



Agenda

CITY CLERK'S OFFICE

DATE 8-18-10 TIME 3:15

SERVED BY Bella M. M. M.

RECEIVED BY [Signature]

**PUBLIC WORKS/CIP & LAND USE
COMMITTEE MEETING
CITY COUNCIL CHAMBERS
MONDAY, AUGUST 23, 2010
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 9, 2010 PUBLIC WORKS COMMITTEE MEETING

CONSENT AGENDA

6. REQUEST FOR FINAL APPROVAL OF LEASE AGREEMENT BETWEEN THE CITY OF SANTA FE AND THE LENSIC PERFORMING ARTS CENTER D/B/A TICKETS SANTA FE BOX OFFICE REGARDING THE USE OF 219 SQUARE FEET WITHIN THE SANTA FE COMMUNITY CONVENTION CENTER FOR OPERATING A SATELLITE TICKET OFFICE (**EDWARD VIGIL**)

Committee Review:

Finance Committee (Scheduled)	8/30/10
Council (Scheduled)	9/15/10

7. REQUEST FOR APPROVAL OF A JOINT RESOLUTION URGING NEW MEXICO'S CONGRESSIONAL DELEGATION TO SUPPORT IMMEDIATE CONGRESSIONAL ACTION TO AUTHORIZE LEGISLATION ALLOWING PROPERTY ASSESSED CLEAN ENERGY PROGRAMS (**COUNCILOR BUSHEE, ROMERO AND WURZBURGER**) (**NICK SCHIAVO**)

Committee Review:

Finance Committee (Scheduled)	8/30/10
Public Utilities (Scheduled)	9/01/10
Council (Scheduled)	9/15/10

8. REQUEST FOR APPROVAL OF A RESOLUTION DIRECTING STAFF TO PREPARE A LEASE WITH ;YOUTHWORKS! FOR THE USE OF VACANT MUNICIPAL REAL PROPERTY LOCATED OFF RODEO ROAD ADJACENT TO THE GENOVEVA CHAVEZ COMMUNITY CENTER (**MAYOR COSS**) (**KATE NOBLE**)

Committee Review:

Finance Committee (Approved)	8/16/10
Council (Scheduled)	8/25/10

9. REQUEST FOR APPROVAL OF AN ORDINANCE CREATING A NEW SECTION 14-5.2(N) SFCC 19897 REGARDING THE APPLICABILITY OF SPECIAL PROVISIONS AND STANDARDS OF HISTORIC DISTRICT AND LANDMARK REQUIREMENTS TO COUNTY AND SANTA FE PUBLIC SCHOOLS CAPITAL OUTLAY PROJECTS (**COUNCILOR ROMERO, MAYOR COSS, AND COUNCILOR CALVERT**) (**DAVID RASCH**)

Committee Review:

Historic Design Review Board (Approved)	8/10/10
Finance Committee (Scheduled)	8/30/10
Council (Request to Publish)	9/15/10
Historic Design Review Board (Scheduled)	9/28/10
Council (Public Hearing)	10/13/10

10. REQUEST FOR APPROVAL OF AN ORDINANCE AMENDING SECTION 25-5.6 SFCC 1987 REGARDING TEMPORARY WATER RATE INCREASES IN TIMES OF DROUGHT; REPEALING AND READOPTING RATE SCHEDULES 1C, 1D AND 1E OF EXHIBIT B, CHAPTER 25 SFCC 1987 TO INCREASE WATER RATES TO SUPPLEMENT LOST REVENUE FROM LOW INCOME CREDIT CUSTOMERS; CREATING A WATER RATE CHARGE THAT WOULD BE IMPLEMENTED IN TIMES OF DROUGHT; AND AMENDING RATE SCHEDULE 11 OF EXHIBIT B, CHAPTER 25 SFCC 1987 REGARDING RATES AND CONDITIONS FOR THE CITY'S POTABLE WATER FILL STATION (**COUNCILOR WURZBURGER**) (**BRIAN SNYDER**)

Committee Review:

Council (Request to Publish)	8/25/10
Finance Committee (Scheduled)	8/30/10
Public Utilities (Scheduled)	9/01/10
Council (Public Hearing)	9/29/10

DISCUSSION AGENDA

11. UPDATE ON PLAZA ROUNDTABLE (**SEVASTIAN GURULE**)
12. BOND ISSUES
- REQUEST FOR APPROVAL OF THE REALLOCATION OF EXISTING CIP FUNDS
 - REQUEST FOR DIRECTION ON OPTIONS FOR 2010 BOND (**ISAAC PINO**)
13. REQUEST FOR APPROVAL OF THE 2012-2016 INFRASTRUCTURE CAPITAL IMPROVEMENTS PLAN (ICIP) (**ISAAC PINO**)
- REQUEST FOR APPROVAL OF A RESOLUTION ADOPTING AN INFRASTRUCTURE CAPITAL IMPROVEMENTS PLAN (ICIP) (**COUNCILOR DOMINGUEZ**) (**ISAAC PINO**)

Committee Review:

Finance Committee (Scheduled)	8/30/10
Council (Scheduled)	9/15/10

14. MATTERS FROM STAFF
15. MATTERS FROM THE COMMITTEE
16. NEXT MEETING: MONDAY, SEPTEMBER 13, 2010
17. ADJOURN

SUMMARY INDEX

PUBLIC WORK, CIP & LAND USE COMMITTEE

August 23, 2010

ITEM	ACTION TAKEN	PAGE(S)
2. ROLL CALL	Quorum Present	1
3. APPROVAL OF AGENDA	Approved as presented	1
4. APPROVAL OF CONSENT AGENDA	Approved as amended	2
5. APPROVAL OF MINUTES August 9, 2010	Approved as presented	2
CONSENT AGENDA LISTING	Listed	2
DISCUSSION AGENDA		
7. Property Assessed Clean Energy Programs	Approved	2-3
9. Ordinance for County and Schools	Approved as amended	3-4
10. Water Rate Ordinance Amendment	Approved as amended	4-8
11. Update on Plaza Roundtable	Not Approved	8-14
12. Bond Issues	Approved	14-18
13. ICIP for 2012-2016	Approved	18
14. Matters from Staff	None	18
15. Matters from the Committee	Discussion	18-19
16. Next Meeting	Set for September 13, 2010	19
17. Adjournment	Adjourned at 7:57 p.m.	19

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

MONDAY, AUGUST 23, 2010

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 Carmichael Dominguez 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 Carmichael Dominguez, Chair
Councilor Christopher Calvert
Councilor Miguel Chávez
Councilor Rosemary Romero
Councilor Ronald S. Trujillo

MEMBERS ABSENT:

STAFF PRESENT:

Mr. Ike Pino, Public Works Director
Ms. Bobbi Mossman, Public Works Staff

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

3. APPROVAL OF AGENDA

Councilor Calvert moved to approve the agenda as presented. Councilor Chávez seconded the

motion and it passed by unanimous voice vote.

4. APPROVAL OF CONSENT AGENDA

Councilor Calvert requested discussion on items #7 and #10 and asked to be a cosponsor of #8.

Councilor Romero requested discussion on item #9.

Councilor Chávez noted an amendment on their desks for item #7.

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

5. APPROVAL OF MINUTES FROM AUGUST 9, 2010 PUBLIC WORKS COMMITTEE MEETING

Councilor Romero moved to approve the minutes of August 9, 2010 as presented. Councilor Chávez seconded the motion and it passed by unanimous voice vote.

CONSENT AGENDA LISTING

6. REQUEST FOR FINAL APPROVAL OF LEASE AGREEMENT BETWEEN THE CITY OF SANTA FE AND THE LENSIC PERFORMING ARTS CENTER D/B/A TICKETS SANTA FE BOX OFFICE REGARDING THE USE OF 219 SQUARE FEET WITHIN THE SANTA FE COMMUNITY CONVENTION CENTER FOR OPERATING A SATELLITE TICKET OFFICE (EDWARD VIGIL)

Committee Review:

Finance Committee (Scheduled)	8/30/10
Council (Scheduled)	9/15/10

8. REQUEST FOR APPROVAL OF A RESOLUTION DIRECTING STAFF TO PREPARE A LEASE WITH ¡YOUTHWORKS! FOR THE USE OF VACANT MUNICIPAL REAL PROPERTY LOCATED OFF RODEO ROAD ADJACENT TO THE GENOVEVA CHAVEZ COMMUNITY CENTER (MAYOR COSS) (KATE NOBLE)

Committee Review:

Finance Committee (Approved)	8/16/10
Council (Scheduled)	8/26/10

DISCUSSION AGENDA

7. REQUEST FOR APPROVAL OF A JOINT RESOLUTION URGING NEW MEXICO'S CONGRESSIONAL DELEGATION TO SUPPORT IMMEDIATE CONGRESSIONAL ACTION TO

**AUTHORIZE LEGISLATION ALLOWING PROPERTY ASSESSED CLEAN ENERGY PROGRAMS
(COUNCILORS BUSHEE, ROMERO AND WURZBURGER) (NICK SCHIAVO)**

Committee Review:

Finance Committee (Scheduled)	8/30/10
Public Utilities (Scheduled)	9/01/10
Council (Scheduled)	9/15/10

Councilor Calvert requested that the title be changed to include after clean energy, "(PACE)." He felt having the acronym in the title would help people recognize what it was since most people had referred to it as PACE.

Councilor Calvert moved to approve the request as amended. Councilor Romero seconded the motion.

Councilor Chávez asked if the change in the title would change it substantially or if the change was just for clarity if it would need to be notified again.

Ms. Price said it was safe and on the next committee agenda, she would make sure it was changed. She thought it would go to the Finance Committee next week.

Councilor Chávez asked if she could reference that in the definitions section, as well.

Ms. Price said she had it on page two, line three.

Chair Dominguez asked if the motion also included the amendment sheet.

Councilor Calvert agreed.

Councilor Chávez said that was all he had and just wanted to make sure they didn't trip themselves up later on this.

The motion passed by unanimous voice vote.

9. REQUEST FOR APPROVAL OF AN ORDINANCE CREATING A NEW SECTION 14-5.2(N) SFCC 1987 REGARDING THE APPLICABILITY OF SPECIAL PROVISIONS AND STANDARDS OF HISTORIC DISTRICT AND LANDMARK REQUIREMENTS TO COUNTY AND SANTA FE PUBLIC SCHOOLS CAPITAL OUTLAY PROJECTS (COUNCILOR ROMERO, MAYOR COSS AND COUNCILOR CALVERT) (DAVID RASCH)

Committee Review:

Historic Design Review Board (Approved)	8/10/10
Finance Committee (Scheduled)	8/30/10
Council (Request to Publish)	9/15/10
Historic Design Review Board (Scheduled)	9/28/10
Council (Public Hearing)	10/13/10

Councilor Romero noted that these were pretty simple changes and they did not need to have it go back to HDRB. On September 28th so the schedule would be review by Finance Committee on August 30, Request to Publish on September 15 and public hearing at Council on October 13, excluding the line for the HDRB on September 28.

