



Agenda

REGULAR MEETING OF
THE GOVERNING BODY
OCTOBER 30, 2012
CITY COUNCIL CHAMBERS

AFTERNOON SESSION – 5:00 P.M.

CITY CLERK'S OFFICE

DATE 10-26-12 TIME 3:45 pm

SERVED BY

RECEIVED BY

1. CALL TO ORDER
2. PLEDGE OF ALLEGIANCE
3. SALUTE TO THE NEW MEXICO FLAG
4. INVOCATION
5. ROLL CALL
6. APPROVAL OF AGENDA
7. APPROVAL OF CONSENT CALENDAR
8. APPROVAL OF MINUTES: Reg. City Council Meeting – October 10, 2012
9. PRESENTATIONS
 - a) Proclamation – Carla Lopez, Public Information Administrator. (5 minutes)
 - b) Immigration Committee Report. (Alejandra Seluja) (5 minutes)
 - c) Proclamation – Jose Garcia – City of Santa Fe Historian. (Debra Garcia) (5 minutes)
 - d) Re:Mike Event Partnership Appreciation. (Kate Noble) (5 minutes)
10. CONSENT CALENDAR
 - a) Request for Approval of Cooperative Agreement - Roadway Improvements to Calle Atajo from Airport Road to Rufina Street; New Mexico Department of Transportation. (David Catanach)
 - b) Request for Approval of Procurement Under Cooperative Agreement – Two (2) Ambulances for Fire Department; Southwest Ambulance Sales, LLC. (Fire Chief Barbara Salas)
 - c) Request for Approval of Grant Award – FY 2012 Edward Byrne Memorial Justice Assistance Grant Program for Police Department; U.S. Department of Justice. (Police Chief Raymond Rael)
 - 1) Request for Approval of Budget Increase – Grant Fund.



Agenda

REGULAR MEETING OF
THE GOVERNING BODY
OCTOBER 30, 2012
CITY COUNCIL CHAMBERS

- d) Request for Approval of Project Agreement – Full-Time City Attorney Litigating Currently Filed DWI Vehicle Forfeiture Cases in District Court; New Mexico Department of Transportation Programs Division, Traffic Safety Division. (Geno Zamora)
- e) Request for Approval of Services Agreement – Maintenance and Tech Support for City's Land Mobile Radio System for ITT Division; Motorola Solutions. (Thomas Williams)
- f) Request for Approval of Enterprise Agreement and Further Negotiation of State Price Agreement – Volume Licensing for City-Wide Windows7 and Office 2010 for ITT Division; Microsoft. (Thomas Williams)
- g) Request for Approval of Grant Agreements and Professional Services Agreements – Shelter Plus Care Grants for Housing and Community Development Department. (Nick Schiavo)
 - 1) The Life Link/La Luz
 - 2) St. Elizabeth's Shelter
- h) Request for Approval of Procurement Under State Price Agreement and Natural Gas Sales Agreement – Lower Base Cost of Natural Gas for City of Santa Fe; State of New Mexico BP Energy Company. (Nick Schiavo)
- i) Request for Approval of a Substantial Amendment to FY 2011-2012 Fourth Program Year Annual Action Plan for Housing and Community Development Department. (Kim Dicome)
- j) Request for Approval of Grant Agreement – Water Conservation Implementation and Installation of Automatic Meter Reading (AMR) Devices to City of Santa Fe Residential Water Utility Customer Meters; U.S. Department of the Interior Bureau of Reclamation. (Laurie Trevizo)
 - 1) Request for Approval of Budget Increase – Grant Fund.
- k) Request for Approval of Grant Award and Procurement Under State Price Agreement – Four (4) CNG Honda Civics for Use in the Santa Fe Ride Program for Transit Division; New Mexico Energy, Minerals & Natural Resources Department. (David Chapman)
 - 1) Request for Approval of Budget Increase – Grant Fund.



