



Agenda

CITY CLERK'S OFFICE

DATE 9-23-09 TIME 2:20

SERVED BY Beth Mazzoni

RECEIVED BY [Signature]

**PUBLIC WORKS/CIP & LAND USE COMMITTEE
MEETING
CITY COUNCIL CHAMBERS
TUESDAY, SEPTEMBER 29, 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 SEPTEMBER 8, 2009 PUBLIC WORKS COMMITTEE MEETING

PUBLIC HEARING

6. REQUEST FOR APPROVAL OF AN ORDINANCE AMENDING CHAPTER 14 LAND DEVELOPMENT LAWS AND CHAPTER 26 AFFORDABLE HOUSING SFCC 1987 RELATING TO APPEALS (**COUNCILOR ORTIZ**) (**GREG SMITH**)

INFORMATIONAL ITEM

7. UPDATE TO THE \$5 MILLION DOLLAR GRANT FROM HOUSING AND URBAN DEVELOPMENT TO INCORPORATE GREEN FEATURES INTO THE VILLA ALEGRE HOUSING PROJECT (**CARY WEINER/ED ROMERO**)

CONSENT AGENDA

8. CIP PROJECT #211 – POLICE DEPARTMENT RENOVATIONS – PHASE II
 - REQUEST FOR APPROVAL OF CHANGE ORDER NO. 2 WITH LOCKWOOD CONSTRUCTION COMPANY IN THE AMOUNT OF \$90,338 (**CHIP LILIENTHAL**)
9. PAVEMENT RESURFACING
 - REQUEST FOR APPROVAL OF PROCUREMENT UNDER CITY ON-CALL PRICE AGREEMENT WITH ADVANTAGE ASPHALT & SEAL COATING CONSTRUCTION IN THE AMOUNT OF \$227,239.13 (**DAVID CATANACH**)
10. REQUEST FOR APPROVAL OF AMENDMENT NO 1 TO PROFESSIONAL SERVICES AGREEMENT (PSA) WITH SANTA FE CIVIC HOUSING AUTHORITY (SFCHA) TO INCREASE THE APPROPRIATIONS FOR THIS PROJECT BY \$100,000
 - THE \$100,000 COMES FROM TWO 2008 NEW MEXICO LEGISLATIVE GENERAL FUND GRANTS: 08-4480 AND 08-4491. BOTH GRANTS ARE TO PLAN, DESIGN AND CONSTRUCT A MULTIPURPOSE COMMUNITY CENTER FOR SANTA FE CIVIC HOUSING (**DAVID CHAPMAN**)

11. REQUEST FOR APPROVAL OF MEMORANDUM OF AGREEMENT WITH SANTA FE COUNTY FOR ANNEXATION PHASE I ROADWAY IMPROVEMENTS PRIOR TO ANNEXATION (**CHRIS ORTEGA**)

DISCUSSION

12. REQUEST FOR APPROVAL OF REVISED AMENDMENT NO 1 TO LEASE AGREEMENT BY AND BETWEEN THE CITY OF SANTA FE AND KITCHEN ANGELS INC. AND THE FOOD DEPOT TO AMEND ORIGINAL REQUEST REGARDING PARCEL CONFIGURATION AND USE THEREOF WITHIN THE SILER CITY YARDS (**EDWARD VIGIL**)
13. REQUEST FOR APPROVAL OF AN ORDINANCE REPEALING SECTIONS 18-8.1 THROUGH 18-8.8 SFCC 1987 REGARDING PUSH CART VENDORS; AND CREATING A NEW SECTION 23-5.5 REGARDING PLAZA PUSH CART VENDORS (**COUNCILOR CHAVEZ**) (**SEVASTIAN GURULE**)
 - REQUEST FOR APPROVAL OF A RESOLUTION ESTABLISHING AN APPLICATION FEE FOR PERSONS WHO APPLY FOR A LICENSE UNDER THE PLAZA PUSH CART ORDINANCE, §23-5.5 SFCC 1987 (**COUNCILOR CHAVEZ**) (**SEVASTIAN GURULE**)
14. REQUEST FOR APPROVAL OF AN ORDINANCE CREATING A NEW ARTICLE 23-8 SFCC 1987 REGULATING STREET PERFORMERS ON PUBLIC PROPERTY; AND AMENDING SECTION 18-8.10 SFCC 1987 REGARDING BUSINESS LICENSE FEES (**COUNCILOR BUSHEE**) (**SEVASTIAN GURULE**)
15. MATTERS FROM STAFF
16. MATTERS FROM THE COMMITTEE
17. NEXT MEETING: **TUESDAY, OCTOBER 13, 2009**
18. ADJOURN

