INCLUSIVE OF NMGR
 - REQUEST FOR APPROVAL OF A BUDGET ADJUSTMENT REQUEST IN THE AMOUNT OF \$179,624 **(JOSEPH LUJAN)**

DISCUSSION

14. 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)**
 - REQUEST FOR APPROVAL OF AMENDMENT NO. 4 WITH THE NEW MEXICO DEPARTMENT OF TRANSPORTATION FOR THE BIKEWAYS AND WALKWAYS PROJECT **(PETER GREENE)**
15. REQUEST FOR APPROVAL OF THE 2011-2015 INFRASTRUCTURE CAPITAL IMPROVEMENTS PLAN (ICIP)
 - REQUEST FOR APPROVAL OF A RESOLUTION ADOPTING AN INFRASTRUCTURE CAPITAL IMPROVEMENTS PLAN (ICIP) **(COUNCILOR BUSHEE) (ROBERT ROMERO)**
16. REQUEST FOR APPROVAL OF A RESOLUTION ADOPTING THE *ANTI-GRAFFITI TASK FORCE RECOMMENDATIONS* DATED APRIL 15, 2009; DIRECTING THE CITY MANAGER TO BEGIN IMPLEMENTING THE RECOMMENDATIONS OF THE ANTI-GRAFFITI TASK FORCE THAT HAVE NO FISCAL IMPACT; DIRECTING THE CITY MANAGER TO MAKE

AN ORGANIZATIONAL MOVE TO PLACE THE OFFICE OF ANTI-GRAFFITI COORDINATION UNDER THE SANTA FE POLICE DEPARTMENT; AND DIRECTING THE CITY ATTORNEY TO REVIEW THE CITY CODE AMENDMENTS RECOMMENDED BY THE TASK FORCE (**COUNCILORS DOMINGUEZ, CALVERT, BUSHEE, TRUJILLO AND ORTIZ**) (**POLICE CHIEF WHEELER**)

17. REQUEST FOR APPROVAL OF AN ORDINANCE AMENDING SECTION 14-6.3(C)(1) SFCC 1987 CLARIFYING THE OWNERSHIP OF ACCESSORY DWELLING UNITS AND REQUIRING THE RECORDING OF RESTRICTIVE COVENANTS FOR ACCESSORY DWELLING UNITS (**COUNCILOR CHAVEZ**) (**JEANNE PRICE**)
18. REQUEST FOR APPROVAL OF THE CONSOLIDATED ANNUAL PERFORMANCE EVALUATION REVIEW (CAPER) CDBG 2008/2009 (**MELISA DAILEY**)
19. REQUEST FOR APPROVAL OF AN ORDINANCE CREATING A NEW SECTION 14-5.2(M) SFCC 1987 REGARDING THE APPLICABILITY OF SPECIAL PROVISIONS AND STANDARDS OF HISTORIC DISTRICT REQUIREMENTS TO STATE CAPITAL OUTLAY PROJECTS (**MAYOR COSS**) (**FRANK KATZ**)
20. REQUEST FOR APPROVAL OF A RESOLUTION AMENDING TABLE 37, PAGE 36 OF THE CITY OF SANTA FE IMPACT FEES CAPITAL IMPROVEMENTS PLAN AND LAND USE ASSUMPTIONS, 2007-2012 REGARDING PLANNED PARK IMPROVEMENTS ADDING NEW PARKS TO BE ELIGIBLE TO RECEIVE IMPACT FEE FUNDING (**COUNCILOR DOMINGUEZ**) (**FABIAN CHAVEZ**)
21. REQUEST FOR APPROVAL OF AN ORDINANCE AMENDING RULE 8 OF EXHIBIT A, CHAPTER 22 SFCC 1987, TO INCREASE THE MONTHLY SEWER SERVICE AND USAGE FEES BY 30.1 PERCENT EFFECTIVE JANUARY 1, 2010; THEREAFTER EFFECTIVE OCTOBER 1, 2012 THE MONTHLY SEWER SERVICE AND USAGE FEES SHALL BE INCREASED BY 4.7 PERCENT PER YEAR FOR THREE YEARS FOR RESIDENTIAL, MULTI-FAMILY AND COMMERCIAL CUSTOMERS FO THE CITY'S SEWER SYSTEM; AND AMENDING RULE 12, OF EXHIBIT A TO INCREASE THE MASS BASED COST OF PROVIDING AIR TO REMOVE THE CHEMICAL OXYGEN DEMAND ("COD") IN WASTEWATER BY 30.1 PERCENT EFFECTIVE JANUARY 1, 2010; THEREAFTER EFFECTIVE OCTOBER 1, 2012 THE COST SHALL BE INCREASED BY 4.7 PERCENT FOR PER YEAR FOR THREE YEARS (**COUNCILOR WURZBURGER**) (**BRYAN ROMERO**)
22. MATTERS FROM STAFF
23. MATTERS FROM THE COMMITTEE
24. NEXT MEETING: **TUESDAY, SEPTEMBER 8, 2009**
25. ADJOURN