Agenda

REGULAR MEETING OF
THE GOVERNING BODY
OCTOBER 30, 2012
CITY COUNCIL CHAMBERS

- l) Request for Approval of Grant Award and Procurement Under State Price Agreement – Two (2) CNG Front-Loading and Two (2) CNG Automated Side-Loading Collection Vehicles for Solid Waste Division; State of New Mexico Energy, Minerals & Natural Resources Department. (David Chapman)
 - 1) Request for Approval of Budget Increase – Grant Fund.
- m) Request for Approval of 2012 State of New Mexico Severance Tax Bond Capital Appropriation Project for City of Santa Fe Main Police Station; State of New Mexico Department of Finance and Administration, Local Government Division. (David Chapman)
 - 1) Request for Approval of Budget Increase – Grant Fund.
- n) Request for Concept Approval of an Easement to Benefit Santa Fe County for the Purpose of Installing a 12 Inch Water Pipeline to Extend Water Service to the Santa Fe Animal Shelter Facility and Other Properties Lying South and East Thereof; Bill Moffett, Project Coordinator. The Real Property Lies Within Portions of Government Lot 1 and the NW/4 SE/4 of Section 35 T17N R8E NMPM and Contains 0.93 Acres. (Edward Vigil)
- o) CONSIDERATION OF RESOLUTION NO. 2012-____. (Councilor Rivera and Councilor Dimas)
A Resolution Directing the City Manager to Provide a Plan and Projected Construction Cost for Renovation of the City Council Chambers to Include, at a Minimum, that the Governing Body Seating Area be Reconfigured so that all Members of the Governing Body Have Direct Visibility and Interaction with the Public. (Chip Lilienthal)
- p) CONSIDERATION OF RESOLUTION NO. 2012-____. (Mayor Coss and Councilor Bushee)
A Resolution Authorizing the City of Santa Fe Transit Division to Provide Free Rides on all Bus Routes and Santa Fe Ride Vehicles on General Election Day, November 6, 2012. (Jon Bulthuis)
- q) Request for Approval of Findings of Fact and Conclusions of Law for Case #2012-114, Appeal from the August 28, 2012 Decision of the Historic Districts Review Board in Case #H-12-069 Requiring Wood Garage Doors at 341 Magdalena Road. (Kelley Brennan)



Agenda

REGULAR MEETING OF
THE GOVERNING BODY
OCTOBER 30, 2012
CITY COUNCIL CHAMBERS

11. Community Workforce Agreement Options:

a) CONSIDERATION OF RESOLUTION NO. 2012-____. (Councilor Bushee and Councilor Dimas)

A Resolution Declaring an Emergency Relating to Community Workforce Agreements ("CWA") Subsection 28.8 of the City Of Santa Fe Purchasing Manual; Directing Staff to Contract with the Bureau of Business and Economic Research at The University of New Mexico to Research and Report to the City of Santa Fe on the Economic Impact of Community Workforce Agreements; and Directing Staff to Delay the Implementation of Projects Subject to the CWA Ordinance Until a Presentation of the Report is Made to the Governing Body. (Nick Shiavo and Robert Rodarte)

b) CONSIDERATION OF RESOLUTION NO. 2012-____. (Councilor Bushee and Councilor Dimas)

A Resolution Relating to Community Workforce Agreements ("CWA") Subsection 28.8 of the City of Santa Fe Purchasing Manual; Directing Staff to Delay the Implementation of Projects Subject to the CWA Ordinance Until a Public Hearing is Held on Legislation to Repeal the CWA Ordinance. (Robert Rodarte and Judith Amer)

1) Request to Publish Notice of Public Hearing on November 28, 2012:

Bill No. 2012-38: An Ordinance Repealing the Community Workforce Agreements Ordinance, Subsection 28.8 of the City of Santa Fe Purchasing Manual. (Councilor Bushee and Councilor Dimas) (Robert Rodarte and Judith Amer)

12. MATTERS FROM THE CITY MANAGER

13. MATTERS FROM THE CITY ATTORNEY

14. MATTERS FROM THE CITY CLERK

15. COMMUNICATIONS FROM THE GOVERNING BODY



Agenda REGULAR MEETING OF
THE GOVERNING BODY
OCTOBER 30, 2012
CITY COUNCIL CHAMBERS

EVENING SESSION – 7:00 P.M.

- A. CALL TO ORDER
- B. PLEDGE OF ALLEGIANCE
- C. SALUTE TO THE NEW MEXICO FLAG
- D. INVOCATION
- E. ROLL CALL
- F. PETITIONS FROM THE FLOOR
- G. APPOINTMENTS
 - Regional Coalition of LANL Communities
 - Law Enforcement Assisted Diversion Task Force ("LEAD")
 - Santa Fe Arts Commission
 - Charter Review Commission
- H. PUBLIC HEARINGS:
 - 1) CONSIDERATION OF BILL NO. 2012-30: ADOPTION OF ORDINANCE NO. 2012-____. (Councilor Calvert and Councilor Bushee)
An Ordinance Relating to the Land Development Code, Chapter 14 SFCC 1987 and Article 18-5.1 SFCC 1987 Regarding Distress Merchandise Sales Signs and Licenses; Amending Section 14-8.10(B)(8) SFCC 1987 Regarding Violations of Sign Regulations to Include Distress Merchandise Sale Signs in the H Districts; Creating a New Section 14-8.10(H)(28)(f) SFCC 1987 Regarding the Regulation of Distress Merchandise Sale Signs in the H Districts; Amending Section 18-5.1 SFCC 1987 Regarding the Grounds for Denial of a Distress Merchandise Sale License and the Revocation of a Distress Merchandise Sale License; and Making Such Other Stylistic and Grammatical Changes as are Necessary. (Matthew O'Reilly)
 - 2) CONSIDERATION OF BILL NO. 2012-31: ADOPTION OF ORDINANCE NO. 2012-____. (Mayor Coss, Councilor Wurzbarger and Councilor Bushee)
An Ordinance Relating to the Establishment of the City of Santa Fe Internal Audit Department; Creating a New Article 2-22 SFCC 1987. (Dr. Melville Morgan and Judith Amer)



