



Agenda

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**PUBLIC WORKS/CIP & LAND USE
COMMITTEE MEETING
CITY COUNCIL CHAMBERS
MONDAY, SEPTEMBER 26, 2011
5:15 P.M.**

1. CALL TO ORDER
2. ROLL CALL
3. APPROVAL OF AGENDA
4. APPROVAL OF CONSENT AGENDA
5. APPROVAL OF MINUTES FROM SEPTEMBER 12, 2011 PUBLIC WORKS COMMITTEE MEETING

INFORMATION AGENDA

6. STATUS UPDATE ON PUMP TRACK FEATURE AT ALTO PARK (**FABIAN CHAVEZ**)

CONSENT AGENDA

7. CIP PROJECT #646 – CITY HALL ROOF
 - REQUEST FOR APPROVAL TO AWARD BID #12/05/B AND AGREEMENT BETWEEN THE CITY OF SANTA FE AND MIKE LOPEZ ROOFING, LLC, IN THE AMOUNTS OF \$144,700.80. INCLUSIVE OF NMGR (CHIP LILIENTHAL)

Committee Review:

Finance Committee (Scheduled)

10/03/11

Council (Scheduled)

10/12/11

8. REQUEST FOR APPROVAL OF DEDICATIONS OF TRACT 8A3-7B AND EFFLUENT LINE EASEMENTS FROM TIERRA CONTENTA CORPORATION AND APPROVAL OF EFFLUENT LINE EASEMENT WITHIN DESIGNATED LANDS OF THE CITY OF SANTA FE AS SHOWN AND DELINEATED ON "DEDICATION PLAT FOR TRACT 8A3-7B WITHIN THE TIERRA CONTENTA SUBDIVISION PHASE 2B", BY TIERRA CONTENTA CORPORATION AND THE CITY OF SANTA FE (**EDWARD VIGIL**)

Committee Review:

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9. REQUEST FOR APPROVAL OF A RESOLUTION REQUESTING THAT THE STATE OF NEW MEXICO DESIGN, FUND AND OVERSEE CONSTRUCTION OF SHOULDER IMPROVEMENTS TO THE SOUTH SIDE OF CAMINO LEJO ADJACENT TO MUSEUM HILL'S MAIN PARKING AREA TO ENSURE THAT SAFETY OF PEDESTRIANS AND FOR UNCONSTRAINED EMERGENCY VEHICLE ACCESS **(COUNCILORS WURZBURGER AND ROMERO) (JON BULTHIUS)**

Committee Review:

Public Safety (Scheduled)	09/20/11
Finance Committee (Scheduled)	10/03/11
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10. REQUEST FOR APPROVAL OF AN ORDINANCE APPROVING A LEASE BETWEEN THE CITY OF SANTA FE AND DAISY LAY II, LLC FOR APPROXIMATELY 4,067 SQUARE FEET OF CITY OWNED LAND LOCATED WITHIN THE BOUNDS OF THE CAMINO ENTRADA RIGHT OF WAY TO BE USED AS A PARKING AREA APPURTENANT TO RESTAURANT AT 2571 CRISTO'S ROAD **(COUNCILOR ROMERO) (EDWARD VIGIL)**

Committee Review:

Finance Committee (Scheduled)	10/03/11
Business and Quality of Life (Scheduled)	10/11/11
Council (Request to publish)	10/12/11
Council (Public hearing)	11/09/11

11. REQUEST FOR APPROVAL OF A RESOLUTION DIRECTING STAFF TO EXPLORE THE OPTIONS AND THE FEASIBILITY FOR ACQUIRING SECURITY AT THE SANTA FE RAILYARD **(COUNCILOR CALVERT, MAYOR COSS, COUNCILORS ROMERO, BUSHEE AND WURZBURGER) (BOB SIQUEIROS)**

Committee Review:

Finance Committee (Scheduled)	10/03/11
Council (Scheduled)	10/12/11

DISCUSSION AGENDA

12. CHAPTER 14 REWRITE AMENDMENTS (PART 1)
- REQUEST FOR CONSIDERATION AND APPROVAL OF AMENDMENTS TO SIX SECTIONS OF CHAPTER 14 SFCC 1987 LAND DEVELOPMENT AS RECOMMENDED BY THE PLANNING COMMISSION AND BY STAFF: 14-1 GENERAL PROVISIONS; 14-2 REVIEW AND DECISION-MAKING BODIES; 14-3 REVIEW AND APPROVAL PROCEDURES; 14-4 ZONING DISTRICTS; 14-5 OVERLAY ZONING DISTRICTS; AND 14-6 PERMITTED USES AND REGULATIONS **(GREG SMITH)**

PUBLIC HEARING

13. REQUEST FOR APPROVAL OF A RESOLUTION ADOPTING THE LEAGUE OF WOMEN VOTERS OF SANTA FE COUNTY'S *POSITION ON TRANSPARENCY IN LOCAL GOVERNMENT* AS A GUIDE FOR ESTABLISHING COMPREHENSIVE TRANSPARENCY POLICIES AND PRACTICES FOR THE CITY OF SANTA FE **(COUNCILORS CHAVEZ AND BUSHEE) (CARLA LOPEZ)**

Committee Review:

Public Works Committee (Postponed)	08/29/11
Finance Committee (Scheduled)	10/03/11
Council (Scheduled)	10/12/11

14. FORT MARCY BALLPARK BEER GARDEN (BEER ONLY) AT PROFESSIONAL BASEBALL GAMES

- REQUEST FOR APPROVAL OF AN ORDINANCE AMENDING ARTICLE 23-6 SFCC 1987 TO PERMIT THE LIMITED SALE AND CONSUMPTION OF ALCOHOLIC BEVERAGES AT FORT MARCY BALL PARK FOR PROFESSIONAL BASEBALL GAMES
- REQUEST FOR APPROVAL OF A RESOLUTION AUTHORIZING THE CITY MANAGER TO SUPERVISE AND DIRECT THE PLACEMENT AND OPERATION OF A BEER GARDEN AT FORT MARCY BALLPARK FOR SERVICE AND CONSUMPTION OF BEER ONLY AT PROFESSIONAL BASEBALL GAMES; AND TO ENSURE THAT THE CITY COMPLIES WITH THE DIRECTIVES OF THIS REGULATION, AND THE LAWS OF THE CITY OF SANTA FE AND THE STATE OF NEW MEXICO **(COUNCILOR TRUJILLO) (ROBERT ROMERO)**

Committee Review:

Public Safety (Scheduled)	09/20/11
Finance Committee (Scheduled)	10/03/11
Business & Quality of Life (Scheduled)	10/11/11
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15. REQUEST FOR APPROVAL OF A RESOLUTION CALLING ON THE CITY OF SANTA FE AND THE COMMUNITY TO SUPPORT FUNDING IN THE AMOUNT OF 50 MILLION DOLLARS FOR MUNICIPAL CAPITAL PROJECTS THAT WILL CREATE JOBS WHILE PROVIDING FOR ECONOMIC DEVELOPMENT OPPORTUNITIES, IMPROVING WATER SECURITY, ENHANCING PUBLIC SAFETY AND PROMOTING A HIGH QUALITY OF LIFE FOR THE RESIDENTS OF THE CITY OF SANTA FE; APPROVING A 20 MILLION DOLLAR GROSS RECEIPTS TAX REVENUE BOND ISSUE; AND PROPOSING A 30 MILLION DOLLAR GENERAL OBLIGATION BOND ISSUE FOR APPROVAL BY THE VOTERS OF THE CITY OF SANTA FE AT THE MARCH 2012 MUNICIPAL ELECTION **(COUNCILOR DOMINGUEZ) (ROBERT ROMERO)**

