



Agenda

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PUBLIC WORKS/CIP & LAND USE COMMITTEE

MEETING

CITY COUNCIL CHAMBERS

MONDAY, OCTOBER 26, 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 OCTOBER 13, 2009 PUBLIC WORKS COMMITTEE MEETING

CONSENT AGENDA

6. REQUEST FOR APPROVAL OF A RESOLUTION RECOGNIZING THE URGENCY OF STABILIZING THE CLIMATE AS WELL AS THE ROLE THAT THE CITY OF SANTA FE CAN PLAY IN SUCH AN ENDEAVOR; AND IN SUPPORT OF U.S. MAYORS CLIMATE PROTECTION AGREEMENT (**COUNCILOR CALVERT**) (**NICK SCHIAVO**)
7. REQUEST FOR APPROVAL OF A RESOLUTION DIRECTING STAFF TO DEDICATE THE PROGRAMMING AT THE COMMUNITY GALLERY TO HISPANIC HERITAGE DURING NATIONAL HISPANIC HERITAGE MONTH BEGINNING IN 2010 AND EVERY YEAR THEREAFTER (**COUNCILOR CHAVEZ**) (**SABRINA PRATT**)
8. REQUEST FOR APPROVAL OF A RESOLUTION DIRECTING STAFF TO APPLY FOR AN ACCESS BREAK ALONG NM 599 FOR THE FUTURE JAGUAR DRIVE INTERCHANGE FROM THE NEW MEXICO DEPARTMENT OF TRANSPORTATION'S (NMDOT) ACCESS CONTROL COMMITTEE AND TO PURSUE AN AIRSPACE AGREEMENT WITH THE NMDOT TO ALLOW FOR A CITY ROAD (I.E. JAGUAR DRIVE) TO CROSS NMDOT- OWNED RIGHT-OF-WAY (**COUNCILOR DOMINGUEZ**) (**JOHN ROMERO**)
9. REQUEST FOR APPROVAL OF A RESOLUTION DIRECTING STAFF TO ENTER INTO A CAPITAL COOPERATIVE AGREEMENT WITH THE NEW MEXICO DEPARTMENT OF TRANSPORTATION TO SHARE IN THE FUNDING FOR IMPROVEMENTS ON PACHECO STREET (**COUNCILOR WURZBURGER AND COUNCILOR ROMERO**) (**DAVID CATANACH**)
10. REQUEST FOR APPROVAL OF A RESOLUTION DIRECTING STAFF TO CONDUCT A FEASIBILITY STUDY FOR THE DEVELOPMENT OF A SUSTAINABILITY DEMONSTRATION CENTER IN THE AREA OF THE GENOVEVA CHAVEZ COMMUNITY CENTER AND THE RODEO GROUNDS (**COUNCILOR ROMERO**) (**KATHERINE MORTIMER**)
11. REQUEST FOR APPROVAL OF A RESOLUTION 2009-02 ENDORSING TRANSITIONAL VOUCHER PROGRAM FOR SANTA FE RIDE PROGRAM PARTICIPANTS (**JON BULTHUIS**)

12. REQUEST FOR APPROVAL OF A RESOLUTION REQUIRING THAT SIGNIFICANT DECISIONS REGARDING THE NORTHWEST QUADRANT PROJECT RECEIVE APPROVAL BY A VOTE OF NO LESS THAN SIX MEMBERS OF THE GOVERNING BODY; AND DIRECTING THE OFFICE OF AFFORDABLE HOUSING TO CONDUCT A PUBLIC EDUCATIONAL CAMPAIGN REGARDING THE CITY'S ONGOING EFFORTS TO PROVIDE AFFORDABLE HOUSING WITHIN THE COMMUNITY (**COUNCILOR CALVERT AND COUNCILOR ROMERO**) (**KATHY MCCORMICK**)