SUMMARY INDEX

PUBLIC WORK, CIP & LAND USE COMMITTEE

August 24, 2009

| ITEM | ACTION TAKEN | PAGE(S) |
|--|--------------------------------|----------------|
| 2. ROLL CALL | Quorum Present | 1 |
| 3. APPROVAL OF AGENDA | Approved as published | 1 |
| 4. APPROVAL OF CONSENT AGENDA | Approved as amended | 2 |
| 5. APPROVAL OF MINUTES - Aug 10, 2009 | Approved as presented | 2 |
| INFORMATIONAL AGENDA | | |
| 6. Short Term Rentals Update | Approved the request | 2-3 |
| CONSENT AGENDA LISTING | Listed | 3-4 |
| DISCUSSION AGENDA | | |
| 10. Funding Transfer from La Conquistadora | Approved with staff directions | 4-5 |
| 14. Open Space/Trails MOA with County | Approved as presented | 6 |
| 15. ICIP Plan | Approved | 6-8 |
| 16. Anti Graffiti Task Force Recommendations | Tabled | 8-10 |
| 17. Accessory Dwelling Units Ordinance | Approved | 10-11 |
| 18. Annual Performance Review | Approved | 11-13 |
| 19. State Capital Outlay in Historic Districts | Approved | 13 |
| 20. CIP Impact Fees & Park Improvements | Approved | 13-14 |
| 21. Sewer Service Rate Increases | Approved (reluctantly) | 14-15 |
| 22. Matters from Staff | None | 15 |
| 23. Matters from the Committee | None | 15 |
| 24. Next Meeting | Set for Sept 8, 2009 | 15 |
| 25. Adjournment | Adjourned at 7:02 p.m. | 15 |

MINUTES OF THE

CITY OF SANTA FE

PUBLIC WORKS/CIP & LAND USE COMMITTEE

MONDAY, AUGUST 24, 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 Ronald S. Trujillo

MEMBERS ABSENT:

Councilor Miguel Chávez
Councilor Rosemary Romero [excused]

OTHER COUNCILORS PRESENT:

OTHERS PRESENT:

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

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

3. APPROVAL OF AGENDA

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

4. APPROVAL OF CONSENT AGENDA

Councilor Calvert requested that item 10 be removed from the Consent Agenda for discussion.

Councilor Trujillo moved to approve the Consent Agenda as amended with #10 removed for discussion. Councilor Calvert seconded the motion and it passed by unanimous voice vote.

5. APPROVAL OF MINUTES FROM AUGUST 10, 2009, PUBLIC WORKS COMMITTEE MEETING

Councilor Calvert moved to approve the minutes from August 10, 2009 as presented. Councilor Trujillo seconded the motion and it passed by unanimous voice vote.