Committee Review:

Finance Committee (Scheduled)	10/03/11
Council (Scheduled)	10/12/11

16. MATTERS FROM STAFF

17. MATTERS FROM THE COMMITTEE

18. NEXT MEETING: **TUESDAY, OCTOBER 11, 2011**

19. ADJOURN

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

**SUMMARY INDEX FOR
PUBLIC WORKS/CIP & LAND USE COMMITTEE**
September 26, 2011

ITEM	ACTION	PAGE
1. Call to Order	Convened at 5:15 p.m.	1
2. Roll Call	Quorum Present	1
3. Approval of Agenda	Approved as presented	1
4. Approval of Consent Agenda	Approved as amended	1-2
5. Approval of Minutes - September 12, 2011	Approved as presented	2
Information Agenda		
6. Update on Pump Track at Alto Park	Discussion	2-3
Consent Agenda Listing	Listed	3-4
Discussion Agenda		
12. Chapter 14 Rewrite Amendments Part I	Approved	20-23
Public Hearing		
13. Transparency Policies and Practices	Approved as amended	4-6
14. Beer Garden at Fort Marcy	Disapproved	7-14
15. Municipal Capital Projects Bond Issue	Approved	14-20
16. Matters from Staff	None	23
17. Matters from the Committee	None	24
18. Next Meeting	Set for October 11, 2011	24
19. Adjournment	Adjourned at 8:35 p.m.	25

MINUTES OF THE
CITY OF SANTA FÉ
PUBLIC WORKS/CIP & LAND USE COMMITTEE
MONDAY, SEPTEMBER 26 2011

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 Fé, New Mexico.

2. ROLL CALL

Roll Call indicated the presence of a quorum as follows:

MEMBERS PRESENT:

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

MEMBERS ABSENT:

Councilor Rosemary Romero [excused]

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 is on file in the Public Works Department.

3. APPROVAL OF AGENDA

Councilor Calvert moved to approve the agenda as amended with item #12 heard after the public hearings. Councilor Trujillo seconded the motion and it passed by unanimous voice vote.

4. APPROVAL OF CONSENT AGENDA

Councilor Trujillo moved to approve the consent agenda as presented. Councilor Calvert seconded the motion and it passed by unanimous voice vote.

5. APPROVAL OF MINUTES FROM SEPTEMBER 12, 2011 PUBLIC WORKS COMMITTEE MEETING

Councilor Calvert moved to approve the minutes of September 12, 2011 as presented. Councilor Trujillo seconded the motion and it passed by unanimous voice vote.

INFORMATION AGENDA

6. STATUS UPDATE ON PUMP TRACK FEATURE AT ALTO PARK (FABIAN CHÁVEZ)

Mr. Fabian Chávez presented the report. He shared the background. A young man (Henry) from Santa Fé Prep came to the City to ask permission to construct the pump track at Alto Park. It was a very small dirt track and he wanted a footprint in a park. They held a hearing at Alto Park where the City had a large triangle on the west heading toward Camino Alire.

The public received it favorably and had lots of questions. He offered to help Henry move some dirt and asked if he needed anything else. He said he would raise all the other money and the bicycle community decided to pay for it - about \$2,500 needed. Henry has volunteers from all over and a man from Maryland who knows how would help design it. He met with Henry last Friday to modify it so he could show it to the Committee and dealt with some issues. They would like to move forward with it and in the next couple of weeks they would move earth. They hoped to finish by October 16.

Councilor Trujillo knew this came to the Committee a few months ago but it was to be at Fort Marcy. He asked what happened with that.

Mr. Chávez explained that was Henry's first proposal, north and east of the tennis court. Neighbors presented a petition to not put it there and Councilor Bushee agreed to help Henry find another location. There were probably over 20 signatures on the petition.

Councilor Chávez asked if ongoing maintenance in the future would be volunteer as well.

Mr. Chávez agreed. They would allow up to 16 hours of staff time for actual construction of the track. Henry was committed to the track and he formed an organization at Santa Fé Prep. At that school students were required to perform community service and some were four years back of Henry who was a senior. It was similar to how Daniel Coria was maintaining the BMX track in the Northwest Quadrant. It just required a little raking from time to time. Staff's only work would be keeping weeds down which they did anyway.

Councilor Chávez thought it worked well, it should be proposed at other parks. They wanted to promote a healthy life style and this didn't add more burdens to the taxpayer. The collaboration was good and if they followed through and made it work it should work elsewhere.

Councilor Calvert was at the public meeting and it was nice to see that the people who turned out were supportive, especially since it was a self-directed project and didn't ask the City to do it all. It was unfortunate that there was opposition at Fort Marcy but this was probably a better location anyway. It was better to be where it was wanted and supported.

Chair Dominguez was not necessary opposed but didn't know that this location was better than the last one. He asked how much staff time would have been spent at the first location.

Mr. Chávez said it would have been about the same so if it was well received he believed it would be a model to replicate. He explained that the new proposed alignment was better. It was on the graphic. He didn't have any graphic for the Fort Marcy location.

Chair Dominguez thought at Ft Marcy there would have been less effort needed because people had already been using it as a pump track.

Mr. Chávez said that was not the case. There was just grama grass there now - no disturbance evident.

Chair Dominguez wanted to see what was previously proposed to better understand the decision.

Mr. Chávez agreed.

CONSENT AGENDA LISTING

7. CIP PROJECT #646 – CITY HALL ROOF

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SUBDIVISION PHASE 2B" BY TIERRA CONTENTA CORPORATION AND THE CITY OF SANTA FÉ (EDWARD VIGIL)

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13. REQUEST FOR APPROVAL OF A RESOLUTION ADOPTING THE LEAGUE OF WOMEN VOTERS OF SANTA FÉ COUNTY'S *POSITION ON TRANSPARENCY IN LOCAL GOVERNMENT AS A GUIDE FOR ESTABLISHING COMPREHENSIVE TRANSPARENCY POLICIES AND PRACTICES FOR THE CITY OF SANTA FÉ (COUNCILORS CHÁVEZ AND BUSHEE) (CARLA LÓPEZ)*

Committee Review:

Public Works Committee (Postponed)	08/29/11
Finance Committee (Scheduled)	10/03/11
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Ms. López presented this request. It came before Public Works at the August 26th meeting and the Committee asked staff to go back for more clarity. On September 8, the City Attorney, Sevastian Gurulé, Melissa Byers, Karen Heldmeyer and Councilor Chávez met along with Jody Larson from League of Women Voters (LWV). Their result was in the packet. The changes were highlighted in yellow. Also the packet had a draft of the administrative policies that would come out of it.