Agenda

REGULAR MEETING OF
THE GOVERNING BODY
OCTOBER 30, 2012
CITY COUNCIL CHAMBERS

- 3) CONSIDERATION OF BILL NO. 2012-32: ADOPTION OF ORDINANCE NO. 2012-____. (Councilor Dominguez and Mayor Coss)
An Ordinance Relating to the Land Development Code, Chapter 14 SFCC 1987 Regarding Legal Nonconforming Uses; Amending Section 14-10.2(C) to Increase the Period of Time Before a Legal Nonconforming Use May Not Be Resumed and Providing That Uses of Governmental Property May Be Resumed at Any Time Under Certain Conditions; and Making Such Other Stylistic or Grammatical Changes That Are Necessary. (Matthew O'Reilly)
- 4) CONSIDERATION OF RESOLUTION NO. 2012-____.
Case #2012-39. La Luz Health Complex General Plan Amendment. James W. Siebert, Agent for Sandra Pacheco, Requests Approval of a General Plan Future Land Use Map Amendment to Change the Designation of 6.36± Acres from Residential - Low Density Residential (3-7 Dwelling Units Per Acre) to Transitional Mixed Use. The Property is Located South of Rufina Street Extending to Aggie Road. (Dan Esquibel) **(Postponed at October 10, 2012 City Council Meeting)**
- 5) CONSIDERATION OF BILL NO. 2012-33: ADOPTION OF ORDINANCE NO. 2012-____.
Case #2012-40. La Luz Health Complex Rezoning to MU. James W. Siebert, Agent for Sandra Pacheco, Requests Rezoning of 6.36± Acres of Land from MHP (Mobile Home Park) to MU (Mixed Use). The Application Includes a Development Plan for Medical Complex Consisting of a Medical Clinic, Assisted Housing for the Elderly and Medical Offices. The Property is Located South of Rufina Street Extending to Aggie Road. (Dan Esquibel) **(Postponed at October 10, 2012 City Council Meeting)**

I. ADJOURN

Pursuant to the Governing Body Procedural Rules, in the event any agenda items have not been addressed, the meeting should be reconvened at 7:00 p.m., the following day and shall be adjourned not later than 12:00 a.m. Agenda items, not considered prior to 11:30 p.m., shall be considered when the meeting is reconvened or tabled for a subsequent meeting.

NOTE: New Mexico law requires the following administrative procedures be followed when conducting "quasi-judicial" hearings. In a "quasi-judicial" hearing all witnesses must be sworn in, under oath, prior to testimony and will be subject to reasonable cross-examination. Witnesses have the right to have an attorney present at the hearing.

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

SUMMARY INDEX
SANTA FE CITY COUNCIL MEETING
October 30, 2012

<u>ITEM</u>	<u>ACTION</u>	<u>PAGE #</u>
<u>AFTERNOON SESSION</u>		
CALL TO ORDER AND ROLL CALL	Quorum	1
APPROVAL OF AGENDA	Approved [amended]	1-2
APPROVAL OF CONSENT CALENDAR	Approved [amended]	2
CONSENT CALENDAR LISTING		2-4
APPROVAL OF MINUTES: REGULAR CITY COUNCIL MEETING – OCTOBER 10, 2012	Approved	4
<u>PRESENTATIONS</u>		
PROCLAMATION – CARLA LOPEZ, PUBLIC INFORMATION ADMINISTRATOR		5-6
IMMIGRATION COMMITTEE REPORT		6-7
PROCLAMATION – JOSE GARCIA – CITY OF SANTA FE HISTORIAN		7
RE: MIKE EVENT PARTNERSHIP APPRECIATION		7-8
<u>CONSENT CALENDAR DISCUSSION</u>		
REQUEST FOR APPROVAL OF COOPERATIVE AGREEMENT – ROADWAY IMPROVEMENTS TO CALLE ATAJO FROM AIRPORT ROAD TO RUFINA STREET; NEW MEXICO DEPARTMENT OF TRANSPORTATION	Approved	8
REQUEST FOR APPROVAL OF FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR CASE #2012-114, APPEAL FROM THE AUGUST 28, 2012 DECISION OF THE HISTORIC DISTRICTS REVIEW BOARD IN CASE #H-12-069, REQUIRING WOOD GARAGE DOORS AT 341 MAGDALENA ROAD	Approved	8-9