INFORMATIONAL AGENDA

6. UPDATE TO SHORT TERM RENTALS ISSUE

- REQUEST FOR APPROVAL OF STAFF REPORT WITH RECOMMENDATIONS INCLUDING ORDINANCE AMENDMENTS TO SECTION 14-14-6.2(A)(6) SFCC 1987 REGARDING SHORT TERM RENTALS (COUNCILORS WURZBURGER AND ROMERO) (JACK HIATT AND FRANK KATZ)**

Mr. Hiatt provided an update on Short Term Rentals and said Mr. Katz was present if necessary. He said the history was outlined in the staff report and it also contained a summary of the ordinance as well as amendments recommended by staff. This was the 18 month report that was required. A court decision and Mr. Katz's opinion on that was heard at Public Works on July 6 and this had the amendments recommended for adoption.

Chair Bushee asked Mr. Katz how he would address the sheer wall/town house that she had mentioned to him.

Mr. Katz said it was not treated differently than anything else.

Chair Bushee added that there was another woman who expressed concern about shared walls. They took the brunt of some of these Short Term Rentals. She asked if he still felt the City didn't have any responsibility to provide notification.

Mr. Katz agreed there was debate back and forth. Right now the communication was to be made right after the license was issued. He didn't have a position on it. With notification before, people didn't have standing to object and it would give them false hope.

He did speak with Susan Tengage who had a shared wall. It was interesting that her comment was that the ones who were obnoxious were the relatives of the owner. He wasn't sure they could mix standards on the common walls.

Chair Bushee commented that the City was disregarding the fact it was being sued on the fee again.

Mr. Katz clarified that the City was not being sued again. The judge remanded it back to City Council to consider what the fees should be. There were 186 people who wanted their entire fee refunded back. That would be heard on Wednesday.

Councilor Calvert referred to the third page of the packet where it talked about the inquiries and complaints and it said there were no garbage and noise complaints.

Chair Bushee said they complained to her and she forwarded them. It was not in the original complaint but with the shared walls, it should be noticed differently and then there was the question of the covenants.

Councilor Calvert said there was an amendment on that issue.

Mr. Katz agreed. They had to file an affidavit that there were no conflicting covenants. If there were no covenants you might want to notify the development but the City was not going to grant or deny based on covenants.

Chair Bushee said the other small group of folks had the approach along Old Santa Fe Trail mixed in with commercial or RAC and they felt a little like Quail Run where it had always been rentals. She didn't know how to address their concern. She asked if it would go to Council.

Mr. Hiatt said the Committee already took action on this on July 6th so no action was needed now.

Councilor Calvert moved to approve the report. Councilor Trujillo seconded the motion and it passed by unanimous voice vote.

CONSENT AGENDA LISTING

- 7. REQUEST FOR APPROVAL OF MEMORANDUM OF AGREEMENTS BETWEEN THE MID REGION COUNCIL OF GOVERNMENTS AND THE CITY OF SANTA FE IN ORDER TO RECEIVE \$50,000 IN FUNDS FOR FY 09/10 TEMPORARY ASSISTANCE FOR NEEDY FAMILIES (TANF) FUNDS (JON BULTHUIS)**

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- **REQUEST FOR APPROVAL OF A BUDGET ADJUSTMENT IN THE AMOUNT OF \$6,000 TO PROVIDE FUNDING FOR A BACKUP GENERATOR AT FIRE STATION 38 (CHIP LILIENTHAL)**

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13. CITY OF SANTA FE ADA 1992 TRANSITION PLAN UPDATE RFP #09/28/P

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DISCUSSION

10. REQUEST FOR APPROVAL FOR A DELETION FROM THE 2005 GENERAL FUND GRANT AGREEMENT AMENDMENT #3 WHICH DELETES PROJECT 06-1600 FOR \$110,000 TO PLAN, DESIGN, CONSTRUCT AND ACQUIRE LAND FOR A MULTIPURPOSE PARK ON PASEO DE LA CONQUISTADORA IN SANTA FE. NO EXPENDITURES WERE MADE ON THIS GRANT. THESE APPROPRIATIONS ARE REAUTHORIZED TO PROJECT 09-3641 FOR RAILYARD PARK IMPROVEMENTS PER SENATE BILL 443, SECTION 484 (DAVID CHAPMAN)

Mr. Chapman reported this request to the Committee. He explained that SB 443 simply said it would go to the Railyard Park.