Public Comment

Ms. Jody Larson, League of Women Voters, said the League would like to support this resolution. They worked on it and she acknowledged the diligent work of Carla López, Melissa Byers, Sevastian Gurulé and Geno Zamora who all participated. Santa Fé County has benefitted from its transparency effort at little or no cost. This was a perfect time to work on it because of the City's new website. The League would continue to help in any way they could.

There were no other speakers from the public regarding this matter. The public hearing was closed.

Chair Dominguez noted this was going to Finance on the 23rd. He asked Ms. López if she had prepared the FIR.

Ms. Byers said she had the previous one and was updating it.

Councilor Calvert noted on Exhibit A, #5 said they would make draft minutes available as soon as filed. He asked that legal staff delve into that a little deeper because he thought they must put a disclaimer that the minutes had not been approved yet and might have later changes. On Section B-2, it talked about the publishing price list for different records and in 3 and 4 talked about things that would be available. His hope would be to make it as paperless as possible so it would be easier and cheaper for everyone. He hoped they would move in that direction.

And then, not part of B but next section - B said elected officials should receive training on statutes and other mandates that are applicable to them. He had yet to see an orientation for Councilors. An orientation on these and other matters that were very important needed to be done.

In Section B, #3 said Develop a policy regarding the production and cost of spreadsheets, lists and other reports that might not be part of public documents but of public interest. There was the matter of cost but also there might be confidentiality issues such as personnel files and things like that. That one needs a little more fleshing out.

Down in B-1-G - it had contact information for city employees. That should be provided in a chain of command - the supervisor in charge maybe.

Councilor Chávez moved for approval of the resolution. Councilor Calvert seconded the motion.

Councilor Chávez said even though his name was on this resolution, this was the League's work and they had been working on it for years. He was supporting the League in this resolution. One of the findings in the CVB report was transparency. That might be of a different nature but related. When they were talking about our city government that served the public, the public needs to know what the government was doing. He agreed that some of it had to be confidential. The City Attorney knew how to deal with that.

He hoped they could pass this and enhance the web page and continue to share with the public. This was about open government and being sensitive to City employees.

Chair Dominguez had a procedural question. They were approving the position and not the policies. He asked when those would be brought forward.

Councilor Chávez said staff was working on that. Sometimes staff were directed by resolution on what needed to be done. We could ask for a list of those policies.

Ms. Byers said after they met with LWV, Exhibit A was the position and Exhibit B was the proposed policies modeled after the LWV but tailored to the City of Santa Fé. It speaks about the sunshine portal and other things. The purpose of Exhibit B would be to adopt that as the policies for transparency.

Chair Dominguez asked if the motion was to adopt Ex B as an example.

Councilor Chávez said it was a guide that we want to follow. It takes the staff position paper and the resolution into account. It could include both A and B if the Committee was more comfortable with that.

Chair Dominguez said he was confused because it seemed to adopt the position and then separately work on the policies.

Councilor Calvert thought they had to adopt Exhibit B because it was part of the resolution.

Councilor Chávez said he would amend the motion to include Exhibit B and not Exhibit A. Councilor Calvert accepted that.

Chair Dominguez agreed transparency was something they needed to continue to work on. It was the

first of many steps.

The motion passed by unanimous voice vote with none voting against.

Councilor Calvert asked staff to flesh out the issues he had raised.

Chair Dominguez thanked the public for speaking on it.

14. FORT MARCY BALLPARK BEER GARDEN (BEER ONLY) AT PROFESSIONAL BASEBALL GAMES

- **REQUEST FOR APPROVAL OF AN ORDINANCE AMENDING ARTICLE 23-6 SFCC 1987 TO PERMIT THE LIMITED SALE AND CONSUMPTION OF ALCOHOLIC BEVERAGES AT FORT MARCY BALL PARK FOR PROFESSIONAL BASEBALL GAMES**
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Mr. Robert Romero presented the request. He went through and summarized the ordinance. The major issue in the ordinance was allowing beer to be served during professional baseball games. It would isolate an area no larger than 25% of the existing seating area. The City could use a private company or use a government liquor license. No one under 21 would be allowed in the beer garden and there would be a buffer between it and the rest of stadium; and they would follow all state laws.

The Public Safety Committee asked that youth games have a priority over professional baseball games. The resolution talked about ways to secure the area with security officers and restrict consumption to 3 beers per person and stop serving at the sixth inning of the game.

Councilor Calvert had heard that the promoters of this league would want the City to pay for improvements at Fort Marcy. He asked how much might that be.

Mr. Romero didn't remember that they asked for any improvement. He met with them several times.

Councilor Calvert talked with Mr. Chávez just before the meeting and he said he didn't have enough detail to speak to it.

Mr. Romero said he told the league that the City didn't have money to improve the facility. He agreed to get that clarified.

Public Comment

Chair Dominguez gave a 2 minute time limit.

Mr. Luciano Santacruz said he lived across the street from the complex. He read a written statement so he could cover the points he wanted to make. The community learned of the possibility of the professional baseball team in Santa Fé as a result of an article written on July 20th by Will Wilbur in the Santa Fé New Mexico. The caveat was that "you have to sell beer - that is a must." The league owner would not consider extending his franchise to Santa Fé unless he could sell beer.

In the follow up article, City Manager Robert Romero, who was familiar with the league, said he was not sure what would happen here if the owner couldn't get approval for beer sales. In an article on September 14th, Julie Ann Grimm wrote about Councilor Trujillo's interest in bringing the team to Santa Fé with beer sold at the public park. As such, she said he introduced a measure before City Council that called for lifting the prohibition on beer sales at city parks in order to accommodate the Pecos League.

Six days later, Ms. Grimm announced the approval of Public Safety Committee for a beer garden at the ball park. She said the haste in getting it through the committees for an ordinance change left the impression it was a done deal and Santa Fé would have a professional baseball team. She said it steered focus away from a critical issue - the impact on the neighbors surrounding the ball park.

He said he lived in District 1 and in one of three neighborhoods adjacent to Fort Marcy Complex. He and his neighbors were concerned about the presence of a professional baseball team on their neighborhood. It would mean an additional 500 people (the capacity of the ball park) and would affect the quality of life for residents. His neighborhood was quiet and most everyone was familiar with his or her neighbors. The noise level...

Chair Dominguez interrupted because his two minutes were up.

He urged the Committee to make an environmental impact study. He felt the residents had been left behind.

Ms. Maria Bautista, 996 Camino Vista "in Ron Trujillo's neighborhood," said she was totally shocked that this came before the community without any acknowledgment of what was really going on. In 1987 we passed an ordinance that said we would not serve alcohol on city property. She knew there had been exceptions to it. She said the City should encourage fewer alcohol venues.

Second, she asked what the City was doing sanctioning people to drink and drive. How many drinks would fans have already had when coming to the park? She had three homes in that neighborhood. She had to clean up after Zozobra after the event.

She asked that the background of the Pecos League be checked to look at their track record and DWI statistics. "Look around you and see what you were doing. The Pecos League feels they have a shoe in. They advertised on their web site for a manager on Sunday."