END OF CONSENT CALENDAR DISCUSSION		

ITEM**ACTION****PAGE #****COMMUNITY WORKFORCE AGREEMENT OPTIONS:**

CONSIDERATION OF RESOLUTION NO. 2012- ____ . A RESOLUTION DECLARING AN EMERGENCY RELATING TO COMMUNITY WORKFORCE AGREEMENTS ("CWA") SUBSECTION 28.8 OF THE CITY OF SANTA FE PURCHASING MANUAL; DIRECTING STAFF TO CONTRACT WITH THE BUREAU OF BUSINESS AND ECONOMIC RESEARCH AT THE UNIVERSITY OF NEW MEXICO TO RESEARCH AND REPORT TO THE CITY OF SANTA FE ON THE ECONOMIC IMPACT OF COMMUNITY WORKFORCE AGREEMENTS; AND DIRECTING STAFF TO DELAY THE IMPLEMENTATION OF PROJECTS SUBJECT TO THE CWA ORDINANCE UNTIL A PRESENTATION OF THE REPORT IS MADE TO THE GOVERNING BODY

Removed from Agenda

9-10

CONSIDERATION OF RESOLUTION NO. 2012- ____ . A RESOLUTION RELATING TO COMMUNITY WORKFORCE AGREEMENTS ("CWA") SUBSECTION 28.8 OF THE CITY OF SANTA FE PURCHASING MANUAL; DIRECTING STAFF TO DELAY THE IMPLEMENTATION OF PROJECTS SUBJECT TO THE CWA ORDINANCE UNTIL A PUBLIC HEARING IS HELD ON LEGISLATION TO REPEAL THE CWA ORDINANCE

Removed from Agenda

9-10

REQUEST TO PUBLISH NOTICE OF PUBLIC HEARING ON NOVEMBER 28, 2012: BILL NO. 2012-38: AN ORDINANCE REPEALING THE COMMUNITY WORKFORCE AGREEMENTS ORDINANCE, SUBSECTION 28.8 OF THE CITY OF SANTA FE PURCHASING MANUAL

Removed from Agenda & sent to Finance and Public Works

9-10

MATTERS FROM THE CITY MANAGER

None

10

MATTERS FROM THE CITY ATTORNEY

None

10

MATTERS FROM THE CITY CLERK

Information/discussion

11

COMMUNICATIONS FROM THE GOVERNING BODY

Information/discussion

11-14

EVENING SESSION

CALL TO ORDER AND ROLL CALL

Quorum

15

<u>ITEM</u>	<u>ACTION</u>	<u>PAGE #</u>
PETITIONS FROM THE FLOOR		15-19
<u>APPOINTMENTS</u>		
Regional Coalition of LANL Communities	Approved	19
Law Enforcement Assisted Diversion Task Force ("LEAD")	Approved [amended]	19
Santa Fe Arts Commission	Approved	19-20
Charter Review Commission	Approved	20
<u>PUBLIC HEARINGS</u>		
CONSIDERATION OF BILL NO. 2012-30: ADOPTION OF ORDINANCE NO. 2012-31. AN ORDINANCE RELATING TO THE LAND DEVELOPMENT CODE, CHAPTER 14 SFCC 1987, AND ARTICLE 18-5.1 SFCC 198. REGARDING DISTRESS MERCHANDISE SALES SIGNS AND LICENSES; AMENDING SECTION 14-8.10(B)(8) SFCC 1987, REGARDING VIOLATIONS OF SIGN REGULATIONS TO INCLUDE DISTRESS MERCHANDISE SALE SIGNS IN THE H DISTRICTS; CREATING A NEW SECTION 14-8.10(H)(28)(f) SFCC 1987, REGARDING THE REGULATION OF DISTRESS MERCHANDISE SALE SIGNS IN THE H-DISTRICTS; AMENDING SECTION 18-5.1 SFCC 1987, REGARDING THE GROUNDS FOR DENIAL OF A DISTRESS MERCHANDISE SALE LICENSE AND THE REVOCATION OF A DISTRESS MERCHANDISE SALE LICENSE; AND MAKING SUCH OTHER SUCH STYLISTIC AND GRAMMATICAL CHANGES AS ARE NECESSARY	Approved	20-21
CONSIDERATION OF BILL NO. 20-12-31: ADOPTION OF ORDINANCE NO. 2012-32.. AN ORDINANCE RELATING TO THE ESTABLISHMENT OF THE CITY OF SANTA FE INTERNAL AUDIT DEPARTMENT; CREATING A NEW ARTICLE 2-22 SFCC 1987	Approved w/amendments	21-22