Persons with disabilities in need of accommodations, contact the City Clerk's office at 955-6520, five (5) working days prior to meeting date

SUMMARY INDEX

PUBLIC WORK, CIP & LAND USE COMMITTEE

September 29, 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 - Sept 8, 2009	Approved as presented	2
PUBLIC HEARING		
6. Historic/Affordable Housing Appeals	Postponed	2-3
INFORMATIONAL AGENDA		
7. HUD Green Grant for Villa Alegre Project	Informational only	3-5
CONSENT AGENDA LISTING	Listed	5-6
DISCUSSION AGENDA		
12. Kitchen Angels/Food Depot Lease Amendment	Approved as presented	6
13. Plaza Push Cart Vendors Licensing	Approved as presented	6-7
14. Street Performers Ordinance	Approved as presented	7-8
15. Matters from Staff	None	8
16. Matters from the Committee	One statement	8
17. Next Meeting	Set for Oct 13, 2009	8
18. Adjournment	Adjourned at 6:15 p.m.	8

MINUTES OF THE
CITY OF SANTA FE
PUBLIC WORKS/CIP & LAND USE COMMITTEE

TUESDAY, SEPTEMBER 29, 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 Miguel Chávez
Councilor Rosemary Romero
Councilor Ronald S. Trujillo

MEMBERS ABSENT:

None

OTHER COUNCILORS PRESENT:

None

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 presented. Councilor Trujillo seconded the motion and it passed by unanimous voice vote.

4. APPROVAL OF CONSENT AGENDA

Councilor Romero asked that item # 11 be removed from the Consent Agenda for discussion.

Councilor Calvert moved to approve the Consent Agenda as amended with #11 removed for discussion. Councilor Trujillo seconded the motion and it passed by unanimous voice vote.

5. APPROVAL OF MINUTES FROM SEPTEMBER 8, 2009, PUBLIC WORKS COMMITTEE MEETING

Councilor Trujillo moved to approve the minutes of September 8, 2009 as presented. Councilor Chávez seconded the motion and it passed by unanimous voice vote.

PUBLIC HEARING

6. REQUEST FOR APPROVAL OF AN ORDINANCE AMENDING CHAPTER 14 LAND DEVELOPMENT LAWS AND CHAPTER 26 AFFORDABLE HOUSING SFCC 1987 RELATING TO APPEALS (COUNCILOR ORTÍZ) (GREG SMITH)

Chair Bushee noted there were some amendments on each member's desk. Obviously, if they were not clear on it, they could continue it later. There were concerns of OSFA and the Neighborhood Law Center. There were lots of specific amendments.

Mr. Katz said he had not worked on it much and would let Mr. Smith present the request.

Mr. Smith explained that Jeanne Price was trying to codify all of the amendments. After talking with Fred Rowe resulted in a breakdown in communications they were trying to get everyone on the same sheet. Ms. Price was out sick today.

Chair Bushee asked how they should proceed since they were not prepared.

Mr. Smith thought staff were ready.

Chair Bushee asked the Committee if they were prepared for this discussion or if they should postpone it.

Councilor Chávez didn't think they were ready

Councilor Chávez moved to postpone this item and request staff to continue to work on the mock up so they would have one version to consider. Councilor Romero seconded the motion.

Chair Bushee asked if they wanted to postpone to a date certain.

Councilor Chávez agreed and included in the motion to postpone it to the next meeting. Councilor Romero agreed.

Mr. Smith said that was certainly enough time for staff and they would have all the i's dotted and the t's crossed.

Mr. Katz thought that would be plenty of time and staff should get the Committee a clean copy. There were a couple of policy things to work out.

Councilor Romero encouraged staff on the communications issue in the last couple of days to get it cleaned up. She was comfortable waiting until the next meeting but asked to get a draft with an accurate date on top prior to the next meeting.

Mr. Katz agreed that it helped to have an accurate date.

Councilor Romero said she always liked to have tracked changes in colors. But maybe they did not need that detail. But they needed to see where the changes were.

Chair Bushee asked that Ms. Price write another memo; it would help.

Councilor Calvert asked for just one version; not two. And have the amendments worked out and make sure they were not in conflict.

Councilor Chávez asked if all of the separate amendment sheets were incorporated in one document or were standing alongside it. He agreed it needed to be one document, color coded.

The motion to postpone this item passed by unanimous voice vote.