She recalled the City had a professional hockey league at the Chavez Community Center and they left owing the City money. "This is not over. I'll be at every meeting."

Ms. Marian Quintana, 996 Camino Vista, said she would work tirelessly and ceaselessly to ensure that a beer garden would never be at Fort Marcy. She was contacting all of her friends about it. This was a potentially dangerous activity during a so-called family event. If this was Mr. Trujillo's plan to lure a Pecos League team to the city, she felt they could stay in Texas. She urged the Councilors to not only deny this application but to put forward a resolution denying such applications in the future.

As Ms. Bautista mentioned, they already have on their web site job announcements for a Santa Fé Field Manager. They think this is a done deal and Ms. Grimm's article that said the beer garden had cleared the first hurdle. She hoped that was the only hurdle they would clear because she and her associates would be at the Finance Committee, the Business & Quality of Life Committee, at City Council meetings, at the public hearings and there would not be "play ball and drink beer in Santa Fé."

Ms. Betty Booth, 1317 Ferguson Lane, said she was Chair of Parks and Open Space Advisory Commission. The Commission had asked that this review be postponed until they had an opportunity to review it. They had not seen this proposal at all and that request was denied. According to the resolution that created the Commission their mandate was to provide advice on all parks and open space related issues. It included but was not limited to acquisition, planning, development, construction, operations and maintenance. They were not limited to providing advice on how bond money was spent on parks.

Consideration by committees and commissions was surely part of transparency and participation in Santa Fé's democratic processes. Circumventing the Commission on major decisions concerning parks such as this resolution gives the impression that the city government was not conducting open and transparent process. For the Commission she requested that the Commission be allowed to review any items related to parks and open spaces before they are presented to the City Council committees.

Some of the questions the Commission members would have asked are the following: The public process - Parks has always been required to conduct a public meeting at the park site before any project, large or small. Shouldn't we follow the same process for a project that will have a major impact on the neighborhood? Should we put up signs at the park site to notify neighbors who didn't take the newspaper or check the city website regularly? This was only announced last week. That is not sufficient public notification. City expenditures - improvements or upgrades - what improvements or upgrades are needed at the park for the league to play. We have heard that might be more than half million dollars.

Field Maintenance - What will the maintenance cost? How will it be paid? Will Parks need to hire additional staff or pay overtime? Public Safety - How much security would be needed for each game? How much will this cost the City? Ticket Sales - Who will manage that? How much will that cost the City? We understand they will only pay \$1,000 per event with the hope that it will bring additional revenue in. The question is, in view of the increased expenses the City will have, how much revenue this will really generate. How many out of town people would come and will this project really generate more than it costs for the City?

Ms. Marg Veneklausen, 205 Williams Street said - I just had my 48th Zozobra party. I know the neighborhood and everyone in Santa Fé knows that I love sports. I started soccer here in 1975 and I ran a ski program for 40 years. I love baseball. But I want us to know more. We have had no talk about looking into things and being open. We don't know how many games. We know nothing about the league. We know nothing about how many people -- as I understand it, they need 500 people to make it go. I'm really against serving beer in the park. I'd like to see it come and not have beer. Someone told me there were 300 parking spaces. I know what it takes as far as security and tickets were a big deal. So please be more open with us and let us take a look at it and see if we could be part of it.

Mr. Patrick Noltes, 505 Bishop's Lodge Road said - I am concerned about disturbing a quiet residential area which we do have at the moment. Before we bought the house I checked with police about crime in that area and found out it had been 2-03 years since there was a trivial crime there. That was encouraging and led to our purchase of the property. Regarding the beer garden, my wife and I both feel it is not a proper venue for this area. I would encourage you to stay with the policy. I would like more information if the ball park was approved - such as when would the games start and by when would play be discontinued.

During my 50+ years in construction I've seen things get started and not finished. I examined the area and found there were 109 parking places marked. He thought there were 39 for VIPs. So it was coming up short on parking spaces for a 500 people crowd. The field does have some waviness to it. It might be impossible to satisfy the league. It should be cleared and redone and could cost as much as \$800,000. Would there be additional police patrol there on game nights?

Mr. Tom Agar, 2218 Brillante Street said he was the Youth Sports Commissioner on Santa Fé Parks and Open Space Commission. He had requested that the Pecos League come to the Parks and Open Space Commission to give a full presentation through an open and public process and hadn't received any response. Their next meeting was October 18. He furthermore wanted to support the Commission in that it was an on-the-ground commission that meets in the parks and were accessible to the public. They were missing a great opportunity for the public to get input.

Ms. Barbara Harrelson, 924 Old Taos Highway. The first information she had about a possible beer garden going in across the street in Fort Marcy Park was last Wednesday in the New Mexican on how it fared at Public Safety Committee. She too was concerned about what seemed to be undue haste and not due process - evaluating and asking questions that should be answered before going into such an endeavor. Tonight was a good example when one of the Councilors asked tonight about what it would cost

to adapt Fort Marcy Park and there was a confused answer from staff. Let's slow it down and investigate it thoroughly. I'm not a prohibitionist but this sets the wrong tone and we could have fun without alcohol.

Mr. Paul Max, 802 Camino de la Sierra and the back of his house was about 100 yards from Fort Marcy. While it was wonderful to have more pro sports in town, he had concerns regarding the lack of information about what might go on with this league. He asked how many games were to be played, how long the season was and the times of the games. It made a big difference if they were Saturday afternoon or Monday night until midnight.

He didn't think selling beer there was a good idea because it provided an opportunity for a lot of negative things to happen. His other big concern was about restroom facilities. With hundreds of people drinking beer they would need more than the one bathroom by the ball park. Would there be porta potties or would he be looking at the arroyo from his patio? He hoped the City would take the time to look at all the issues in this.

Ms. Sara Oates, 232 Camino de la Sierra, about 500 yards from Fort Marcy ball park. She had real questions about how this has been handled. It was being treated as a minor matter but the ramifications for all of District 1 could be very severe.

Why was Fort Marcy chosen? It was a small neighborhood park used extensively by the neighborhood. At 5 or 6 p.m. there are no parking spaces available. She understood the games would be Thursday through Sunday of every week but the public has no idea what was being proposed. If we were going to have games Thursday through Sunday every week, what was the City saying to the community that used that neighborhood park? What about the children playing soccer there and family outings? The trade off deserved a lot of public input. She suggested that in the future, it be handled in that way.

Ms. Jessica Apodaca, Prevention Specialist with Santa Fé Public Schools. The Santa Fé Public Schools opposes granting a waiver for drinking alcohol at baseball games at Fort Marcy. In December 2009, the City Council banned alcohol sales on city property. The proposed waiver would go against City Council ordinance that was designed to promote healthy activities at events that were alcohol free. Santa Fé Public Schools supports recreational opportunities for families and hopes such activities could happen without alcohol use. She would love to take her daughter to a baseball game without alcohol there.