Councilor Romero moved to approve it with that change in the schedule. Councilor Trujillo seconded the motion.

Chair Dominguez asked if there was a staff member who could explain why the HDRB wanted this to come back to them since there were no changes.

Councilor Romero said the HDRB made changes more than what the Council was looking for. As an advisory committee, she wanted to say thank you but there were no substantive changes and no need for it to go back to them.

Chair Dominguez asked if there was no ordinance that would mandate that it go back to the HDRB.

Ms. Price agreed.

Councilor Chávez said they would just communicate that position now before the next meeting so the HDRB could accept it and move on. The HDRB would be reviewing more projects in the future than Public Works would. Unless there would be a lot of appeals expected, he suggested they communicate that sooner rather than later to keep a good working relationship with the committees.

Chair Dominguez asked to be a sponsor as well. It was a good bill.

The motion passed by unanimous voice vote.

10. REQUEST FOR APPROVAL OF AN ORDINANCE AMENDING SECTION 25-5.6 SFCC 1987 REGARDING TEMPORARY WATER RATE INCREASES IN TIMES OF DROUGHT; REPEALING AND READOPTING RATE SCHEDULES IS, ID AND IE OF EXHIBIT B, CHAPTER 25 SFCC 1987 TO INCREASE WATER RATES TO SUPPLEMENT LOST REVENUE FROM LOW INCOME CVREDIT CUSTOMERS; CREATING A WATER RATE CHARGE THAT WOULD BE IMPLEMENTED IN TIMES OF DROUGHT; AND AMENDING RATE SCHEDULE 11 OF EXHIBIT B, CHAPTER 25 SFCC 1987 REGARDING RATES AND CONDITIONS FOR THE CITY'S POTABLE WATER FILL STATION (COUNCILOR WURZBURGER) (BRIAN SNYDER)

Committee Review:

Council (Request to Publish)	8/25/10
Finance Committee (Scheduled)	8/30/10
Public Utilities (Scheduled)	9/01/10
Council (Public Hearing)	9/29/10

Councilor Calvert said the ordinance needed a little more explanation and there would be a brief presentation on it for the Committee.

Mr. Brian Snyder said Mr. Jason Mumm, their Financial Consultant, was present and would share a short slide presentation that they presented at Public Utilities and would present it also at Finance to explain the proposal more in detail/

Mr. Mum apologized for repeating the same information that was given at the Public Utilities Committee (PUC) meeting. He said they could review the rates that were in the ordinance for customers as well as rates for the low income credit funding. He provided a handout of the presentation [attached as Exhibit A].

He said they could answer whatever questions the Committee had. At the PUC they presented several alternatives for the rates. The direction given by the PUC at the end was to keep the rate structure as similar to the existing one as possible. But they did favor having a surcharge that would go into effect during a water supply emergency when there was a drought or some other reason for a water supply emergency a surcharge would be added when the City declared an Orange alert. An orange alert meant that users in the City needed to reduce their consumption by about 20%. So there was not a drastic change in rates except for the surcharge.

These rates were meant to compare with existing rates. The regular rates for next year would represent an 8.2% change. There was no change in current rates in this proposal.

The proposed volume rates would be the same as proposed today.

Under a drought they would proposed a surcharge that was meant to be revenue-neutral.

They designed the surcharge to apply to every tier – every volume category. There would be just not as much water use in tier two.

There were variations of revenue during times of drought but that was when the City needed it the most so it was a uniform surcharge to promote revenue reliability when needed the most.

The major other thing they looked at was a way to fund the low-income credit.

Council's pleasure was to maximize the participation in the low-income credit program. Present participation was fairly low and it needed only about \$50,000 to fund it and keep the participation the same at 120% of federal poverty level. They kept it at the same level but based it on the census data and determined the maximum that could qualify. The amount in the ordinance to that purpose was 22 cents.

They proposed a uniform volume or monthly surcharge approach. The PUC opted to go with a volumetric rate by meter size. At 100% of federal poverty level, it would be \$1.25 per month for every rate payer under the monthly surcharge approach.

The uniform volume approach showed 22 cents under normal conditions and would increase during drought conditions. He showed table with normal rates and proposed drought rates with Low Income credits.

They also laid out the pros and cons for the LIC option. It was easier to administer on the monthly surcharge basis but less equitable. Volume surcharge was more difficult to administer but more equitable in many ways. People who used more water would pay more in the surcharge.

There was far more information on it if the Committee had questions.

Councilor Calvert asked Mr. Mumm if they left out the LIC when doing the ten year projections He asked if it was included in overall costs.

Mr. Mumm said they still had that cost but assumed the program would be expanded 8 to 10 times more in participation.

Councilor Calvert asked what would happen if the expansion didn't materialize.

Mr. Mumm said the City would be having lots of excess revenue.

Councilor Calvert didn't want the City to overcharge for it.