INFORMATIONAL ITEM

7. UPDATE TO THE \$5 MILLION DOLLAR GRANT FROM HOUSING AND URBAN DEVELOPMENT TO INCORPORATE GREEN FEATURES INTO THE VILLA ALEGRE HOUSING PROJECT (CARY WEINER/ED ROMERO)

Cary Weiner presented the request and explained that he was the City's Renewable Energy Planner and worked with Mr. Schiavo who could not be present. Neither staff member had seen the details of the HUD grant so he asked that Mr. Ed Romero handle it.

Mr. Ed Romero said their proposal was one of 44 nationwide who got grants. The \$5.3 million would help them complete the project. Some of it replaced other funds (\$1.2 million).

They committed to 10 of the 11 categories. 7/acre of the units was detached. Rain harvesting; water conservation fixtures; energy efficiency to exceed the energy star standards and renewable energy for

10% of the project were hallmarks of the project.

Chair Bushee asked if they were staying with the system presented last time.

Mr. Ed Romero agreed but added they were exploring other options.

Councilor Chávez asked if they were going to supplement with solar.

Mr. Ed Romero agreed they were maximizing PV on site.

Councilor Chávez asked if what was generated on site would be there for residents. Mr. Ed Romero agreed.

Councilor Calvert asked about the heat pump and if they would have one or many.

Mr. Ed Romero said there were individual heat pumps. They were exploring geo-thermal and if it made sense and fit the budget, they would consider it. He shared several other characteristics.

Councilor Chávez noted the Council had discussed buying locally a lot. Some of these materials were a new generation of material. He asked to what extent they were available locally.

Mr. Ed Romero said they would have a fixed contract with their contractor and gave a local preference. It was the contractor's job to find things locally.

Councilor Chávez asked that they strive to keep the money in the local economy.

Mr. Robert Romero explained that when it was federal money the City could not control it but could with city money.

Mr. Ed Romero said they had no city money in the project.

Councilor Chávez - so they have no influence on it.

Chair Bushee asked if the buildings lent themselves to passive solar.

Mr. Ed Romero said they did not commit to passive solar because it interfered with historic regulations, even with south orientation. PV panels would help but they could not put them on the one - story units.

Chair Bushee asked about shared walls and avoiding the canyon effect.

Mr. Ed Romero said in senior units there were 2, 3, and 4 units combined. This was the one set of plans that made it through the committees. Zoning liked them Historic liked the plans. That was where they

were.

Councilor Calvert asked about the percentage of solar.

Mr. Ed Romero said it was first just in the 9 percent application. They were exploring possible use in senior. It would be 10-30% in the 9% area (family).

Councilor Calvert asked if there was a problem with solar in the senior area.

Mr. Ed Romero said they were not approved for solar on senior units. He explained that they would have to increase parapets or decrease the angle and that would reduce the efficiency.

Councilor Calvert said he had discussed it with the HDRB chair. She said that flat roofs were okay and with less slope, it would accomplish solar. He urged Mr. Romero to look at that.

Mr. Ed Romero clarified that all would benefit from the solar because they would master meter and sub meters.

Councilor Chávez excused himself from the meeting at 5:47.

Councilor Calvert said he just hated to see the federal grant for green energy undermined by electric heating.

Councilor Romero appreciated Mr. Romero being here. At a meeting some neighbors were concerned and he addressed some of them like the canyon issue.

Mr. Ed Romero they went through 5-6 iterations and now were happy with the exception of one or two neighbors. They worked with them 3 months before bringing them to the HDRB.

CONSENT AGENDA

- 8. CIP PROJECT #211 – POLICE DEPARTMENT RENOVATIONS – PHASE II**
 - **REQUEST FOR APPROVAL OF CHANGE ORDER NO. 2 WITH LOCKWOOD CONSTRUCTION COMPANY IN THE AMOUNT OF \$90,338 (CHIP LILIENTHAL)**
- 9. PAVEMENT RESURFACING**
 - **REQUEST FOR APPROVAL OF PROCUREMENT UNDER CITY ON-CALL PRICE AGREEMENT WITH ADVANTAGE ASPHALT & SEAL COATING CONSTRUCTION IN THE AMOUNT OF \$227,239.13 (DAVID CATANACH)**
- 10. REQUEST FOR APPROVAL OF AMENDMENT NO. 1 TO PROFESSIONAL SERVICES AGREEMENT (PSA) WITH SANTA FE CIVIC HOUSING AUTHORITY (SFCHA) TO INCREASE THE**

APPROPRIATIONS FOR THIS PROJECT BY \$100,000

- **THE \$100,000 COMES FROM TWO 2008 NEW MEXICO LEGISLATIVE GENERAL FUND GRANTS: 08-4480 AND 08-4491. BOTH GRANTS were TO PLAN, DESIGN AND CONSTRUCT A MULTIPURPOSE COMMUNITY CENTER FOR SANTA FE CIVIC HOUSING (DAVID CHAPMAN)**

DISCUSSION AGENDA

11. REQUEST FOR APPROVAL OF MEMORANDUM OF AGREEMENT WITH SANTA FE COUNTY FOR ANNEXATION PHASE I ROADWAY IMPROVEMENTS PRIOR TO ANNEXATION (CHRIS ORTEGA)

Mr. Ortega presented this request.