Mr. Pedro Gonzales, 2240 West Alameda, said he worked for Santa Fé Mountain Center that has served youth and families since 1979. Several months ago he was sitting in the back when Councilors spoke on behalf of the people in the community to a multi-million dollar corporation and thanked them for putting people first. It gave him a sense of pride to know that we could work together for change in the community. At the Mountain Center he worked with young people referred through drug courts and treatment centers. Many of them were exposed to substance abuse. When they come to us they were in a safe place and we were role models for a healthy life style. A sports complex was fine but hopefully this was another safe place for them without exposure to substance abuse. At least to have a place that was safe.

Ms. Lisa Restrue read a statement by Gayle McGuinness (Cathedral Youth Minister). Ms. McGuinness wrote that she had lived in Santa Fé since 1995 as a youth minister for the Cathedral and had witnessed many times the negative effects of alcohol on families. She continually reminded families that preparation for the sacrament should be one that was alcohol free. While she was an avid baseball fan and looked forward to Santa Fé becoming a hub for the Pecos League, she did not see the necessity to have beer available at this family event. It sent the wrong message to children and implied that in order to have fun, beer must be served. Santa Fé is a unique community; strong in its rich heritage and the top tourist designation. They should come here whether or not alcohol was available.

Ms. Stefanie Beninato, PO Box 1601k, agreed with most of the people who spoke before her. One offensive issue was that Pecos made this appear to be a done deal. If so, it was a bigger problem than previously thought. Transparency and inclusion of the public input. Two committees have heard it without public participation. The infrastructure problems were not clear. And for her the alcohol problem was large. We have a huge DWI problem. Here was an opportunity to send a very strong message that you don't need alcohol to have a good time but it seemed this was sending the opposite message. How do you justify that at a family event? She found it hypocritical when the Council was so opposed to selling at WalMart but allow it here until the sixth inning and then drive home. It was an unsafe situation and a poor message to youth on what was healthy.

Ms. Shelley Mann Lev, 2663 Via Caballero, said she was speaking as Chair of Santa Fé Underage Drinking Prevention Alliance. She first heard about this waiver, when the Alliance was about to meet and unanimously agreed that this was going to serve the vision of the alliance. The vision adopted by the Council was that no one under 21 would drink alcohol. Adults would model no-use risk of alcohol and that no one would drink and drive. Whereas we share support in having fun activities - not with alcohol. All people need a chance to review this and a careful decision be made about what was best for our community. Also the Council needs to look at the potential harm. We applaud the Council's leadership against alcoholism and DWI. You've taken a stand in so many ways. We don't want alcohol abuse in our community. We need to protect our community especially our young people.

The Public hearing was closed.

Chair Dominguez announced there would be public hearings at the other committee meetings.

Councilor Calvert recalled they had a similar proposal to serve beer at ice hockey games at Chavez Community Center and disapproved that. He didn't see that much difference with this one. He didn't think it was a good legal basis to rest our decision on. They could sue us for discrimination on that.

Regarding family outings. As proposed, he couldn't see how this could serve as a family outing when parents were in a beer garden away from the children.

Regarding the venue itself, he didn't think this site was designed for regular intensive use. Parking and public safety facilities were not close by and traffic flow would be difficult. And to add insult to injury the league was asking us to pay for improvements to Fort Marcy.

What he would say to folks on the Parks and Open Space Advisory Commission was that he didn't see why this could not be scheduled before the Commission. He served on the Water Conservation Committee and sometimes they heard matters after being heard in council committees.

He thought if when they had have a proposal like this and listed it on the web site he hoped they would also list the schedule of committee hearings on it. That's the way to get some advance notice on some of them. At least you have some heads up when it might go before a committee.

Councilor Calvert moved to deny this request for an ordinance amendment. Councilor Chávez seconded the motion.

Councilor Chávez said before the meeting Councilor Trujillo asked him if he would support it.

Councilor Trujillo disagreed.

Councilor Chávez clarified he asked what I thought about it before the meeting. What does that mean? What I said then and would say now, was that I cannot support it. Public Safety had a vote of 5-3 which Councilor Trujillo chaired. That was not a mandate. The public talked about the impact to his neighborhood but the mixed message about drinking and driving was all over the city and was a contradiction. So he did not support it 15 minutes before the meeting and wouldn't support it now.

Councilor Trujillo thanked the community that came out to discuss it. He said if he could bring a baseball component here without alcohol he would. He knew what the ordinance was. He had been here 43 years. There was not a lot here for entertainment. So he and his family went to Albuquerque. He might spend a hundred dollars going to an Isotope Park. He would have a beer and enjoy the game and then drive home. He was not sending a message to get blitzed at the game. Giving people an opportunity to go to a baseball game and supporting a local team without having to drive 65 miles would help. You could go and didn't have to drink.

Santa Fé was a top tourist destination but he was talking to the people who lived here, not the tourists. Santa Fé has plenty of stuff for the tourists to enjoy. Baseball was a family event. He took his children all the time to watch the Isotopes. He didn't always have a drink when he went. He liked to go see games. He knew there was a controversy with alcohol and he was not promoting for people to come to the park and drink - He was promoting people to come to the park and enjoy a baseball game.

There were cities that made huge stadiums. This league said they wanted to come to Santa Fé. They would stay in our hotels and go shopping in our shops and eating in our restaurants. It was all economic development. But this was a component of it.

Everyone knows Fort Marcy was a shining gem for baseball in this community. He played Babe Ruth and lived for the chance to play there. He would be coaching there next year. This was what he would like to bring to Santa Fé and allow people to enjoy it. It was a three month proposition.

He added that he thought the league was going to talk to the Parks Advisory Committee at their meeting on the 19th. He thought that was going to happen and had no problem with that. This was not a major league but a small intercontinental league - not for 600-700 people to attend.

Alcohol was a component. He had previously voted against a beer garden. He knew it was a big battle. He supported coming to the ball game and enjoying it. This community deserved a place for family recreation. It needs things other television. It was not always about tourism.

Chair Dominguez thanked the public for coming out. This would go to Finance on the 3rd. He asked for a roll call vote.

The motion passed on a majority roll call vote with Councilor Calvert, Councilor Chávez and Councilor Dominguez voting in favor of denying the ordinance amendment and Councilor Trujillo voting against.

Chair Dominguez said it would go to the Finance Committee without a recommendation.

15. REQUEST FOR APPROVAL OF A RESOLUTION CALLING ON THE CITY OF SANTA FÉ AND THE COMMUNITY TO SUPPORT FUNDING IN THE AMOUNT OF 50 MILLION DOLLARS FOR MUNICIPAL CAPITAL PROJECTS THAT would CREATE JOBS WHILE PROVIDING FOR ECONOMIC DEVELOPMENT OPPORTUNITIES, IMPROVING WATER SECURITY, ENHANCING PUBLIC SAFETY AND PROMOTING A HIGH QUALITY OF LIFE FOR THE RESIDENTS OF THE CITY OF SANTA FÉ; APPROVING A 20 MILLION DOLLAR GROSS RECEIPTS TAX REVENUE FOR APPROVAL BY THE VOTERS OF THE CITY OF SANTA FÉ AT THE MARCH 2012 MUNICIPAL ELECTION (COUNCILOR DOMINGUEZ) (ROBERT ROMERO)

Committee Review:

Finance Committee (Scheduled)
Council (Scheduled)

10/03/11
10/12/11

Mayor Coss said he had been around for a lot of bond measures. They were doing this one at a time when the economy was not good and people in Santa Fé needed jobs. They were also doing this at a time when the City needs to do a lot of work. We have an Economic Development agenda. To have quality arts and culture and do that successfully required a first class infrastructure and first class quality of life. So among all the things this community would be interested in supporting, parks was up there, public safety with new fire stations and a police force at level 3. We have talked a lot about water security - taking care of our water shed and providing high speed internet to the city. Also what it means for development of solar energy. To grow companies in Santa Fé and keep them staying here this needs to be done. We need to invest to get the job s we need so badly and building the kind of Santa Fé we want to see in the future.