Mr. Mumm agreed and suggested they might want to reduce it at that point.

Councilor Calvert asked if the 8% increases would apply to drought and LIC too.

Mr. Mumm explained that the total costs were expected to increase 8.2% for the next couple of years and then would fall to 6% and eventually to 4%. It would include those components and be subject to annual review.

Councilor Romero referred to the first paragraph and felt that creating a surcharge during times of drought was problematic. She preferred to call it water emergencies and not just during droughts. She proposed changing "in times of drought" to "during water emergencies."

Councilor Chávez said they should also include that in the definitions section.

Councilor Romero agreed.

Chair Dominguez said it defined water emergency more than drought.

Mr. Mumm said it would be a 20% demanded reduction whether the well field shut down or it was a drought – it would be the same effect.

Councilor Romero said Councilor Trujillo suggested water emergencies under stage red.

Councilor Romero said that would be the City Manager's determination and would take out the Water Director. She knew they worked together so she proposed that it should say "in coordination with the Water Director" She would be more comfortable with both in there.

Chair Dominguez asked if it was just to make it consistent throughout.

Councilor Romero agreed. Paragraph B on page 2 would be one place and later on in paragraph C put back in "on the recommendation of the Water Director"

Mr. Snyder agreed it should be consistent in the ordinance.

Councilor Romero asked how the City would let people know that it was like a savings account. She asked if anyone had thought about how to let people know.

Mr. Snyder said they discussed that and it had come up several times that LIC was not a public outreach effort. They could use the Internet or other means to get that out.

Councilor Romero noted on that point as Councilor Calvert said earlier that they would advertise this service and then determine at some time if it worked. They needed a review of it at some point. This was something new that they should let people know about. If it was used by people it was great; but if not, they needed a review.

Councilor Chávez said it had been standard in most ordinances that they would have early review. He asked if they had that language in the ordinance.

Ms. Price said there was a review clause in the current ordinance and had been deleted from the amended ordinance at page 11. She asked how long until the review should be done.

Councilor Chávez thought it should be a year.

Councilor Calvert preferred to put in specifically a review of the LIC Fund. Somewhere in there where the LIC was being talked about needed to include that review. He asked if 12 months was a sufficient time or if a longer time would be more reasonable.

Councilor Chávez said he wasn't just concerned about the LIC because all of it would affect the rates. He would propose a standard review of the LIC and the rates as a package deal.

Mr. Snyder said those rates would be reviewed annually and he would recommend an 18 month review of the LIC Fund and then see what the revenue stream for that was. They already had an annual review of the rates as standard procedure.

Councilor Calvert asked if they would take that to the PUC on an annual basis and on to Council and an 18 month review of the LIC provision and see what the results were. Mr. Snyder agreed.

Chair Dominguez asked Mr. Mumm if when they were reviewing census data on people who might qualify that they took into account the annexation area. Not including it could have a big impact.

Mr. Mumm could not answer that right now.

Chair Dominguez asked if they looked at city limits or census tracts as well.

Mr. Mumm said it was whatever tracts were included in the city. He was not sure they would have captured all of that.

Chair Dominguez asked Mr. Snyder if he had any sense of how that might impact this.

Mr. Snyder said the water system served into the County. There was language in the agreement that the areas outside the City would be negotiated somehow with the County. How they collected that revenue would need to be worked out. The annexations were already included now.

Chair Dominguez asked if low income would include manufactured lots, etc.

Mr. Snyder agreed they would be able to apply.

Councilor Romero thought these questions about what was include could be answered by the information from BBR for the evaluation of revenue. She was comfortable with the evaluation in one year but the 18 month for LIC was still okay.

Mr. Snyder was comfortable with that.

Councilor Romero moved to approve the request as amended, changing drought to water emergencies in the title and adding “in coordination with the Water Director throughout the document, adding a review of the ordinance in 12 months and a review of the LIC Fund in 18 months. Councilor Calvert seconded the motion

Councilor Calvert asked if it was her intent that an orange status triggered this surcharge and if there was a difference in orange and red.

Mr. Snyder said the charge would be in effect during orange and red as triggers of the surcharge.

Ms. Price had a correction on page 10 on the LIC credit – line 2 was to be 26 cents, not 25 cents.

Councilor Chávez asked where the 20% margin was in the ordinance.

Mr. Snyder said it was in a different ordinance and could be referenced here.

Chair Dominguez asked if that change was okay with the maker and seconder. They agreed.

Councilor Calvert went back to the change on page 10.

Ms. Price explained that the 22/24 change was for tier one. Page 10 was for tier two.

Councilor Chávez said he just wanted clarification and that happened.

The motion passed by unanimous voice vote.

11. UPDATE ON PLAZA ROUNDTABLE (SEVASTIAN GURULÉ)

Mr. Gurulé provided the update on the Plaza Roundtable. He noted that in the August 9th Public Works Committee meeting they asked for additional information concerning the proposed recommendations from the Roundtable. Staff was directed:

1. to gather all the codes resolutions regarding the Plaza;
2. to provide the cost of installation and maintenance of grass on the Plaza;
3. to provide information on the cost of relocating the electrical boxes on the Plaza;
4. to provide information on the public toilets use at the NM History Museum
5. to provide information about use of the Railyard;
6. to provide a copy of the CAT Plan;
7. to identify the eight major commercial events
8. to provide the definitions for Plaza, Plaza Park and Plan periphery in the code.