DISCUSSION

13. REQUEST FOR APPROVAL OF 2010 LEGISLATIVE PRIORITIES (**ROBERT ROMERO**)
14. REQUEST APPROVAL OF AN ORDINANCE AMENDING SECTIONS 14-8.3(C)(2) AND 14-8.3(C)(3) SFCC 1987 REGARDING DEVELOPMENT WITHIN A SPECIAL FLOOD HAZARD AREA AND PERMITTED USES WITHIN A FLOODWAY AND MAKING SUCH CHANGES AS ARE NECESSARY (**COUNCILOR CALVERT**) (**WENDY BLACKWELL**)
15. REQUEST FOR APPROVAL OF A RESOLUTION DIRECTING THE CITY MANAGER TO DO A BUDGET ADJUSTMENT IN THE AMOUNT OF \$750,000 FROM THE CITY'S RESERVE FUND TO THE CITY'S GENERAL FUND FOR THE PURPOSE OF COMPENSATING THE SANTA FE 400TH ANNIVERSARY, INC. FOR VARIOUS EVENTS AND PROGRAMS (**COUNCILOR ROMERO, COUNCILOR TRUJILLO AND MAYOR COSS**) (**DARLENE GRIEGO**)
16. REQUEST FOR APPROVAL OF A RESOLUTION TO ACCEPT THE DONATION OF REAL PROPERTY (10 ACRES+) ON THE WESTERN FLANK OF SUN MOUNTAIN ALONG OLD SANTA FE TRAIL SUBJECT TO A DEED OF CONSERVATION EASEMENT (**COUNCILOR WURZBURGER AND COUNCILOR ROMERO**) (**FABIAN CHAVEZ**)
17. REQUEST FOR APPROVAL OF AN ORDINANCE AMENDING ARTICLE 23-6 SFCC 1987 REGARDING THE SALE OR CONSUMPTION OF ALCOHOLIC BEVERAGES ON CITY PROPERTY (**MAYOR COSS**) (**COUNCILOR TRUJILLO**) (**JEANNE PRICE**)
18. REQUEST FOR APPROVAL OF AN ORDINANCE ANNEXING APPROXIMATELY 1,956 ACRES (PHASE 1) OF THE CITY INITIATED ANNEXATION IN ACCORDANCE WITH THE "ANNEXATION PHASING AGREEMENT BETWEEN THE CITY OF SANTA FE AND SANTA FE COUNTY" EXECUTED IN FEBRUARY 2009. THE PHASE 1 ANNEXATION INCLUDES AREAS 3, 6, 8, 9, 10, 11, 13, 15, 16, AND 17 AND INCLUDING THE INTERSTATE 25 RIGHT-OF-WAY BETWEEN OLD PECOS TRAIL AND NM HIGHWAY 599, AS SHOWN ON THE ATTACHED MAPS (EXHIBITS A-L) (**COUNCILOR CHAVEZ**) (**REED LIMING**)
19. MATTERS FROM STAFF
20. MATTERS FROM THE COMMITTEE
21. NEXT MEETING: MONDAY, NOVEMBER 16, 2009
22. ADJOURN

SUMMARY INDEX

PUBLIC WORK, CIP & LAND USE COMMITTEE

October 26, 2009

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5. APPROVAL OF MINUTES - Sept 29, 2009	Approved as presented	2
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7. Hispanic Heritage Art and Community Gallery	Approved as presented	3
9. DOT Agreement for Pacheco Improvements	Approved as presented	3
10. Sustainable Demonstration Center	Approved as presented	3-4
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15. 400 th Anniversary Budget Adjustment	Postponed	8
16. Sun Mountain Property Donation	Approved as presented	8-9
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18. Phase 1 Annexation	Approved with revised FIR	11-12
 19. Matters from Staff	 None	 12
20. Matters from the Committee	None	12
21. Next Meeting	Set for Nov 16, 2009	12
22. Adjournment	Adjourned at 6:45 p.m.	13

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

MONDAY, OCTOBER 26, 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 Vice Chair Ron Trujillo 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 Christopher Calvert
Councilor Miguel Chávez
Councilor Rosemary Romero
Councilor Ronald S. Trujillo

MEMBERS ABSENT:

Councilor Patti Bushee, Chair [excused]

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

Mr. Romero requested that #15 be postponed.

Councilor Calvert moved to approve the agenda as amended with Item #15 being postponed. Councilor Romero seconded the motion and it passed by unanimous voice vote.

4. APPROVAL OF CONSENT AGENDA

Councilor Chávez requested that #7 be pulled from consent just to speak to the amendment on our desks.