Mr. Romero presented this request in which there were two parts - the CIP bond and the list of projects

that were being proposed for discussion on page 6. The infrastructure projects were things that we do every year to continue to improve our existing facilities - roads, buildings, etc. The next group was for the federal projects like the airport, the last phase of Cerrillos Road and transit. The next group included design projects for the Rodeo area, fire stations, multi-modal at Railyard, etc.

The last group included construction type projects or acquisition of capital such as buses and the Southwest Project. Chair Dominguez has a companion resolution to fund through wastewater instead of CIP. City-wide improvements include IT, especially in the court system, ADA improvements, and bus replacements. They needed a million dollars each year to keep up with bus replacement, improvements at Railyard and upgrade for Airport Road, Gonzales Road pedestrian trail which has partial funding already.

The request included shoulders on Botolph Road and replacement of street lights with LED lights in traffic signals.

The next list was a hand out on police communication, expansion at the police station, parking, trucks and other equipment for fire station needs.

For park improvements, the Park Advisory Commission has evaluated the parks city-wide - those would be highest priority through this.

The next group was economic development and water security, broadband infrastructure, affordable housing, etc.

Public Comment

Mr. Mitch Buszek, on behalf of Santa Fé Move On, said they would like to request that the Committee support this resolution and thanked Chair Dominguez for moving it forward. 40% of our young people live in the Airport corridor. Passing this bond would be a good motivation and give a reward for their work. The city making this kind of commitment for infrastructure would help in many ways. Infrastructure does need attention. One thing needed was a gym facility on the south side. The Chavez Center was not viable for many people.

He also pledged that Move On would help with getting the voters out to the ballot booth to vote.

Ms. Betty Booth, 1337 Ferguson Lane, Chair of the Parks and Open Space Advisory Commission. She said they had been working as Council asked on looking at all of the parks to determine what needed to be done. They particularly asked the Committee to support the Southwest activity node and a constituency not well represented in the previous bond - the skateboarders. There was virtually no money for skate parks in the last bond and needed to use this one to catch up with upgrading the new skate park.

Mr. Huston Johanson, 514 Rio Grande Avenue, said he supported the bond and asked them to pass it. This helps those who needed jobs, especially for young people and people would want to build a life here for families with better infrastructure. He thanked Chair Dominguez and others who worked for this bond.

He urged the Committee to vote it through.

Ms. Jennifer Garcia, 2123 Parkway la Vista, was representing as the new Labor Council President of Northern New Mexico, executive board member of local 3999 of AFSCME. She thanked the councilors for supporting this bond. We do need jobs - union and non -union - Thank you and we do support this bond.

Ms. Alisha Shaw, 119 Berger Street urged the Committee to pass it. It was important for Santa Fé and would help to deal with the recession and provide things to help working families to continue to live in Santa Fé. People have to move away because they can't get jobs so it was important to invest in our infrastructure and improved broadband. She hoped they passed it.

Ms. Stefanie Beninato, PO Box 1601, said she was actually opposed to these bonds. They were another form of property tax and this bond would increase that. We had one for parks just a few years ago. You just raised the rates for seniors at recreational facilities from \$29/year to \$189/yr or an increase of 600%. It was nice to talk about parks and youth and broadband. What about the seniors who have the 600% increase. There was a door at Salvador Perez that has been broken for over a year and the heating and cooling has cost lots of money because of it. She could not support these kinds of bonds and they were also very vague. She wanted to know more detail about it.

Ms. Pilar Faulkner, liaison for Rodeo de Santa Fé and disaster relief. She had a hand out for the Committee. She felt this was a win-win that would provide not only 250 construction jobs during construction but 70 permanent jobs and another 70 part-time jobs on a monthly basis. The Rodeo de Santa Fé has served as agricultural relief so it would help with disasters. There was no adequate resource facility for regional agriculture relief purposes in northern New Mexico. They had contacted the coordinators for disaster relief and were involved with them, asking them to serve on their design team.

Mr. David Culper was president of the Rodeo property Board who said Pilar pretty much said it all. They had been kicking this project around for a long time. The property was owned by Rodeo de Santa Fé - a 501c2 and they were trying to improve this multi-use facility for an indoor facility. They would run the facility when it was done and the City wouldn't have to run it at all. We have put in excess of \$50,000 into the process already. We were a corporation in good standing in the city and we want to get our design and building done.

Mr. Lee Daniels said he was in support of the indoor arena at the rodeo grounds.

Mr. Mike Archuleta lived on Taylor Loop in La Cienega and before that lived in town. He was a representative of unions and urged support for the bond. He loved what Councilor Trujillo was trying to do for Santa Fé.

There were no other speakers and the public hearing was closed.

Chair Dominguez said this was brought forward primarily for discussion. For him there were two overarching things. It was an investment in our people and hopefully would get economic development

started. And it focused on what we want Santa Fé to look like in the future and ensure that Santa Fé continues to move forward.

Councilor Chávez said they were proposing the GO bond to be funded with property tax and asked how much it would be.

Mr. Romero said he was drawing a blank and would have to look into it.

Councilor Chávez agreed they did have to catch up but he wanted to look at the impact on property tax - many in the community were on fixed income and scraping by. Landlords would pass it on to their tenants. That was his concern with the \$30 million GO bond.

He asked about sunseting or if it would go on forever.

Mr. Romero said it was a 20 year bond and that could be the sunset.

Councilor Chávez felt 20 years was a long time. He could be willing to support part of this - a little less than half. He could see supporting the GRT bond but not the property tax bonds.

Councilor Calvert appreciated the spirit how this was brought forward but would really like to see these two done separately - not because he didn't support both of them in concept. A lot of things that were not the CIP had been on there a long time and felt they could pare them down to \$20 million. There was not a lot of debate on most of them. But the \$30 million in GO Bonds - if he had learned anything while on Council, it was that we need to be more specific on what we take to the voters. He didn't want to hold up one for the other. The CIP bond could move forward more expeditiously. But felt they needed to spend more time on the specifics.

The other thing on both of these was that they were to provide economic benefit to the community. What he would like to see more of was - provisions in here that actually capture the economic benefit. One in particular - on page 4 of the resolution it said projects should be ready within 8 months of bond issuance. What he saw in their rush to spend the money was to ace out the local businesses because they couldn't do them as quickly as the City wanted and the bids ended up going to Albuquerque businesses.