Mr. Romero said that it specifically would go to improve the west casitas area of the park across the street from the REI building. It would provide funding to what TPL had already had to have hard surfaces for arts and crafts.

Chair Bushee asked if no impact funds or fees from the business that would benefit from it. Mr. Romero agreed. He said the businesses were required to do improvements at the theater but not at this location.

Councilor Calvert had talked with the affected folks there and they were surprised the way this was happening. They seemed to feel this was a mistake - that there might still be something they could do and would like to talk with staff about it.

Chair Bushee said notice had been put out that the money had to move. The discussions have been that no action was happening where it was.

Mr. Romero said at the last legislative session they were looking at any unexpended funds and decided to move them to a project where the funds would be expended. It was moved to this project because it was a good project.

Mr. Rick Martínez commented that it was happening. For a long time they were not sure

how the River Trail would go and they knew that money was to purchase land so they wanted to work with the neighborhood.

Chair Bushee was willing to have it postponed but asked that the funds be used. She preferred that it stay in the Conquistadora neighborhood.

Mr. Martínez said they had money available now and were working to get an easement.

Mr. Romero clarified that if the Committee didn't pass this agreement now, it was gone.

Councilor Calvert asked if there would be funds for the pocket park there. He asked that before going to Council, staff meet with parties in that neighborhood to explain it to them that there was no recourse.

Councilor Calvert moved to approve the request with the direction to staff. Councilor Trujillo seconded the motion and it passed by unanimous voice vote.

14. 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)

- **REQUEST FOR APPROVAL OF AMENDMENT NO. 4 WITH THE NEW MEXICO DEPARTMENT OF TRANSPORTATION FOR THE BIKEWAYS AND WALKWAYS PROJECT (PETER GREENE)**

Mr. Siqueiros presented this request. It included an extra \$200,000 from RPA for the park.

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

15. REQUEST FOR APPROVAL OF THE 2011-2015 INFRASTRUCTURE CAPITAL IMPROVEMENTS PLAN (ICIP)

- **REQUEST FOR APPROVAL OF A RESOLUTION ADOPTING AN INFRASTRUCTURE CAPITAL IMPROVEMENTS PLAN (ICIP) (COUNCILOR BUSHEE) (ROBERT ROMERO)**

Chair Bushee asked if this had to be done today.

Mr. Romero explained that they received this information late this year. They had

been working with Department Directors and there would be a Finance Committee meeting before Council .This was the list the City turned in to the State. It was a wish list. There were times past when the legislature would look at the list to make sure it was on there.

Chair Bushee asked about the indoor market. Mr. Romero agreed it would come off the list.

Chair Bushee asked about Warehouse 21.

Mr. Romero clarified that Warehouse 21, Museo Cultural and the Lensic Performing Arts Center were still asking for money and even if they didn't get it they were still on the list.

Chair Bushee noted that the County was the fiscal agent for Esperanza. Mr. Romero agreed to look into that.

Chair Bushee asked about the plans for the police station on West Alameda.

Chief Wheeler was not aware of any formalized plan but they had tried to expand to make it a functional station with 24 hour per day staffing.

Mr. Romero said they might look at 45 million for the whole facility and they would change the name for it.

Chair Bushee asked if they would still park a fire truck there. Mr. Romero agreed.

Chair Bushee suggested it could be called a Public Safety Station.

Chief Wheeler said they did plan to stay there and make the substation more active for the community to have it staffed and have a secretarial position.

Chair Bushee asked if the NW Fire Station was still slated to be completed.

Mr. Romero agreed and said the question was where it would be.

Chair Bushee asked what Santa Fe Innovation Park was.

Mr. Romero said he needed to find out and would send her an email tomorrow.

Chair Bushee noted that the Open space was a new term and asked if it was for the River.

Mr. Romero said it was a placeholder in case they needed it and didn't have any specifics.

Chair Bushee hoped they would put the Tino Griego Teen Center as a top priority.

Mr. Romero agreed they would present it as a legislative priority.

Councilor Calvert asked if Camino del Monte Sol (page 10, middle of the page) was to be repaved.

Mr. Romero said there was a request to repave that street and he would recheck it.

Councilor Calvert said he was still comfortable with the top five priorities there.

Mr. Romero explained that they would submit to ICIP and then go into specific projects when the City meet with the delegation in November.

Chair Bushee commented that they didn't have many trail improvements in there. St. Francis could probably be combined but there were not many.

Mr. Romero said the two St. Francis projects were at two different locations. He agreed to look at the BTAC priorities.

Councilor Calvert asked him to put the Gonzales Trail back in there just in case. Mr. Romero agreed.

Chair Bushee asked about the multi-modal transit. Mr. Romero said he would add that.

Chair Bushee felt it wouldn't hurt to wish for a new City Hall.

Mr. Romero said that would be discussed with the evaluation of the Siler Road complex.

Councilor Calvert moved to recommend approval of the request. Councilor Trujillo seconded the motion and it passed by unanimous voice vote.

16. REQUEST FOR APPROVAL OF A RESOLUTION ADOPTING THE ANTI-GRAFFITI TASK FORCE RECOMMENDATIONS DATED APRIL 15, 2009; DIRECTING THE CITY MANAGER TO BEGIN IMPLEMENTING THE RECOMMENDATIONS OF THE ANTI-GRAFFITI TASK FORCE THAT HAVE NO FISCAL IMPACT; DIRECTING THE CITY MANAGER TO MAKE AN ORGANIZATIONAL MOVE TO PLACE THE OFFICE OF ANTI-GRAFFITI COORDINATION UNDER THE SANTA FE POLICE DEPARTMENT; AND DIRECTING THE CITY ATTORNEY TO REVIEW THE CITY CODE AMENDMENTS

RECOMMENDED BY THE TASK FORCE (COUNCILORS DOMINGUEZ, CALVERT, BUSHEE, TRUJILLO AND ORTÍZ) (POLICY CHIEF WHEELER)

Chair Bushee commented that all the Councilors had signed on so she assumed they all liked it.

Chief Wheeler said it came to Public Safety but they had no quorum. It had been tabled. They showed a fiscal impact of \$300,000. He provided copies of it for the Committee. [Attached as Exhibit A].

He noted that the Parks Division had the luxury to moving staff around as needed. But the Police Department wouldn't have that luxury. They were listed as civilian employees but they used a Public Safety Service Aide salary range for the positions.

Chair Bushee said that was why she pushed forward the COPS program. That was how they were utilized. They had communication equipment and were the eyes and ears on off hours and were trained. She felt this was the best time to look at those volunteers.

Chief Wheeler said he had a new plan from San Antonio Texas on it that might deal with it more effectively. He also had some volunteers to serve and they were working on it now. They didn't go through the Academy but a similar training. This San Antonio program was a good one with two way radios and a block captain.

Chair Bushee said there were people out there who had indicated interest in helping.

Chief Wheeler asked her to please email him their names. Chair Bushee agreed.

Chief Wheeler said they needed to increase communications with Parks Division, to do pictures and create a contact to input them into the database. Until they could identify their work it was a suspectless crime. Then there could be not only criminal charges but restitution on the civil side.

Chair Bushee said it needed to have more penalty than paint on a wall.

Mr. Romero agreed they could improve that coordination. Public Works was better suited to clean it up because of the staff they had.

Chair Bushee asked how the coordination was happening now.

Mr. Fabian Chávez said currently all they could do was mitigate the damage. So they photographed everything that was out there, even the little squiggles. The really important stuff was kept on file and they logged all the complaints. They could work with the Police Department to send batches that they thought were gang related. They didn't

send all of it but they could get it to the Police Department without needing more resources. He was fairly certain that one of the flash can programs could help the Police Department. The resolution was so good even at night time to take a photograph to give the Police the face and license plate they needed.

Chair Bushee asked if they screened just for graffiti or all illegal activity.

Mr. Chávez said the technique had meet standards of legality across the country.

Chair Bushee asked if they required surveillance signs.

Mr. Chávez said they could do that but the cameras were portable. They were used with illegal dumping sites. They did an experiment with it in a park and the individuals were photographed. These people saw the camera and then left without doing graffiti. Right now the City could purchase 3 with parks bond money and they were willing to do all the monitoring of data. They were motion activated day and night.