Vice Chair Trujillo requested that #9 and #10 be removed from Consent for discussion.

Councilor Calvert moved to approve the consent agenda as amended without 7, 9 or 10. Vice Chair Trujillo seconded the motion and it passed by unanimous vote.

5. APPROVAL OF MINUTES FROM SEPTEMBER 29, 2009, PUBLIC WORKS COMMITTEE MEETING

Councilor Romero moved to approve the minutes of September 29, 2009 as presented. Councilor Chávez seconded the motion and it passed by unanimous voice vote.

CONSENT AGENDA LISTING

- 6. REQUEST FOR APPROVAL OF A RESOLUTION RECOGNIZING THE URGENCY OF STABILIZING THE CLIMATE AS WELL AS THE ROLE THAT THE CITY OF SANTA FE CAN PLAY IN SUCH AN ENDEAVOR AND IN SUPPORT OF U.S. MAYORS' CLIMATE PROTECTION AGREEMENT (COUNCILOR CALVERT) (NICK SCHIAVO)**
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(COUNCILOR CALVERT AND COUNCILOR ROMERO) (KATHY MCCORMICK)

DISCUSSION AGENDA

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Councilor Chávez said on the amendment sheet he was willing to accept the difference in the language. The resolution was specific to space in the gallery and all programming dedicated specifically to National Hispanic Heritage but the Arts Commission wanted some flexibility and keep it diverse. So it now said that Hispanic Heritage Art would be as a component of the programming. So it would not take over the space entirely but most of it. It would be in sync with National Hispanic Heritage Month.

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

9. REQUEST FOR APPROVAL OF A RESOLUTION DIRECTING STAFF TO ENTER INTO A CAPITAL COOPERATIVE AGREEMENT WITH THE NEW MEXICO DEPARTMENT OF TRANSPORTATION TO SHARE IN THE FUNDING FOR IMPROVEMENTS ON PACHECO STREET (COUNCILOR WURZBURGER AND COUNCILOR ROMERO) (DAVID CATANACH)

Vice Chair Trujillo clarified that this cooperative agreement was going to be for Pacheco. He asked Mr. Romero; when they were writing the contract that it say "various streets in the city of Santa Fe."

Mr. Romero agreed.

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

10. REQUEST FOR APPROVAL OF A RESOLUTION DIRECTING STAFF TO CONDUCT A FEASIBILITY STUDY FOR THE DEVELOPMENT OF A SUSTAINABILITY DEMONSTRATION CENTER IN THE AREA OF THE GENOVEVA CHÁVEZ COMMUNITY CENTER AND THE RODEO GROUNDS (COUNCILOR ROMERO) (KATHERINE MORTIMER)

Vice Chair Trujillo asked if the area would include the section between the fire dept and GCCC.

Councilor Romero said it would and it was just to ask staff to look at it from a feasibility perspective. The Commission did have an approved plan. Terrie Rodriguez told her there were no ideas for a senior center in that area. The Commission on Aging said there was no money available for development of a

senior center in that area and this was an alternative, given the great interest of the Community College. Staff could work on the feasibility and give some feedback.

Vice Chair Trujillo noted that a senior center was originally to be part of GCCC. But without funds, it did not become a component. He still wanted the City to look at it for the south side but wanted to leave the GCCC location open as an option.

Mr. Romero agreed the senior center was designed in 200-2001 to be attached to the GCCC on the northwest side in order to have direct access to GCCC. It was just sitting there.

Vice Chair Trujillo said okay. He had no problem with it then.

Councilor Romero said once again it was contingent on having money for it.

Vice Chair Trujillo moved to approve the request. Councilor Romero seconded the motion.

Councilor Chávez agreed they needed to keep both options open. Both of these could be a good fit.

The motion passed by unanimous voice vote.

13. REQUEST FOR APPROVAL OF 2010 LEGISLATIVE PRIORITIES (ROBERT ROMERO)

Mr. Romero explained that he put together a few of them in a draft. Three or four had been to legislature before. He listed those that had funding in the past. Two new ones were reservoir infrastructure improvements since there might be money from the Water Trust Board after funding Buckman. Another one was the Tino Griego Teen Center.

He said they usually request about \$300,000 per district but he couldn't get in touch with all the Councilors.

Mr. Mark Durán said he was available for questions. This process worked well each year. This was for the Committee's review and approval. Then they would set up a meeting with the Santa Fe delegation in November and then meet with legislative leadership to share the priorities. This was the first step.

Councilor Calvert noted there was some stimulus money from the federal government that roosted in the Governor's office and he wondered where it went.

Mr. Durán agreed that there were various stimulus pots of money. About \$57 million were at the Executive's discretion and he put out \$22 million for proposals for cities, counties, villages and pueblos for infrastructure projects with a \$400,000 cap. He received 400 requests each for \$400,000.

But because the State was in a revenue shortfall the legislature took that in the special session and so the money evaporated.

Councilor Calvert asked if it was at the discretion of the State to cover budget shortfall with stimulus funds.

Mr. Durán said they did it and he had not yet heard what exactly it went for. He was pretty sure the \$22 million was being used to fill shortfall revenue gaps. It sure felt like all of a sudden every dollar was important in that shortfall.

Councilor Chávez said if the National League of Cities had their way, more of it would have gone directly to cities but it didn't happen.

Councilor Chávez said to Mr. Durán and Mr. Romero if they were going to list any projects with the City's limited funds, it would be prudent to list projects that had been funded for design and now were ready for construction.

Mr. Durán agreed that was a perfect strategy and one they were using. He listed several of them.

With the limited amount of money in severance bonds, they took prior capital projects to general fund for capital projects in 2010.

Councilor Chávez asked if the Santa Fe River Restoration funding would be separate from parks bonds.

Mr. Romero said it was separate.

Councilor Chávez said the SW sector effluent line, although listed under District 3, was a broader region than just District 3.

Mr. Durán agreed and quite frankly thought they would, at best, besides police renovation, show building of the pipeline and hoping the situation would get better. He thought they would end up going to every legislator to finish that project.

Councilor Chávez asked why it didn't qualify for Water Trust Board funding for this project.

Mr. Durán didn't know what didn't qualify. They moved forward with an application.

Councilor Chávez asked Mr. Romero if it would be okay to ask the Water Trust Board again.

Mr. Romero agreed. The design was complete and they had \$500,000 for construction and needed \$2 million.

Councilor Chávez asked if they could tap into UBCs along the way.

Mr. Romero explained the sequence needs.

Mr. Durán said he would check it out.

Councilor Romero thought they should forego the district projects balance because of the annexation issues that were eating them alive. They needed support for roads and infrastructure but not necessarily by district.

Councilor Calvert said he didn't disagree but part of the criteria was of those already in the works. One thing they might consider was a new fire station.

Councilor Romero said that would fall in public safety and roads.

Mr. Durán thought the whole process of funding from the State would be changing significantly. They had taken major political hits for having capital projects backed up in DFA. So city-wide projects were worth a try.

Mr. Romero said some of the responsibility for improving roads would be through the RPA with the County.

Councilor Romero said while she was working for the State Engineer's office, they were hit for little tiny requests and they were in favor of bigger ones that would be more efficient. She encouraged the Council to think more from a city wide perspective to get the biggest bang for the dollar.

Councilor Chávez asked if on the Buckman Direct Diversion, the \$1 million was the final request.

Mr. Durán didn't know the total. He had an idea of what they requested. A \$4 million application for BDD in front of the Water Trust Board was the same one the City did in two previous years. This would be the third year for a \$4 million application. The first year the city got \$2 million. He thought they had received \$10 million from the Water Trust Board.

Mr. Romero said they were working with Rick Devine to verify the numbers. The City got that question at the legislature each year on how the City could build it without getting all the money. According to page 2 the total project cost was \$216 million and funding to date was \$100 million. So the shortfall was \$115 million.

Councilor Calvert said he heard Las Campanas was going to honor their obligation even without direct diversion.

Vice Chair Trujillo liked the possibility of a fire station.

Councilor Calvert moved to approve the legislative priorities as presented. Councilor Romero seconded the motion and it passed by unanimous voice vote.

14. REQUEST APPROVAL OF AN ORDINANCE AMENDING SECTIONS 14-8.3(C)(2) AND 14-8.3(C)(3) SFCC 1987 REGARDING DEVELOPMENT WITHIN A SPECIAL FLOOD HAZARD AREA AND PERMITTED USES WITHIN A FLOODWAY AND MAKING SUCH CHANGES AS were NECESSARY (COUNCILOR CALVERT) (WENDY BLACKWELL)

Ms. Blackwell presented the request and referred to a packet handout with pages in the correct order.

When it went to the Planning Commission, page 11 had the summary that was used. She explained that when the City adopted the new floodplain maps in 2008, there were some that were new according to FEMA and therefore the use restrictions stood in the way of those individuals who had a legally non-conforming structure in the floodway that, if destroyed by fire, could not be rebuilt. So the change - only for rebuilding, was added. The damage had to be 50% or more. Three priorities could not exceed the current floor area amount. It would not require a variance under those changes. Those were the primary changes.

She said that on page 1 of the bill, line 21 - June 17 2008 should be inserted.

Councilor Calvert said on page 5, line 11 was the same thing.

Councilor Chávez asked how often the City was required to update the City's floodplain map.

Ms. Blackwell said there was no requirement. The June effort was a nationwide effort by FEMA. In essence every time a map was revised for a specific project was an update.

Councilor Romero said then the archdiocese project where they were going into the floodplain would have to be a re-map that they would have to pay for.

Ms. Blackwell explained that in May 2006, with preliminary maps, they hired an engineer to appeal. The appeal was already incorporated into the City maps. Any owner could hire an engineer to request that change from FEMA.

Councilor Chávez asked if in the work to redo the map, there were pockets where there were concentrated places with legally non-conforming structures.

Ms. Blackwell said the City had 504 structures in the floodplain. In the floodway it was only along Camino Pequeño where the old FEMA didn't include it in their study. The City did need to work with some of those property owners to come up with the certificates FEMA would require.

Councilor Calvert said some people on East Alameda might be affected, right along the river.

Ms. Blackwell said that neighborhood united to fund a private study for that area that would be more detailed than FEMA.

Councilor Calvert moved to approve this request with the amendments of the handout.

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

Councilor Chávez and Councilor Romero asked to be added as co sponsors.

15. REQUEST FOR APPROVAL OF A RESOLUTION DIRECTING THE CITY MANAGER TO DO A BUDGET ADJUSTMENT IN THE AMOUNT OF \$750,000 FROM THE CITY'S RESERVE FUND TO THE CITY'S GENERAL FUND FOR THE PURPOSE OF COMPENSATING THE SANTA FE 400TH ANNIVERSARY, INC. FOR VARIOUS EVENTS AND PROGRAMS (COUNCILOR ROMERO, COUNCILOR TRUJILLO AND MAYOR COSS) (DARLENE GRIEGO)

This item was postponed under Approval of the Agenda.

16. REQUEST FOR APPROVAL OF A RESOLUTION TO ACCEPT THE DONATION OF REAL PROPERTY (10+ ACRES) ON THE WESTERN FLANK OF SUN MOUNTAIN ALONG OLD SANTA FE TRAIL SUBJECT TO A DEED OF CONSERVATION EASEMENT (COUNCILOR WURZBURGER AND COUNCILOR ROMERO) (FABIAN CHÁVEZ)

Mr. Chávez presented this request. He reported on the fiscal impact and three people from the neighborhood were at the meeting.

Councilor Romero understood this had been a huge effort. This resolution was in anticipation of land coming to the City. Any update he could share would be great.

Mr. Andy Ault said he lived down the Santa Fe Trail. They were working with Ed McDowell on modified extension periods to get the agreements in place (TPL). He explained the three portions of the land. The TPL would subdivide the 11 acres separate from the conservation buyer. The lot line was still being drawn and they had until Wednesday to get Mr. McDowell to take up the option and get legal work done.

Councilor Chávez asked Mr. Chávez what the interim plan was for managing the conservation easement if they didn't have funding for improvements and maintenance.

Mr. Chávez said funding could be established for securing it, building parking and a trail head. There was a proposed layout for a trail. Cost estimates varied greatly on this kind of topography. They had initial estimates for securing it and could secure it until they could safely do the improvements. People would still be able to walk through there however.