Councilor Romero had concerns that this MOU was cart before the horse and would wait too long in annexations. It would go to the committees but she encouraged drafting a resolution so they could meet with the County sooner than later. They were seeing a looming problem with deteriorating roads.

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

12. REQUEST FOR APPROVAL OF REVISED AMENDMENT NO. 1 TO LEASE AGREEMENT BY AND BETWEEN THE CITY OF SANTA FE AND KITCHEN ANGELS INC. AND THE FOOD DEPOT TO AMEND ORIGINAL REQUEST REGARDING PARCEL CONFIGURATION AND USE THEREOF WITHIN THE SILER CITY YARDS (EDWARD VIGIL)

Mr. Ed Vigil presented the request. Sherry Hooper, Executive Director of the Food Depot was present to answer questions.

Chair Bushee asked her to keep inviting him to come out.

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

Ms. Hooper thanked them.

13. REQUEST FOR APPROVAL OF AN ORDINANCE REPEALING SECTIONS 18-8.1 THROUGH 18-8.8 SFCC 1987 REGARDING PUSH CART VENDORS; AND CREATING A NEW SECTION 23-5.5 REGARDING PLAZA PUSH CART VENDORS (COUNCILOR CHÁVEZ) (SEVASTIAN GURULÉ)

Chair Bushee invited Mr. Gurulé to give a summary presentation and asked why they needed this.

Mr. Gurulé said they were moving it from Chapter 18 to deal specifically for Plaza push carts to be with the other plaza artisans and mirror the procedures for artisans as well.

Chair Bushee found that some of the food carts had stained their sidewalks. There should be some kind of fee or tell them they were responsible for cleaning those up.

Mr. Gurulé said they did quarterly inspections. They had concerns from the one who sold corn with butter and he steam cleaned his area.

Chair Bushee - maybe quarterly was not enough.

Mr. Gurulé spoke briefly to the CRS registration issue and related that vendors had to submit copies of their CRS reports.

Chair Bushee asked who was collecting them.

Mr. Gurulé said city staff would collect and store them in case there was a question.

Councilor Trujillo asked if it would apply to those on Siringo Road.

Mr. Gurulé said it was just for those on the Plaza.

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

14. REQUEST FOR APPROVAL OF AN ORDINANCE CREATING A NEW ARTICLE 23-89 SFCC 1987 REGULATING STREET PERFORMERS ON PUBLIC PROPERTY; AND AMENDING SECTION 18-8.10 SFCC 1987 REGARDING BUSINESS LICENSE FEES (COUNCILOR BUSHEE) (SEVASTIAN GURULÉ)

Chair Bushee said they were setting up a semi regulated structure so performers were not competing for the same street corner and getting the fees.

Mr. Gurulé said it protected the rights of street performers and addressed their concerns.

Chair Bushee asked how they were keeping track of the short term fees like those who passed through town and were only there on weekends.

Mr. Gurulé explained that they had to come in before the weekend.

Chair Bushee asked if it was self-regulating.

Mr. Gurulé agreed. They were adamant to make sure it was successful - it was self -policing. They have issued 100 this calendar year with very few complaints.

Chair Bushee asked if it applied to the Railyard but not to those who rented property.

Mr. Gurulé agreed. He clarified that there were some private areas on San Francisco and they had to get permission from the owners.

Councilor Romero asked about sound level and whether they could have amplified music or not.

Mr. Katz thought a trumpet could be as loud as an amplified instrument. So the law prohibited that discrimination. The intent was to protect the rights of the buskers. They had to be a set distance apart. If it was so loud as to overshadow all others it would be a violation. And the noise ordinance still applied. That was the safest constitutionally.

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

15. MATTERS FROM STAFF

None.

16. MATTERS FROM THE COMMITTEE

Councilor Trujillo asked staff for a list of all streets in his district that had recently applied for traffic calming. Mr. Robert Romero agreed to provide it.

17. NEXT MEETING: TUESDAY, OCTOBER 13, 2009

18. ADJOURN

Having completed their agenda, the Committee adjourned at 6:15 p.m.

Approved by:

Patti J. Bushee, Chair

Submitted by:

