



Agenda

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ARCHAEOLOGICAL REVIEW COMMITTEE MEETING

THURSDAY, July 21, 2011 –4:30 p.m.

CITY COUNCILORS' CONFERENCE ROOM
CITY HALL, 200 LINCOLN AVENUE

A. CALL TO ORDER

B. ROLL CALL

C. APPROVAL OF AGENDA

D. APPROVAL OF MINUTES: June 16, 2011

E. OLD BUSINESS

F. NEW BUSINESS

1. Case #AR-09-11. Amendment of a previously approved Treatment Plan to test excavations and data recovery plan for the LaVilla Rivera/Marian hall complex (LA 161535) in downtown Santa Fe, Santa Fe County, New Mexico. (Historic Downtown). Requested by James L. Moore and Stephen S. Post, Department of Cultural Affairs, Office of Archaeological Studies, P.O. Box 2087, Santa Fe, NM 87504-2087, for Drury Southwest Inc. 11331 Coker Loop East, San Antonio, Texas 78210. (David Rasch).

G. ADMINISTRATIVE MATTERS

H. COMMUNICATIONS

I. MATTERS FROM THE COMMITTEE

J. BUSINESS FROM THE FLOOR

K. ADJOURNMENT

For more information regarding cases on this agenda, please call the Historic Division at 955-6605. Interpreters for the hearing impaired are available through the City Clerk's office at 955-6520, upon five (5) days notice.

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CITY OF SANTA FE
ARCHAEOLOGICAL REVIEW COMMITTEE
Land Use Conference Room
July 21, 2011

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Case #AR-09-11. AMENDMENT OF A PREVIOUSLY APPROVED TREATMENT PLAN TO TEST EXCAVATIONS AND DATA RECOVERY PLAN FOR THE LA VILLA RIVERA/ MARIAN HALL COMPLEX (LA 161535) IN DOWNTOWN SANTA FE, SANTA FE COUNTY, NEW MEXICO. (HISTORIC DOWNTOWN). REQUESTED BY JAMES L. MOORE AND STEPHEN S. POST, DEPARTMENT OF CULTURAL AFFAIRS, OFFICE OF ARCHAEOLOGICAL STUDIES, P.O. BOX 2087, SANTA FE, NM 87504-2087, FOR DRURY SOUTHWEST, INC, 11331 COKER LOOP EAST, SAN ANTONIO, TEXAS 78210	Approved w/corrections	2-7
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**MINUTES OF THE
CITY OF SANTA FE
ARCHAEOLOGICAL REVIEW COMMITTEE
City Councilors Conference Room
July 21, 2011**

A. CALL TO ORDER

A meeting of the Archaeological Review Committee was called to order by Tess Monahan, Vice-Chair, at approximately 4:30 p.m., on July 21, 2011, in the City Councilors Conference Room, City Hall, Santa Fe, New Mexico.

B. ROLL CALL

Members Present

Tess Monahan, Vice-Chair
Gary Funkhouser
James Edward Ivey
David Eck

Members Excused

Jeremy Kulisheck, Chair

Others Present

Matthew O'Reilly, Director, Land Use Department
Melessia Helberg, Stenographer

Others Present

David Rasch, Staff Liaison
Melessia Helberg, Stenographer

There was a quorum of the membership in attendance.

NOTE: All items in the Committee packet for all agenda items are incorporated herewith to these minutes by reference; and the original Committee packet is on file in, and may be obtained from, the Historic Planning Division.

C. APPROVAL OF AGENDA

MOTION: David Eck moved, seconded by Jake Ivey, to approve the Agenda as published.

VOTE: The motion was approved unanimously on a voice vote.

D. APPROVAL OF MINUTES

June 16, 2011

MOTION: Gary Funkhouser moved, seconded by Jake Ivey, to approve the minutes of the meeting of June 16, 2011, as submitted.

VOTE: The motion was approved unanimously on a voice vote.

E. OLD BUSINESS

There was no Old Business.

F. NEW BUSINESS

1. **Case #AR-09-11. AMENDMENT OF A PREVIOUSLY APPROVED TREATMENT PLAN TO TEST EXCAVATIONS AND DATA RECOVERY PLAN FOR THE LA VILLA RIVERA/MARIAN HALL COMPLEX (LA 161535) IN DOWNTOWN SANTA FE, SANTA FE COUNTY, NEW MEXICO. (HISTORIC DOWNTOWN). REQUESTED BY JAMES L. MOORE AND STEPHEN S. POST, DEPARTMENT OF CULTURAL AFFAIRS, OFFICE OF ARCHAEOLOGICAL STUDIES, P.O. BOX 2087, SANTA FE, NM 87504-2087, FOR DRURY SOUTHWEST, INC, 11331 COKER LOOP EAST, SAN ANTONIO, TEXAS 78210. (DAVID RASCH)**

Stephen Post, Deputy Director, Office of Archaeological Studies, said he has been working as the Investigator on this project and James Moore, has been the Project Director. In 2009, Mr. Moore submitted a Data Recovery Plan on behalf of Drury Southwest hotel renovation and construction at La Villa Rivera/Marian Hall Complex at 225 East Palace. That Data Recovery Plan was based on test excavations, both hand and mechanical examination of subsurface deposits. During that investigation Mr. Moore and crews found a wide variety of 19th and early 20th century foundations, and a deposit of 17th century refuse which may be associated with the 17th century parroquia on the northwest part of the site, along with a vault with a white

plaster interior of unknown function & content, and late 19th century refuse areas.

Mr. Post said at the time the Data Recovery Plan was written, they were under the impression that Drury Southwest was going to fund a much larger project, than they later found out that Drury was willing to fund. Drury in fact said there was approximately \$170,000 to complete the data recovery field effort and the report, under its budget and within City guidelines for funding of archaeological data recovery projects.

Mr. Post said, "Frankly, we had expectations for doing a much larger amount of hand excavation. We also knew that working within the 17th century deposit, given our projections of 3,000 artifacts per 1 x 1 meter unit that if we had excavated 10-15 units, we were going to be looking at anywhere from 40,000 to 60,000 artifacts potentially, which actually was a fairly positive aspect of the project, because we were going to get fairly decent, controlled samples of 17th century materials from a part of town that we really don't know that much from systematic excavations. However, looking at the cost to analyze, curate and report on just a 45,000 to 50,000 collection, as well as investigating, at a much reduced level, some of the 19th century foundations and 19th century test pits: a.) We worked with Drury to try and minimize the impact that they would have in the western portion of the site where the most likely locus of 17th century deposits is; and b.) Basically came up with a plan that treats the 19th century materials more cursory than we would have liked, I would say. However, we were kind of looking at it as a subsurface architectural mapping project at this point, without very much other work to go along with it."

Mr. Post continued, "So, I come before you today with the amendment to a document that was approved in 2009 by the Archaeological Review Committee. At that time, you thought we had a pretty good Data Recovery Plan and a pretty good path for addressing the archaeological resources that exist on the property. Today, I come to you with a much reduced effort. However, we do feel that we will be able to address all of the research questions that are proposed in the original Data Recovery Plan, we will just be addressing them at a lesser number."

Mr. Funkhouser asked how this happened, noting the expectations were much different.

Mr. Post said they thought there would be "funding 100%, and I guess they thought it wasn't going to cost them \$400,000 to do the work. When we submitted the budget for the first couple of phases of the data recovery effort, they came back to us and said 'that's not going to work, we'll give you... we'll pay for the work you've already completed and an additional \$175,000 to finish data recovery'."

Mr. Funkhouser said he has no issue with amendment, but is concerned about the amount of the gap and how this ended up.

Mr. Post said, "Also, in between the time we wrote the Data Recovery Plan and

the time that we were actually at brass taxes as it were, Drury decided that they had to run the utility lines through the western half portion of the site where the densest deposits occur. So they, in fact, incur a greater liability. But the Ordinance as written doesn't account for that. They are basically acting within the limits that the Ordinance prescribes at this time. And, until the Land Use Department can put together the effort to amend the Archaeological Ordinance, which we have asked for, for four years, this is going to be a problem. I consider this a City issue."