Councilor Chávez asked if security would require some minimal fencing.

Mr. Chávez agreed. On Wednesday he would walk with TPL and neighbors. They would want fencing on the street and prevent people from walking onto private property. There might be areas that didn't need to be fenced. So that hadn't been identified yet. Also they would look for off-road parking. Park staff didn't recommend parking on a rural street because it caused more erosion and was dangerous next to traffic.

They didn't want to incur other problems with neighbors. There was also engineering to look at. Councilor Chávez said he understood that. He asked what maintenance Parks would try to do.

Mr. Chávez said they would open an area for foot traffic only and designate it as open space with a name chosen. From there, sending a staff periodically to walk the easement perimeter to find if trash was there or transients or illegal dumping.

Councilor Chávez said he just wanted to touch on this because it did increase City responsibilities to keep the area safe. If he felt his staff could do the minimum, then PD would enforce there too. Challenges existed for the budget constraints.

Vice Chair Trujillo asked if this was where a developer was going to put houses.

Mr. Chávez agreed it was. There was another map to pass around that delineated it much better. It much better defined the easement and proposed trail layout. The specific layout would take advantage of the topography to minimize erosion.

Mr. Ault said in the original plan, there were 13 houses approved. 3 affordables and 10 at market rate.

Councilor Chávez asked if Affordable Housing was distributed throughout the parcel. Mr. Ault agreed.

Mr. Ault said the Watson family had stewarded the property for 100 years and had one house on the property. They built trails on the property so the job of building those trails was much smaller and the TPL had a workforce to help. It was very raw right now and there was almost no trash or garbage there.

Councilor Chávez asked if those trails would connect with City trails. Mr. Ault agreed.

Vice Chair Trujillo asked if there were private properties on all sides.

Mr. Chávez said there was private property on the south and west. To the east was open space. Unless directed otherwise, they would provide safe parking, trails, garbage containers and that was all.

Councilor Romero moved to approve the donation of property. Councilor Calvert seconded the motion.

Councilor Calvert asked if they could also take advantage of TPL for trail development. Mr. Ault agreed.

Mr. Chávez said they were working on that relationship. Siete del Norte helped them with construction and training and the good neighbors there to participate.

The motion passed by unanimous voice vote.

17. REQUEST FOR APPROVAL OF AN ORDINANCE AMENDING ARTICLE 23-6 SFCC 1987 REGARDING THE SALE OR CONSUMPTION OF ALCOHOLIC BEVERAGES ON CITY PROPERTY (MAYOR COSS) (COUNCILOR TRUJILLO) (JEANNE PRICE)

Ms. Melissa Byers presented this request. She said currently people had to get approval from Alcohol and Gaming and the City Council to sell alcoholic beverages on public property. The Mayor and Vice Chair Trujillo introduced a bill to prohibit sales on property under control by the City and the only places where it would be allowed would be SFCCC and adjacent outdoor spaces, the area of the Santa Fe Airport main terminal and adjacent areas operated as a restaurant, Marty Sanchez Links de Santa Fe and buildings owned by another party and located on land owned by the City and city-owned lands that had a long term lease with another party, excluding the Railyard Park Plaza and Alameda.

Councilor Calvert asked if that would be like El Museo.

Ms. Byers said it was and also the Farmers' Market.

Councilor Calvert asked if CSF would fall under #5. Melissa thought so. This went to Public Safety and got approval.

Councilor Calvert said Burro Alley would be one of those and they should determine the others.

Councilor Chávez said they also allowed Anasazi to spill over onto the sidewalks and were on leased City lands He thought it was confusing.

Councilor Calvert said they were trying to keep it out of the city parks.

Councilor Chávez thought maybe they should say that. He said he was going to abstain.

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

Ms. Cynthia Delgado said the focus of the amendment was to keep it out of city parks. It focuses only on the process of getting special licensing. The entities like Anasazi didn't have special licensing - they had licensing year round. The State Public Safety Department had their own requirements. This intent was not to exclude businesses but to focus on public parks and places where children and families went to celebrate.

The Committee discussed how to make it clearer and avoid confusion.

Ms. Delgado said perhaps they could work on language that would be easier to understand.

Ms. Byers said it would go to Finance on Monday and then to Council.