Another general comment was that in both it was clear in legal language that it allowed dollars to be spent for O&M. They had the discussion on the parks bond and he was concerned. He didn't doubt the need for this park in the southwest but was concerned about funds to maintain it. He wanted to make sure they were not overextending themselves. Even if they could provide for O&M, that money gets spent rather quickly but still leaves the O&M. He asked where the money was going to come from for those parks. He agreed that they need them but they needed to make sure they could maintain them.

On the CIP bond it listed parks and median maintenance of \$2 million. He asked if that was to pay for some of the maintenance incorporated in the previous park bond. Mr. Romero agreed.

Councilor Calvert asked if it was for existing parks or ones they would build. Mr. Romero said it was for all parks.

Councilor Calvert referred to the Southwest Activity Node and asked exactly what they were talking about with the companion legislation.

Chair Dominguez explained that there has already been some design done but not any legislation to use funds for construction of that line.

Councilor Calvert concluded that was talking about waste water. Chair Dominguez agreed.

Councilor Calvert thought they needed to revisit the arrangement of using GRT money that went into wastewater to supplement the General Fund and not touch the surplus.

Chair Dominguez said those questions had been taken into consideration.

Councilor Calvert pointed out that in this year's budget they had about \$1.5 million from GRT that had to go into wastewater. They wouldn't be able to use that \$1.5 million this year without having to raise the rates if they had to keep getting into that surplus.

Councilor Calvert asked about the \$600,000 at the Railyard for a Depot platform. He asked about the utility infrastructure.

Mr. Romero said it was work that needed to be done when the Railyard was done. They were improvements that the City couldn't afford otherwise.

Councilor Calvert said they needed more specific on the GO bonds. He would have a little problem with some of the park improvements after they spent \$30 million on parks before. The new park might be justified but existing parks might have a credibility problem.

Councilor Calvert asked where Fire Station #10 was.

Mr. Romero said it was near 599 and CR 62.

Councilor Calvert didn't see how public safety equipment related to annexation. Some of it seemed to say upgrades to existing equipment.

Mr. Romero thought it was for both but agreed to check on it.

Councilor Calvert hoped the visitor center at the Railyard would not cost \$5 million. He thought the design of it was already listed in CIP bond. Mr. Romero agreed.

Councilor Calvert asked what the breakdown was on construction jobs vs. ongoing jobs.

Mr. Romero had the same questions on that and agreed to do more work on that.

Councilor Calvert said affordable housing definitely needed more specificity look at time frames - near term vs. long frame. Some people said the inventory out there now was adequate. How that would be spent. In this recession?

Finally on arroyo and drainage improvements, he would like to see some consideration of possible St. Francis Alameda underpass with some of those arroyo improvements. They kept debating Cerrillos and St. Francis but this was the other major trail crossing. Kill two birds with one stone on arroyo improvements.

Overall, he didn't have a problem putting it off but needed more specificity and wanted to separate the two.

Chair Dominguez shared the memo here from Councilor Romero regarding the drainage section.

He also thought it would be appropriate to separate the two and have a couple more hearings on the GO bond so they could answer things better. This was one of those areas where they wanted to be as clear as possible.

Councilor Trujillo supported the bond issue. They had to look at what this money would be. They had a discussion on parks - they had their money in the past. This community now had roads that were deteriorating and bridges failing. It had been 10 years since the first phase of Cerrillos Road. There were two more phases to this road. Hopefully they could get it done. As a public safety issue, they had to do that.

He had heard rumors that the School Board was backing out of the agreement for the teen center and didn't want to see it completed. He asked if there was any truth to the rumors.

Mr. Pino said he went to school board to ask what their intent was. They said they were against having a teen center in proximity because it would encourage truancy. As far as the property was concerned the School Board asked the City to consider trading or perhaps buying the property from them. They were willing to entertain various proposals going forward. It isn't clear what they would do six years later. . So we would look at options.

Councilor Chávez supported Councilor Calvert's concept of separating these two proposals. They both have merit but they were separate discussions. He was concerned about O&M because the City kept building but didn't have O&M for them.

On the effluent line he had been working on that budget for 8 of his 12 years. He thought the park could benefit from that line so he would like to see it funded, perhaps before his term ended. He still thought that CIP would be the best place to fund it.

He noted they had a million dollars allocated for Tino Griego if accepted as a training center. He

wondered what project they could have had there. Maybe it was okay because they were dependent on others. So if they could buy it maybe that would be better instead of leasing it.

He asked if the ADA improvements were \$290,000.

Mr. Romero explained that was what they have budgeted historically. All the improvements had to be brought to ADA.

Councilor Chávez questioned if it was enough money.

Mr. Romero said out of \$4 million for paved roads, 20% would go to redoing curb ramps. This budget was not related to a specific project. It had been to Council already.

Chair Dominguez suggested they could pass the \$20 million now and have a couple more hearings on the \$30 million. In terms of the effluent line they should discuss whether to have it under CIP.

To the same question Councilor Calvert had on multi-modal visitor's center, part of the CIP was to get the multi-modal center at least to a phase where it was shovel ready.

He thought they should go forward with a design but given what the school board was saying, he didn't know if they could do planning and design. He wondered how much space was needed for a certain kind of teen center. He hoped the school board would work with the city on the needs that were evident.

As far as the 18 months of bond issuance, they wanted to be as flexible as possible. This was something that would go out to the voters to get approved so he hoped the constituency recognized the value in the intent of this bill.

Councilor Calvert moved to separate the two bonds into two resolutions and bring them back to the next meeting. Councilor Chávez seconded the motion.

Chair Dominguez asked if that would be to postpone action on them to the next meeting. Councilor Calvert agreed.

Councilor Calvert said on page 3 of the GO bond, line 20 of the resolution should say the governing body approves a vote on the GO bond.

Mayor Coss thanked the Committee. "Let's approve the \$20 million as soon as possible. Councilor Calvert hit the nail on the head that it came to \$22 million instead of 20m. What else do we want to do that we can't in this economy? I suggest we want to look at it more. We have to vote on the GO bond on November 30. We need as much specificity as possible. We do want that fleshed out."

Chair Dominguez asked staff to work on the property tax impact on affordable housing residents. He also thanked the public for their participation.

The motion passed by unanimous voice vote.

DISCUSSION AGENDA

12. CHAPTER 14 REWRITE AMENDMENTS (PART 1)

- **REQUEST FOR CONSIDERATION AND APPROVAL OF AMENDMENTS TO SIX SECTIONS OF CHAPTER 14 SFCC 1987 LAND DEVELOPMENT AS RECOMMENDED BY THE PLANNING COMMISSION AND BY STAFF: 14-1 GENERAL PROVISIONS; 14-2 REVIEW AND DECISION-MAKING BODIES; 14-3 REVIEW AND APPROVAL PROCEDURES; 14-4 ZONING DISTRICTS; 14-5 OVERLAY ZONING DISTRICTS; AND 14-6 PERMITTED USES AND REGULATIONS (GREG SMITH)**

Mr. Matt O'Reilly said staff wanted some direction on how to proceed. The Committee could move to approve or ask staff to do other work on how to amend Chapter 14. The clean up updating of Chapter 14 has been going on for a long time and began when he was chair of the Planning Commission and continued into his employment with the City.