Mr. Eck said he shares the general concern about going from "building a decent bungalow to now approximating a garden shack, but I have every faith that you can pull it off, even under the new restrictions imposed. And, I hear your concerns about the Land Use Department and the City Ordinance, etc."

Mr. Post said he just wanted to get that on the record.

Mr. Eck said, "Echo that again. And I really wonder how we can get past the process that seems to be happening of late, we go through a bunch of work and bunch of stuff is found and plans are put into place and approved, and then people start to renege on the basis of approving the plans in the first place, and we're standing here looking kind of dumb."

Mr. Eck continued, "Construction cost for what they're doing will only have increased over what was originally proposed, therefore the percentage of whatever the City might limit them to seems to be growing, not shrinking, unless they have actually materially changed their designs and are building what they said they were going to. I don't know."

Mr. Rasch said, "Not to my knowledge yet."

Mr. Post said building out a subterranean parking lot as a sure thing, for instance in phase 5, is out there, but they're not committed to Phase 5.

Mr. Rasch said that's a very expensive portion of the project.

Mr. Post said they're holding off so the Phase 3 work is strictly landscaping and surface parking in the western half where the majority of the 19th century foundations are from the Sisters of Charity and the sanitarium, for instance.

Mr. Eck said, like Mr. Funkhouser, he has no real worries about the strategy for reducing the amount of analysis and changing the way of doing the subsurface investigations from hand from mechanical – it's what we're served with. He said, "If you can pull it off, God bless."

Mr. Post said, "First of all, the 17th century deposit was not part of the original Data Recovery Plan, except as an option, so we are doing more work there and we are

going to get better information for that reason. Also, it's mine, and somewhat Jim's bias, that we would like to see better work done on the 17th century and worry less about the 19th century foundations. So, we want to be able to turn our experts loose on reasonable collections in hopes that they will come back with information or data that can be compared to the other larger projects we've done in the downtown areas I suggest in the amendment. Believe me, we are not happy about this circumstance. We also have the choice of just saying find someone else.... but we also felt, given the amount of experience in the downtown area with 17th century deposits that the work could be best served by us doing it basically, and that's why we're still taking it on."

Mr. Ivey said if you hadn't had that fabulous work plan up front this would be okay.

Mr. Ivey proposed the following corrections:

Page 2, last paragraph, line 1, should be "remodeling" instead of "remodel."

Page 13 under Concluding Remarks, the last 4 lines, "While the OAS investigation will be exhaustive, ~~and~~ sampling should increase the strength of conclusions for some bottom of the investigations, but the full nature and extent of this deposit may not be ~~ultimately~~ determined."

Page 12, paragraph 2, line 7, "add commas after "wide" and "corridor."

Page 12, paragraph 2, line 8, "At least six 1-by-2-m will be located at ~~systematic intervals~~ along the 30 meter..."

Page 12, paragraph 2, line 11, "...of the early Spanish Colonial..."

Page 7, paragraph 1, line 3, "... is expected to be the preferred course..."

Page 7, paragraph 1, line 5, Mr. Ivy asked if Mr. Post is implying he does not want to do a measured plan. Mr. Post said these would be the physical characteristics of the profile.

Page 9, paragraph 2, 3rd line from bottom, replace "it" with "and."

Mr. Ivey said his copy of the original 2009 Data Recovery Plan does not have any of the appendices in it.

Mr. Post said it is on file, commenting he would want Appendix 1 for sure, and Mr. Ivey said that's the one he wants.

Mr. Post said he is surprised it wasn't in the pdf that he provided to Mr. Rasch, and said he will look into that.

Mr. Ivey would like a copy of the final version of this report.

Mr. Post said it might be on their website, but he needs to see if the appendices are there as well.

Mr. Ivey said the description in the original report about the white wall isn't completely clear and asked if it appears to be a "hole excavated into the dirt and then the dirt surface covered with a whitewash."