He was notified today that he was missing one of the items in the resolutions. He handed it out to the Councilors. [attached as Exhibit B]. He labeled it in the package as # 54.1.

Chair Dominguez thanked him for getting this information to them. It was good work.

Councilor Chávez knew this was the second round at Public Works and thought they all saw the emails from concerned citizens, artisans and craftspeople. He wondered if the Chair would allow public comment tonight.

Chair Dominguez agreed and would allow the public to speak first.

Councilor Romero noted there were some Railyard folks and were here to make clarifications regarding the misinterpretations of the use of the Railyard.

Councilor Chávez said his intent was to allow them to express what their opinion was about what the plaza could be used for.

Chair Dominguez said he would allow staff to finish the presentation and then allow public comment and then Committee members.

Mr. Gurulé said he was finished with his report.

Councilor Chávez asked if he could you summarize for those who were not here on the recommendations.

Councilor Romero recalled at the last meeting one of the suggestions was that staff take all these resolutions and identify where there were gaps in the information that were foundational and then go back and create an action list or a plan to bring forward. She didn't think they were there yet. Her understanding was that tonight, staff would have time to make those recommendations.

Councilor Chávez wanted to have Mr. Gurulé summarize those recommendations.

Chair Dominguez said the Roundtable made their recommendations. The Committee needed to get those taken care of. He invited Mr. Gurulé to reiterate some of those recommendations from the previous meeting and then they would move on to the Railyard clarifications.

Mr. Gurulé read the recommendations.

Chair Dominguez asked the Railyard staff to make a brief presentation.

Ms. Sandra Bryce, Director of Programs said the Railyard Park was overlaid by a conservation easement as a result of the Trust for Public Lands. It was to protect 13 acres in perpetuity.

She mentioned a recent article in Landscape Architecture Magazine about the Railyard and read an article by Jennie Parks from the magazine.

She said they tried to honor those principles. They had more space for people to move out - lots of elbow room. They had gravel instead of grass. There was a restriction of 50 vending booths in the entire park so an event requiring 250 booths would not fit in the Railyard Park. And on Saturdays, the Santa Fe Market restricted that number further.

They also put in a climbing wall and would have a BBQ on Labor Day.

Councilor Romero said Mr. Richard Czoski had responded to another editorial about the things that were happening with the development of the Railyard. When she saw the editorials, it was good to rein us back in on the realities. They were all foundational.

Chair Dominguez appreciated that. He agreed to allow the public to speak for two minutes each.

Ms. Donna Padache, Executive Director of the Spanish Colonial Arts Society that had been putting on the Spanish Market for 59 years on the Plaza. It was started to ensure continuation of traditional Spanish arts in New Mexico. It was one of the 8 major events. Regarding recommendation #4 on jurying criteria for art. They were the most stringent Spanish Market in the US. When she heard about the recommendation that the organizations should assist in paying for the jurying by volunteers or possibly by professionals, she needed to say that they had an incredible jurying both prior to the market and on the market. They had a standards committee that also reviewed on an ongoing basis. The only money the Association took was from their t-shirt sales. Everything went to the artists. Because they already had a jurying system, she hoped they would not incur an extra charge. The same for #6 regarding grass and trees. That square was used a lot during the summer.

Ms. Arlene Cisneros was a Spanish Market artist. She grew up here. While these recommendations were good intentioned, she wondered. The Spanish Market was the most highly regulated event to keep their art work as unique and original as possible. They had more rules because they wanted it that way. They also had a youth market which was a gem. Taking youth market outside the plaza would become a safety issue. They had been mentored within the Spanish Market. The Plaza was part of who they were and that should not be taken away. They had brought generations of artisans here over the years.

Mr. John Dressman wanted to speak because of the words just spoken. He was not worried about the grass but about the trees which take a lot of time to grow. Using the grassy areas affected the roots of the trees and kept them small. It was mostly just small trees now. There were a lot of other places besides the grassy area of the plaza.

Ms. Elizabeth Pettis thought it was important not just what the City thought but the landscape elements that were mandated by federal state and local organizations and the DAR. There were agreements with historical organizations. She liked the canopy of green. It was a big deal. The City Arborist said it was the

feet and booths on the plaza that needed a 3.5 week rest between events to keep the roots from being destroyed. It really did impact the roots of the trees if that space didn't have at least 4 weeks between events.

Chair Dominguez noted that the City arborist was Mr. Wood.

Councilor Calvert understood that not everyone might agree with him. And he didn't think they had that much time to act. The time line for next year's events was fast approaching so they had to make their best judgment on them.

[NOTE: These categorizations later became part of the motion on the recommendations.]

Regarding #1 on page 198 in the packet, he agreed with it as he understood it. The eight major events could stay on the plaza or around it and he agreed with that.

Regarding #2, he agreed that they should have everyone stay off the grassy areas (treed area) and find streets that would minimize the impact on local merchants. There were trees out there from 30 years ago that were not getting bigger because of the use of the grassy areas.

Regarding #3 – this was a comment.

Regarding #4 – he honestly didn't think that was in the scope that was intended for the Roundtable to address.

Regarding #5 – regarding the Railyard, he thought there were any number of additional activities that could be done on the Railyard instead of the Plaza but the Railyard was not completed yet and was not paid for and had different rules called for by the conservation easement. So they were not the same. He was sure none of the eight would want to move there so he would say "not now."