Chair Bushee asked if he could bring the request.

Mr. Chávez said he could if the Committee wanted it but it would use park bond money. He said if they purchased five of them the cost would drop to \$5,000.

Chair Bushee favored using signs that would say this park was under surveillance.

Mr. Romero cautioned that if they put the signs up they did need to use cameras there. There was case law in that regard.

Councilor Calvert was under the impression this would be moved to the police department and the personnel would also.

Mr. Romero thought what they discussed was that clean up staff would stay with parks and the follow up staff would be with the Police Department.

Councilor Calvert didn't think they would lose that if the same people with the same tools were under the jurisdiction of the Police Department. The hope was that if they were all under the same department, the coordination would be better. There was abatement, prevention and enforcement. Police already did prevention and enforcement. This graffiti should be part of that prevention effort. It was not just idle vandalism but would lead to other crimes in the community. He hoped that with all of it under the same department the coordination would improve. Some of these files were just manual files and didn't lend themselves to dissemination. The Police digital cameras could be used. Dissemination could be done electronically. A lot of it was related to gang activity and tagging that went with it. So coordination needed to be tight. That was the logic behind this resolution.

Chair Bushee was not sure she agreed with that logic.

Councilor Trujillo noted that the resolution said it would have no fiscal impact but the Chief said it was cost \$300,000.

Councilor Calvert thought that was just the personnel transfer.

Mr. Romero said the transfer would be about \$200,000. Mr. Chávez agreed.

Chair Bushee asked that Mr. Buller work with Mr. Romero and Chief Wheeler to raise the coordination. She thought it still would fall under the City Manager's office. The impetus was to make sure the community component would be addressed. She thought there should be a transition period and would like to see the COPS program up and running under the Police Department.

Even though there was enforcement, Parks was managing this pretty well. Someone had to review the tape so it involved additional busy work for somebody.

Councilor Trujillo suggested they table this until they got some direction on it. He also wanted Councilor Dominguez presence when they considered it.

Chief Wheeler said the way they looked at it if those people were in Parks, they could be moved around where needed in other parks but the Police couldn't do that. He would like to see all of the photographs sent to the Police Department so they could maintain the database. He could assign one gang officer to stay on top of it and monitor it every week.

Councilor Trujillo responded to Chief Wheeler that he was not under the impression that the graffiti staff had any spare time to work elsewhere because he could point out places that needed to be cleaned up. In any spare time they should be sharing the information and communicating with the Police Department. They needed to be dedicated to that full time. The City was basically treading water until they was better coordination.

Chair Bushee hoped the COPS component would be part of what he brought back.

Councilor Trujillo moved to table this request. Councilor Calvert seconded the motion and it passed by unanimous voice vote.

**17.REQUEST FOR APPROVAL OF AN ORDINANCE AMENDING SECTION
14-6.3(C)(1) SFCC 1987 CLARIFYING THE OWNERSHIP OF ACCESSORY
DWELLING UNITS AND REQUIRING THE RECORDING OF RESTRICTIVE
COVENANTS FOR ACCESSORY DWELLING UNITS (COUNCILOR CHÁVEZ)**

(JEANNE PRICE)

Chair Bushee had hoped the Councilor Chávez would have been present to address the questions.

Ms. Price explained this was an ordinance change to Chapter 14 to make it clear that selling off the accessory dwelling unit would be prohibited.

Chair Bushee said she had never had a complaint about this and she lived on a street where a neighbor condominiumized his property.

Ms. Price said there was usually only enough land for one main structure and one accessory structure. The lot could only become two lots if the lot size was great enough. She explained how it frequently happened. This would put a deed restriction on the deed that would prohibit the accessory unit becoming a main dwelling on a one acre lot or less.

Ms. Price explained that before, these projects snuck through because the City didn't have review of that. She said this simply meant they had to meet zoning restrictions. It was not the conominium-izing of it but the size of the lot. She explained how R-5 could be developed with five units.

Ms. Price and Chair Bushee discussed it at length.