The outgoing chair, Ms. Lindell was present as was the new chair Mr. Ken Hughes.

Ms Lindell commented that nothing cleared the room like a discussion on Chapter 14. They worked on that project for 18 months every other Tuesday and she had to thank staff profusely for the amount of work they did on this. The Planning Commission went through line by line and in the meetings were lucky that the public showed up week after week - real estate folks, neighborhood folks, people concerned about water, arroyos, acequias. Then they took each section to the Planning Commission and I'm proud of their work. It was a sizable document. And the notes from Planning Commission would prove that they read it and came up with a recommendation to the Governing Body.

She thanked Mr. O'Reilly for being willing to chair that subcommittee.

The matrix Mr. Smith provided was in and of itself a tremendous amount of work and reflected the major changes. Thanks for the opportunity to work on it.

Mr. Hughes said his profession was Long Range Planner so when asked to serve on the subcommittee, he found it fascinating. He was pleased they did it in-house where consultants might not get the big picture and just create a slick document. The work was based on experience and got to specificity. He would appreciate the Committee's consideration of this document. It might change in the future.

The true hero in the process was Mr. Smith. He took it on and devoted almost all of his time to this. The County took it on and spent a million dollars on it. The City did it in-house and saved a huge amount of money.

Mr. Smith said this presented a lot of detail to the Committee. Basically it was housekeeping. The staff report summarized what they did at the Planning Commission and had an analysis. The second part was a matrix with a little more detail. The third item was the actual text of the new regulations that would be put into effect by the Governing Body. They were suggesting that the Council would best spend time looking at the policy issues. The subcommittee had a lot of community input on those big issues. Most was just cleaning up details.

He said he would briefly highlight the major things. A separate subcommittee worked on the escarpment regulations and another subcommittee on historic regulations in 5.2 and those were ongoing work for later consideration.

14-1 was general provisions - most restricted regulation happens from time to time. Historic has one set and escarpment a second and zoning a third - so they say most restrictive as general language. They codified existing for projects already in the pipeline and the new regulations do not apply to them.

14-2 sets up decision making bodies with 3 issues at the policy level. The biggest was that BCD-DRC would be eliminated. Their work was mostly on redesign and redevelopment issues.

Housekeeping - He clarified that the numerous references to Land Use Director wouldn't be the actual person but to the appropriate staff in Land Use. So it meant either the Director or the appropriate staff.

A new section was added in 14-2 to determine how much authority the Land Use Director had without public hearing. They gave him a rather limited role. This determined what the Land Use Director was allowed to do and to clarify what would be overstepping his bounds.

14-3 dealt with review and approval procedures. It was mostly clean up. Notification requirements were increased slightly. They also had a fee requirement for notification of several dollars per notification. Mailing certified notice was sufficient. There were places where the state statute required return receipts. This section now unified the notification procedures. Zoning corresponds to regulations since adoption.

14-3.6 was on certain uses in certain locations. They changed to special use permits rather than exceptions. Projects didn't have to go through both the Board of Adjustment and the Planning Commission for approval of projects. So more it was more efficient (14-3.8).

14-3.7 - subdivision regulations - Chapter 14 was a unified development code because in 1983 all of the ordinances were put into Chapter 14. These revisions brought the City at least into the late 20th century.

"Certificates of compliance" was a new concept to provide a method to document conforming lots. Some lots were created before the subdivision regulations were enacted. They needed a legal record procedure. The second aspect allowed for a lot that might have been created illegally. The old procedure was so complicated that it never happened. New procedure allowed for a public hearing. Also with this change plan amendments were good for 3 years.

Lastly under subdivision, the family transfer process dealt with preferential treatment for terrain management, access, etc. The exceptions for all but financial would be eliminated. Exceptions to substantive compliance with 30% slopes, driveways, were being phased out. It was like dealing with affordable housing lots. They didn't want to set up people to build unsafe lots.

14-3.16, variances, was an area where the Planning Commission and Board of Adjustment expressed frustration about hardships. They redrafted it with only 2 sections.

Special circumstances -

3.19 was a special expiration period with significant changes. Administratively the Director could approve extensions three times. Then it had to go back.

14-5 - overlay districts was simplified and the most restrictive principle applied.

14-6 - permitted uses - In general they looked to the Planning Commission with input of neighborhood representatives that non-residential uses in residential neighborhoods should have public hearings at the Board of Adjustment. They kept the current version of over 1000 sq ft - at Planning Commission with a development plan.

The other significant change to uses was for eating and drinking establishments, including drive in, drive thru, nightclubs - etc. It was broken down into about six categories.

That concluded his presentation.

Chair Dominguez asked how the Committee wanted to proceed. They could get bogged down in the rewrite or they could discuss the general organization. They could cover another 2.5 years of work.

Councilor Calvert admitted he didn't get through every bit of it but got enough in the first two sections to understand. He had a few question but in the interest of the time he would go over his individual questions with staff so he could understand.

Councilor Calvert moved for approval with the understanding that he might need to bring it back. Councilor Trujillo seconded the motion.

Chair Dominguez asked if there was another part to bring here.

Mr. Smith agreed. This was about half and they would bring the second half next time.

Mayor Coss said Land Use was a close second to Public Safety. Mr. Smith was working on this in 1995. He congratulated the Planning Commission on that work and especially Mr. Smith.

Chair Dominguez thought maybe they could have discussion during the second phase. He had no preference on it. He didn't want for something to come back later that would hold it up.

Mr. O'Reilly thought that was fine and individual questions could be asked of staff.

Chair Dominguez asked if they were planning to take it to Council in parts.

Mr. O'Reilly wasn't sure. He wanted to bring the second half in two weeks. And if all questions were answered, they could bring it to the Governing Body together or they could break it up in smaller pieces.

Chair Dominguez was concerned that some Councilors might hear it only at the Finance Committee.

Mr. O'Reilly thought they could invite the other Councilor to attend the code review here.

Chair Dominguez was sorry they missed the opportunity to invite others to this meeting.

Mr. O'Reilly thought probably Councilor Romero or Rebecca were the only ones who hadn't seen it.

Councilor Chávez said he would also meet with staff on some minor issues.

Councilor Trujillo also had a few questions and would go to staff with them.

Chair Dominguez asked Mr. O'Reilly to give special thanks to the Planning Commission for their work on the rewrite. Congratulations to them.

Councilor Calvert thanked the staff and the Planning Commission and special thanks to Mr. Smith.

The motion passed by unanimous voice vote.

16. MATTERS FROM STAFF

There were no matters from staff.

17. MATTERS FROM THE COMMITTEE

There were no matters from the Committee.

18. NEXT MEETING: TUESDAY, OCTOBER 11, 2011

19. ADJOURN

The meeting was adjourned at 8:35 p. m.

Approved by:

Carmichael Dominguez, Chair

Submitted by:



Carl Boaz, Stenographer