Regarding #6 – this was not needed if they went with #2. The part about dogs and signage was something staff could look into.

Regarding #7 – there was nothing they could do about the electrical boxes right now. Regarding the rest of the furniture, it should conform to the guidelines they already had in place.

Having toilets was a perpetual discussion and they could continue to explore it but it required the cooperation of other entities. He suggested that during special events having the porta potties at the end of the streets would lead people to circulate on all of the streets.

Regarding #9, he didn't disagree with it on enforcement and coordination but would need more specifics. He didn't see them conflicting with each other.

He thought the fees that were set were covered by the ordinances and resolutions. He thought they did an exemption of fees by resolution and wonder if they should have amended the ordinance instead. He thought they were clear.

Mr. Gurulé said the Council did them by resolution so they could be amended easier. These fees were

established in 2002. They dealt with application fees and the artisan program.

Councilor Calvert noted the first resolution about the plaza done in 1958 dealt with tree replanting. So they realized the importance of trees on the plaza fifty years ago.

Councilor Romero was a little surprised. Councilor Calvert did a good job of figuring out the priorities. It was just a discussion item. She was in agreement with the culling out of the issues and just hoped staff had enough direction for the creation of the plan.

Chair Dominguez added that there was no bill or resolution currently asking staff to come up with a plan. It was up to the Governing Body to come up with any legislation.

Mr. Gurulé said that was correct.

Councilor Romero understood from the last meeting that there were things they could do as low hanging fruit and other things they could do in the future. That would help the Council to put those parameters around the resolution. She thought staff was going to do one more cut at organizing.

Chair Dominguez said if there was low hanging fruit there now, she could make a motion to grab at that but he hated for staff to write policy for the Council.

Councilor Romero agreed but from Councilor Calvert's perspective. # 8 was a go. They should stay off the grass. She quickly went through the rest and didn't know that there was much more to discuss.

Chair Dominguez said someone could move to accept the recommendations of the Roundtable. They could take a motion that Councilor Calvert articulated and take it to the next level.

Councilor Calvert said he didn't make a motion but the Roundtable was supposed to present the recommendations to Council and hearing it at the committees was fine. If it went through other committees, that was fine. They could state opinions and pass this on.

Councilor Romero said if that was a motion she would agree and second it.

Councilor Calvert moved to give their opinions and the categorizations he provided earlier on the recommendations and move them forward up to Council. Councilor Romero seconded the motion.

Mr. Pino said this was just an update as a Discussion Item.

Councilor Calvert said they could take action on Discussion items. Chair Dominguez agreed.

Councilor Chávez said he could not accept it the way it was proposed. They were proposing they be shifted to the streets around the plaza. And there was not a definition.

Mr. Gurulé said the definition from the code was on page 186.

Councilor Chávez said he would stand corrected. That was going to be a challenge and he didn't think

this was the solution .He did think maintenance was part of the solution. That was something they would have to pay for.

In #4 the Council passed a resolution in 2006 that directed staff to address the authenticity not only for items sold in the Spanish Market but it applied to everything sold in the downtown area. If not, they were really missing the mark. The idea was that when they promote Santa Fe they wanted to make sure the items were authentic and handmade with high quality and they were not there across the board yet.

When they talk about aesthetics on the plaza they needed to consider all the realtors' information and all the news boxes that were there. He didn't think there was anything about that in these recommendations.

Councilor Calvert pointed out that it was in #7 – It said newspaper vendors, etc.

Councilor Chávez asked where they were going to put those electrical boxes. They kept pushing it out later.

So I cannot support the motion.

Councilor Trujillo said they had said a lot about these already. He had the same concerns Ms. Cisneros brought up about the children. It had been done there a lot over the years. He was one who liked buying things from the young artists and hoped they could make it big. He understood the concerns of the parents.

Generation after generation, grandparents were handing down the legacy. It was part of Santa Fe. He was against booths on the grass. Technically, they had those big elms and he would like to see them grow bigger. They once had corn growing there and at one time it was dirt. So if they wanted to take it back to 1610 it wouldn't be grass.

Regarding furniture and the electrical boxes, he had talked to tourists and they didn't even notice it. They had discussed the cost and it was a big chunk of money. A smaller one just meant it would still be there. He didn't know if he was ready to vote on it yet. So he would probably vote against.

Chair Dominguez said for most part he agreed with what Councilor Calvert said and thanked him for his comments about each of them. Regarding grass and trees, there might be a different way to protect them – grates, or whatever. He was not sure what the best way was. He understood where that came from.

Regarding authenticity of products, he felt the plaza merchants should be held to that same standard. What they sold didn't often have authentic quality - not the same standards or quality in those shows. That could be unfair to those shows that did have the high standards. Affordability was a challenge in itself. He guessed they shouldn't lump them all together. He didn't have the answer. Maybe a Santa Fe jury pool to make sure the quality was there.

Regarding the electrical box he didn't want to get rid of our people. He didn't even know why the electrical box was an issue. He knew some people put their drinks on them.

Councilor Calvert said the landscape was something they had no choice over. If it was grass or dirt or crops. They could do those but he didn't think dirt or crops were conducive to the events. All of these

events happened in the summer and if there was no shade he thought it would be undesirable.

Regarding the youth market, he thought that they could still be there and not be on the grass. He thought the area could still accommodate them there.