Chair Bushee said she was one of the sponsors for infill for allowing extended families to do the split where it was allowed up to the same size.

Ms. Price said they wanted them to continue in that relationship.

Councilor Calvert said a related issue was that some people built their unit and then their accessory and by code had to live in one of them but they would move out and have two rentals. This was just looking for that additional hook.

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

18 REQUEST FOR APPROVAL OF THE CONSOLIDATED ANNUAL PERFORMANCE EVALUATION REVIEW (CAPER) CDBG 2008/2009 (MELISA DAILEY)

Ms. Dailey presented the request. She explained that in order to receive CDBG they had to submit a plan and then the CAPER would say how they spent the money. The report was attached.

They had a standard report for many years and she had been updating their reports to use a format suggested by HUD. The report was a draft because she was not completely finished and it had to be a draft until approved by Council and the Community Council. It used the goals they proposed in CDBG. The questions were listed there.

Chair Bushee asked if there was any pooling of these funds or a way to help more than five people. There were a couple of new things in there. The Committee didn't know what happened to the money except through these reports. It was the most efficient set up they had.

Ms. Dailey said they tried to address that. The housing plan was general but was incorporated as part of the five year plan. They were trying to address all internal aspects and to address how they were spending the money. Once people with a CDBG loan sold their house, the funds would come back but it would not keep up with any inflation.

The Community Housing Trust loans were zero interest loans and were paid back on a monthly basis. They served two different sectors of income. The CDBG restriction was limited to those at 80% of AMI. So they took up the issues of homelessness, economic development, etc.

Chair Bushee explained she was talking about the future of the City's AH program. There were all these little pockets of money and she wondered if they should be splitting up their resources.

Ms. Dailey said they wanted to address more of the homeless issue through CDBG. The Trust Fund had no such restrictions.

Chair Bushee commented that the new Santa Fe Recovery Program was out there seeking funds for beds and felt it would make more sense to coordinate these.

Ms. Dailey said Hank Hughes and the Coalition were very much behind this program. They were not funding the construction of the site. The funding was really needed for those services.

Chair Bushee felt they had to get smart about funding.

Ms. Dailey said they should know if an increase would be realized by December.

Chair Bushee said the Committee never hears from the Coalition.

Ms. Dailey said the Coalition was working to establish a one-stop shop.

Chair Bushee suggested that someday the Roundtable should meet without

requiring the City to pay for a facilitator. People needed to get more efficient with spending money and prove our efficiency with the funders. In these times it was survival of the fittest and the City needed to be the fittest. She said the Committee never hears from the Roundtable.

Councilor Trujillo asked if they were still looking at affordable housing for officers at the parks.

Ms. Dailey said with workforce housing they were looking every week at the foreclosures and their relationship to the parks. It was always in their minds. Councilor Ortiz brought some to her attention but none were eligible for that funding. They had to be in foreclosure.

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

19. REQUEST FOR APPROVAL OF AN ORDINANCE CREATING A NEW SECTION 14-5.2(M) SFCC 1987 REGARDING THE APPLICABILITY OF SPECIAL PROVISIONS AND STANDARDS OF HISTORIC DISTRICT REQUIREMENTS TO STATE CAPITAL OUTLAY PROJECTS (MAYOR COSS) (FRANK KATZ)

Ms. Price reported on this request. This came about after HB 360 passed in response to the City's efforts to work with the State (on the parking garage). The bill that was drafted would set up in Chapter 14 how the State would have to comply with the ordinance on historic districts and landmarks.

Chair Bushee said they already passed the resolution.

Ms. Price agreed and it was to work with the state and they did work with them.

Chair Bushee asked if they couldn't do this for federal construction too.

Ms. Price said they didn't have that right yet but the state agencies were on board with it. Should there be a disagreement the process of HB 360 with committee review would take place.

Councilor Trujillo moved to approve the request. Councilor Calvert seconded the motion.

Councilor Calvert was still not clear why they needed to do this. He thought they came to an agreement and the process would be on a case by case basis. The State sort of met the City half way. Nobody wanted to risk losing their bargaining position.