Mr. Post said they are unsure if it is an unfinished surface which was whitewashed. He doesn't know if it is a mud plastered surface with a whitewash coating.

Mr. Ivey asked if there is a possibility it is an adobe brick wall with whitewash.

Mr. Post said they noted no adobe bricks at the upper elevation, and he didn't want to compromise it at that point. He said there are still a lot of unanswered questions.

Mr. Ivey said if there are funding cuts, and you can only do one thing, he believes this would be the one thing to look at.

Mr. Post said Drury can't get a building permit without meeting the minimum requirements of the Ordinance, noting their budget is tight like everyone else's.

Mr. Rasch asked if they will have enough parking if they don't go subgrade.

Mr. Post said he has concerns, reiterating that is in phase 5 which he has been told is 5 years out.

Mr. Post said they had expected Drury to be more "forgiving and had come up with amendments which were between the original figures and their bottom line, and they weren't receptive to spending even an additional \$100,000 which would have allowed us to do quite a lot more. Also, they have a funny habit of tacking on all of the demo work that we do that they'll use in the future and trying to charge us for it – if we cut asphalt and remove it. Things like that."

Vice-Chair Monahan asked they can comply with the Ordinance spending only \$175,000.

Mr. Post said yes.

Vice-Chair Monahan asked, given the abundance of artifacts that will be recovered, will any of these be stored, or will they all be catalogued and stored.

Mr. Post said that is part of the cost.

Vice-Chair Monahan asked how they will determine that without compromising it.

Mr. Post said they are planning to start at the top and work down systematically. He said it is filled with deposit, and they will recover and analyze all materials and they will be stored. He said the physical characteristics of the vault itself will be preserved. He assumes when they backfill the vault, they will make efforts to stabilize the vault. He said any human remains will not be disturbed and work would stop right there.

Vice-Chair Monahan asked if Drury would have to pay more if significant remains were found.

Mr. Post said he doesn't want to speculate, but, depending on what they might find, and if Drury were interested in more complete investigation and documentation they probably would be willing to spend more money.

Vice-Chair Monahan asked if there is anything with which we need to be concerned here.

Mr. Post said no, he is going to work within the limits of his proposal. Responding to Mr. Rasch, Mr. Post said anything they find will be curated, noting they could spend almost 1/3 of their budget in doing that. He believes in the event of a very significant find that Drury will do the right thing.

MOTION: Jake Ivey moved, seconded by Gary Funkhouser, with respect to Case #AR-09-11, to approve the amendment of the previously approved Treatment Plan to test excavations and data recovery plan for the La Villa Rivera/Marian Hall complex (LA 161535), in downtown Santa Fe, New Mexico, in the Historic Downtown as requested by James L. Moore and Stephen S. Post, Department of Cultural Affairs, Office of Archaeological Studies, for Drury Southwest, with the suggested changes.

VOTE: The motion was approved unanimously on a voice vote.

G. ADMINISTRATIVE MATTERS

Mr. Rasch said they will be interviewing for Senior Planner soon, noting there were 90 applications, 44 were qualified, and they will interview 8-10 from the A list and then go to the B list.

H. COMMUNICATIONS

There were no communications.

I. MATTERS FROM THE COMMITTEE

There were no Matters from the Committee.

J. BUSINESS FROM THE FLOOR

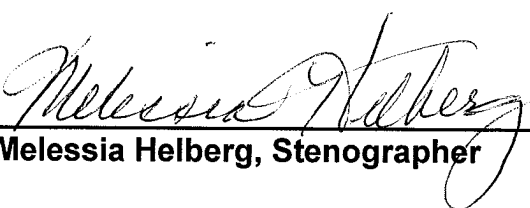
There was no Business from the Floor.

K. ADJOURNMENT

MOTION: Gary Funkhouser moved, seconded by David Eck, to adjourn the meeting.

VOTE: The motion was approved unanimously on a voice vote, and the meeting was adjourned at approximately 5:15 p.m.

Jeremy Kulisheck, Chair



Melessia Helberg, Stenographer