Regarding the quality of goods, he was just saying it wasn't part of the charge to the Roundtable. It was sites and restrictions on use – not how those events were conducted or run. He didn't disagree with #4 but it was not part of the charge to the Roundtable. That's why he said it was not part of their charge.

Councilor Romero asked if Councilor Trujillo agreed with everything except the box there. It seemed if they looked at what Councilor Calvert just said, she wondered if there was anything else he would disagree with on the priorities of what they could do on that resolution.

Councilor Trujillo said he didn't see a problem with vendors on the grass. They replaced it every year.

Councilor Romero said they were required to have the trees and the grass. She was just looking for support here. It was a reality that they just needed to stay off the grass. She thought there could be some compromise here. She was looking for some compromise here and didn't hear anything from Councilor Trujillo on it.

Councilor Chávez called the question. He thought it was clear that it would take more than these recommendations here. He was not ready to support it.

A roll call vote was requested.

Chair Dominguez appreciated the work that was done by staff and the Roundtable.

On a roll call vote, Councilors Trujillo and Chávez voted no; Councilors Romero and Calvert voted yes. To break the tie, Chair Dominguez voted no. The motion failed by a vote of 2-3.

Councilor Calvert asked if this was going on to Council.

Chair Dominguez said it would go to the next Committee with a no recommendation.

12. BOND ISSUES

• REQUEST FOR APPROVAL OF THE REALLOCATION OF EXISTING CIP FUNDS

Mr. Pino said the first part of this was unprecedented as far as how the CIP bond money had been handles in the past. They were reluctant to move ahead with a CIP bond issue and were being forced to look at the balances in the CIP bond. There were 32 projects with current balances in them. The next column showed proposed balances after reallocations were made and what they would be spent on. Primarily they were for maintenance operations, municipal facility repair, paved street rehabilitation and parks/median maintenance. Most of them were in the CIP bond anyway.

If they had issued a bond, those expenses would have been in there But because they didn't have the

bond, they recommend these reallocations .The only eye catcher was the Tino Griego Teen Center. That was through final design along with La Farge Library improvements and it would take more than \$5 million to construct and the balance now was \$409,000. He recommended leaving \$80,000 for the design completion and use the rest (\$320,000) for other items. Later, the Council could decide on constructing it or not.

Rather than going through every item, he would take questions.

Councilor Trujillo asked why there was money for tennis court rehabilitation at Martinez Park. He thought that should come out of the park bond fund.

Mr. Pino said it had always been set up as a CIP item.

Councilor Trujillo asked if the city-wide traffic calming projects were pending projects and had no more money. Mr. Pino agreed.

Councilor Chávez said this was a list of 32 projects but was not the full list of CIP projects.

Mr. Pino explained that these were projects that were completed and had a balance remaining.

Councilor Chávez noted that the southwest effluent line was funded but was not here.

Mr. Romero said that project was not on the list because the funding was expended.

Councilor Chávez asked if it was just for design. Mr. Romero agreed.

Councilor Chávez asked if the reserve in CIP was for Pet's Pets.

Mr. Pino said that was the next item on this agenda.

Councilor Romero said parks and median maintenance should be on the parks bond. Mr. Romero reallocated staff time for that. She asked if there were other things that could be part of the park bond.

Mr. Romero explained that the Parks Bond had a specific list that had to be completed. These have things like porta potties. He didn't see things that could be part of the parks bond. They needed to build the parks and trails they committed to.

Councilor Romero noted that NWQ got a significant amount from the parks bond. She remembered it was \$2 million and asked if there was anything in that.

Mr. Romero said it could happen only by Council action. He added that there was a Master Plan underway that would spend that \$2 million.

Councilor Calvert noted there was paved street rehabilitation section that was described as ADA correction and maintenance and then ADA rehabilitation was down below. He asked if the City was behind or if it was something else.

Mr. Romero explained that when they would do \$3 million worth of streets, that of that, they might spend about \$800,000 to make it compliant. They spent \$300,000 for other ADA compliance. They still needed to complete some of the ADA compliance and they didn't want to tap into ADA fund to do it.

Councilor Calvert didn't want to cut out the ADA requirements and understood.

Mr. Romero said they were already committed to do that. It was \$368,000. The \$178,000 was what the Mayor's Committee had committed to do as a priority. They didn't spend that on street projects.

Councilor Calvert commented that for unpaved streets they only had \$8,500 to throw at it. For the amount of problems the City had in that area, that much base course would not go very far.

Mr. Romero agreed there was just not a lot to go around right now.

Councilor Chávez moved to approve the reallocation proposed. Councilor Trujillo seconded the motion and it passed by unanimous voice vote.

- **REQUEST FOR DIRECTION ON OPTIONS FOR 2010 BOND (ISAAC PINO)**

Mr. Pino said this essentially was a request for what to do next on CIP projects. This option called for an increase in property tax to pay for the projects. An increase in property tax would provide a regularly occurring fund for them. The recommendation sheet (third page of memo) showed it limited the uses of the fund just to capital projects. This increase would go to the recurring costs of the previous CIP bond. #6 was for timing purposes and the funds would be incorporated into FY 11. It wouldn't have to include the maintenance recurring costs.

Councilor Chávez asked if he proposed to increase it 5.61% in Santa Fe.

Mr. Pino said it was 5.61 mils. It was 1.09 mils in item 5 which would do that.