Ms. Price said it was very important that the City have these in place because HB 360 said it was dependent on these special rules.

Councilor Calvert thought the City already had them.

Ms. Price said they needed to establish specific rules for state capital outlay projects or they could not apply any of the Historic District rules. They were very similar to the other rules.

Councilor Calvert understood.

The motion passed by unanimous voice vote.

20. REQUEST FOR APPROVAL OF A RESOLUTION AMENDING TABLE 37, PAGE 36 OF THE CITY OF SANTA FE IMPACT FEES CAPITAL IMPROVEMENTS PLAN AND LAND USE ASSUMPTIONS, 2007-2012 REGARDING PLANNED PARK IMPROVEMENTS ADDING NEW PARKS TO BE ELIGIBLE TO RECEIVE IMPACT FEE FUNDING (COUNCILOR DOMINGUEZ) (FABIAN CHÁVEZ)

Mr. Chávez presented this request. He said the resolution was in front of the Committee and he would stand for questions.

Councilor Calvert asked if they were deleting San Isidro Park.

Chair Bushee asked why they would delete San Isidro Park and if it was in the City.

Mr. Romero explained that it was near the Lowes Store.

Mr. Chávez noted that at the impact meeting there were questions about why the developer was not responsible to build the park. They simply asked that Councilor Dominguez come back with more information.

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

21. REQUEST FOR APPROVAL OF AN ORDINANCE AMENDING RULE 8 OF EXHIBIT A, CHAPTER 22 SFCC 1987, TO INCREASE THE MONTHLY SEWER SERVICE AND USAGE FEES BY 30.1 PERCENT EFFECTIVE JANUARY 1, 2010; THEREAFTER EFFECTIVE OCTOBER 1, 2012 THE MONTHLY SEWER SERVICE AND USAGE FEES SHALL BE INCREASED BY 4.7 PERCENT PER YEAR FOR THREE YEARS FOR RESIDENTIAL, MULTI-FAMILY AND COMMERCIAL CUSTOMERS FOR THE CITY'S SEWER SYSTEM; AND

AMENDING RULE 12, OF EXHIBIT A TO INCREASE THE MASS BASED COST OF PROVIDING AIR TO REMOVE THE CHEMICAL OXYGEN DEMAND ("COD") IN WASTEWATER BY 30.1 PERCENT EFFECTIVE JANUARY 1, 2010; THEREAFTER EFFECTIVE OCTOBER 1, 2012 THE COST SHALL BE INCREASED BY 4.7 PERCENT PER YEAR FOR THREE YEARS (COUNCILOR WURZBURGER) (BRYAN ROMERO)

Mr. Bryan Romero presented this request. A major reason for this request was that GRT revenues went down. The City spent \$20 million in bonds and a 1/16% GRT was for payment of those bonds. Currently the City didn't sufficient money to pay for those bonds. So they had to increase the rates a little to cover the bonds. These percentages would allow the City to pay them and achieve a targeted reserve of \$1.25 million. There were 3 scenarios, all of which had a 30.1% increase in first year. But after the first year, they had 4.1, 4.5 of 4.7 percentages. They needed the funds to pay the bonding obligations.

Councilor Calvert said it was not with pleasure to approve this but if they didn't do it they would be in default.

Councilor Calvert moved to approve the request. Councilor Trujillo reluctantly seconded. He understood they had to pay the bonds but 30% was a lot.

Mr. Bryan Romero said the rates had been relatively low. 30% would actually make Santa Fe comparable with other municipalities.

The motion passed by unanimous voice vote.

22. MATTERS FROM STAFF

None.

23. MATTERS FROM THE COMMITTEE

Councilor Trujillo commented about the small park off Rio Vista. Mr. Romero said he would check it out.

Chair Bushee asked if he got the highway roads petition and noted that they were the same people that asked for the slowing down.

24. NEXT MEETING: TUESDAY, SEPTEMBER 8, 2009

25. ADJOURN.

The meeting adjourned at 7:02 p.m.

Approved by:

Patti J. Bushee, Chair

Submitted by:



Carl Boaz, Stenographer