Vice Chair Trujillo noted that the Council made an exception for the 400th kick off at Fort Marcy. This

meant the Council could not do that anymore.

Ms. Byers said it would allow the Council to still do a special permit.

Councilor Chávez thought if they could fix the language on line 15 it would help. The language was a little blurred.

Ms. Byers said okay.

The motion passed by a 3-1 majority voice vote with Councilor Chávez abstaining.

18. REQUEST FOR APPROVAL OF AN ORDINANCE ANNEXING APPROXIMATELY 1,956 ACRES (PHASE 1) OF THE CITY INITIATED ANNEXATION IN ACCORDANCE WITH THE "ANNEXATION PHASING AGREEMENT BETWEEN THE CITY OF SANTA FE AND SANTA FE COUNTY" EXECUTED IN FEBRUARY 2009. THE PHASE 1 ANNEXATION INCLUDES AREAS 3, 6, 8, 9, 10, 11, 13, 15, 16 AND 17 AND INCLUDING THE INTERSTATE 25 RIGHT-OF-WAY BETWEEN OLD PECOS TRAIL AND NM599 AS SHOWN ON THE ATTACHED MAPS (EXHIBITS 1-L) (COUNCILOR CHÁVEZ) (REED LIMING)

Mr. Liming presented this request to the Committee.

Councilor Chávez moved to approve the request. Councilor Romero seconded the motion.

Mr. Liming called attention a revised FIR with additional street costs and loss of some residents from county residents now in the city that would not pay a surcharge.

Councilor Chávez clarified that his motion would include the revised FIR.

Councilor Calvert said he still got a little heartburn over annexing I-25 and the future annexing all of 599. He understood that the City attorney was a little gun-shy on this. They already owned most of the land adjacent to I-25 but didn't have the maintenance responsibility for I-25 but just for the adjacent portion. But now they were annexing all of I-25. The Sheriff used both I-25 and 599 to get around but City police didn't need to be on them and patrolling them. The City was biting off a big bunch of roadway to patrol and didn't know why the City should be doing it. The State Police were not part of the equation.

Councilor Chávez asked if these were the best boundaries they could come up with. He asked if staff could address the City's liability in the actual road way now and how it would change.

Mr. Liming said the City would have first response for them but would not own the roadways. DOT would be responsible for that. He suspected county and state law enforcement had an agreement and the City would participate in such an agreement. It just made it clear and followed statute that said the roadway was part of the annexation.

Councilor Calvert said the Attorney got burned with Las Soleras. But he would like to see an MOU on how that agreement would work on first responder and patrolling would play out on the road ways. The City should formalize that agreement and hoped everyone else would continue doing what they have.

Councilor Chávez said it was the City's new responsibility and needed to get on the same page and needed to get the funding for critical components of public safety. If the City didn't build a fire station and increase police force it would be a problem. That was why the City had not been able to get ahead of it.

Councilor Calvert said it would require the City to pull every patrol car in the southern part of the city for that.

Councilor Chávez disagreed. But agreed that the City needed to plan for it.

Councilor Calvert asked that the City plan for it and get an MOU. He reminded the Committee that when 599 was annexed that it was still a WIPP route.

Councilor Chávez said they were accepting the new boundaries but didn't know that they had to have the MOU in place right now.

Vice Chair Trujillo felt they did need that discussion and they needed to have the City Manager and County Manager and the Fire Chief in the discussion.

Councilor Romero said in the Land Use Subcommittee the annexation issues were steering the City toward the problems involved and suggested that they do a city-county summit on these issues. So moving forward incrementally and checking in with them at some point was needed.

She hoped that sometime in the next couple of months they could move that direction.

Vice Chair Trujillo agreed that they should talk with the City Manager to begin that work.

The motion passed by unanimous voice vote.

19. MATTERS FROM STAFF

None.

20. MATTERS FROM THE COMMITTEE

None.

21. NEXT MEETING: MONDAY, NOVEMBER 16, 2009

22. ADJOURN

Having completed the agenda and with no further business to come before the Public Works Committee, the meeting was adjourned at 6:42.

Approved by:

Ronald S. Trujillo, Vice Chair

Submitted by:



Carl Boaz, Stenographer