Councilor Chavez asked if it would take a referendum or just Council action.

Mr. Pino said it was just Council action. Santa Fe had the second lowest property tax in the state now of all municipalities - the second lowest mil levy.

Councilor Chávez said it had always been a thorny issue. It would be in perpetuity. The O & M for the library was \$600,000 now.

Mr. Pino said it was \$540,000 now.

Councilor Chávez asked if the endowment fund was helping to offset those costs.

Mr. Romero said it was less than 10% of that now but he could look into it.

Councilor Chávez didn't think using property taxes was the best way He asked what would happen if they held off for two years on the bond.

Mr. Pino said they would have no money for maintenance of CIP projects.

Councilor Chávez said they had been doing this for years this way and it was finally catching up.

Councilor Romero agreed that again they found there were not many choices. "In perpetuity" scared her. It was one where they had to take a deep breath. It was probably more of a reality they had as property owners. They were very low. She was supportive of sustenance of long term projects they were chosen as a Council and now had to scramble to maintain them.

Councilor Calvert said without CIP money, the maintenance costs will balloon. They had to keep patching the streets.

In reality they were talking about a tax increase that would take effect in November 2011. So for the FY starting in July 2011, that's the way they would deal with that budget. So they were not doing anything this year.

Mr. Romero said the Bond Council said if they were going to do this schedule, they could do the bond now. They didn't have to wait until that money came in.

Chair Dominguez thought that sounded like they didn't need a decision now. He asked what the timeline was.

Mr. Romero explained it had to go to the state in 2011 and the tax wouldn't go into effect until November, 2012. The sooner they decided, the sooner they could do a CIP bond.

Chair Dominguez asked about those who qualified for the low income property tax exemption.

Councilor Chávez said it was a rebate for low income folks.

Chair Dominguez thought maybe they should have that come back next time to analyze the impact on those who could not afford it. The property taxes were going to go up so they needed to do everything they could to analyze that.

Councilor Romero asked if he needed a decision by September.

Councilor Calvert agreed the longer they put it off, the further it pushed off the CIP.

Mr. Romero said they would need it by next week to do it this year.

Councilor Chávez asked if there was sunset language. They should look at GRT too.

Mr. Romero suggested maybe when the MRC was paid off they could look at sunset.

Councilor Chávez commented that they were either going to jump off the cliff or they were not.

Councilor Calvert suggested another possibility was to look at it as an emergency measure. They

needed to wean themselves off for what they had done and make those things part of the regular budget. Yes they could sunset this property tax if they weaned themselves off of what got them there.

Mr. Romero said they could figure out a rate for it.

Chair Dominguez said staff to make sure this was on the next agenda.

13. REQUEST FOR APPROVAL OF THE 2012-2016 INFRASTRUCTURE CAPITAL IMPROVEMENTS PLAN (ICIP) (ISAAC PINO)

- **REQUEST FOR APPROVAL OF A RESOLUTION ADOPTING AN INTRASTRUCTURE CAPITAL IMPROVEMENTS PLAN (ICIP) (COUNCILOR DOMINGUEZ) (ISAAC PINO)**

Committee Review:

Finance Committee(Scheduled)	8/30/10
Council (Scheduled)	9/15/10

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

Councilor Chávez noted that the Tierra Contenta effluent line should now read Southwest Sector effluent line. Mr. Romero agreed.

The motion passed by unanimous voice vote.

14. MATTERS FROM STAFF

There were no matters from staff.

15. MATTERS FROM THE COMMITTEE

Chair Dominguez clarified that informational items didn't get voted on and Discussion items did.

Councilor Calvert asked how the irrigation system with reclaimed water at the Railyard was working. He understood it could all be done manually but they had equipment to move it around. .

Mr. Romero said he would report on it.

Councilor Calvert said animal control was for dogs and cats but wondered about skunks or other animals. He wondered if that had to be coordinated with Game and fish or someone else. He thought that would be a better answer.

Councilor Chávez thanked staff for cleaning up Montaña.

Councilor Trujillo wanted to know about an ordinance or resolution on use of herbicides within the city. He noted that on Cerrillos they needed to get rid of these weeds and they needed to spray herbicides to get

rid of the weeds.

He also here about building a Taco Bell on Alta Vista.

Councilor Romero said it was to be either a Taco Bell or a Wendy's there by Tecolote.

Councilor Trujillo said he just needed to know what it was.

Councilor Romero said Tecolote owners came in to talk with Matt O'Reilly - People make an illegal left turn there. Mr. O'Reilly told them they could put in a gate since it was private property. With the realignment of Baca, they cut off access there. It was a redevelopment that would require a traffic plan.

The Land Use Subcommittee had one more meeting before dissolving. There was an issue arising around trashed cars. She and Councilor Trujillo would work on an ordinance or resolution with the County (Commissioner Vigil) on cars just parked in front of houses. A Task Force of Public Works could be created to deal with them.

She thanked staff for the compost.

Councilor Chávez commented on the development at Tecolote that there would be circulation problems and also on the Baca portion of the Railyard. It needed some kind of ENN there.

16. NEXT MEETING: MONDAY, SEPTEMBER 13, 2010


17. ADJOURN

The meeting was adjourned at 7:57 p.m.

Approved by:

Carmichael Dominguez, Chair

Submitted by:



Carl Boaz, Stenographer