<u>ITEM</u>	<u>ACTION</u>	<u>PAGE #</u>
CONSIDERATION OF BILL NO. 2012-32: ADOPTION OF ORDINANCE NO. 2012-33. AN ORDINANCE RELATING TO THE LAND DEVELOPMENT CODE, CHAPTER 14 SFCC 1987, REGARDING LEGAL NONCONFORMING USES; AMENDING SECTION 14-10-2(C) TO INCREASE THE PERIOD OF TIME BEFORE A LEGAL NONCONFORMING USE MAY NOT BE RESUMED, AND PROVIDING THAT USES OF GOVERNMENTAL PROPERTY MAY BE RESUMED AT ANY TIME UNDER CERTAIN CONDITIONS; AND MAKING SUCH OTHER STYLISTIC OR GRAMMATICAL CHANGES THAT ARE NECESSARY	Approved	22-23
CONSIDERATION OF RESOLUTION NO. 2012-86 <u>CASE #2012-39</u> . LA LUZ HEALTH COMPLEX GENERAL PLAN AMENDMENT. JAMES W. SIEBERT, AGENT FOR SANDRA PACHECO, REQUESTS APPROVAL OF A GENERAL PLAN FUTURE LAND USE MAP AMENDMENT TO CHANGE THE DESIGNATION OF 6.36± ACRES FROM RESIDENTIAL – LOW DENSITY RESIDENTIAL 93-7 DWELLING UNITS PER ACRE) TO TRANSITIONAL MIXED USE. THE PROPERTY IS LOCATED SOUTH OF RUFINA STREET EXTENDING TO AGGIE ROAD	Approved [amended]	23-29
CONSIDERATION OF BILL NO. 2012-33: ADOPTION OF ORDINANCE NO. 2012-34. <u>CASE #2012-40</u> . LA LUZ HEALTH COMPLEX REZONING TO MU. JAMES W. SIEBERT, AGENT FOR SANDRA PACHECO, REQUESTS REZONING OF 6.36± ACRES OF LAND FROM MHP (MOBILE HOME PARK) TO MIXED MU (MIXED USE). THE APPLICATION INCLUDES A DEVELOPMENT PLAN FOR MEDICAL COMPLEX CONSISTING OF A MEDICAL CLINIC, ASSISTED HOUSING FOR THE ELDERLY AND MEDICAL OFFICES. THE PROPERTY IS LOCATED SOUTH OF RUFINA STREET EXTENDING TO AGGIE ROAD	Approved [amended]	29-30
ADJOURN		30

**MINUTES OF THE
REGULAR MEETING OF THE
GOVERNING BODY
Santa Fe, New Mexico
October 30, 2012**

AFTERNOON SESSION

A regular meeting of the Governing Body of the City of Santa Fe, New Mexico, was called to order by Mayor David Coss, on Tuesday, October 30, 2012, at approximately 5:00 p.m., in the City Hall Council Chambers. Following the Pledge of Allegiance, Salute to the New Mexico flag, and the Invocation, roll call indicated the presence of a quorum, as follows:

Members Present

Mayor David Coss
Councilor Rebecca Wurzbarger, Mayor Pro-Tem
Councilor Patti J. Bushee
Councilor Christopher Calvert
Councilor Bill Dimas
Councilor Carmichael A. Dominguez
Councilor Peter N. Ives
Councilor Christopher M. Rivera
Councilor Ronald S. Trujillo

Others Attending

Robert Romero, City Manager
Geno Zamora, City Attorney
Yolanda Y. Vigil, City Clerk
Melessia Helberg, Council Stenographer

6. APPROVAL OF AGENDA

Geno Zamora, City Attorney, said, "With regard to Item 11, there are 3 parts – 11(a), 11(b) and 11(b)(1). Pursuant to Governing Body Rules 4(a)(2), 11(a) and 11(b) did not survive Committee, and therefore are not on tonight's agenda, and therefore cannot be acted upon by the Governing Body. 11(b)(1), Request to Publish Notice of Public Hearing on November 28th was not acted upon at Committee, and therefore remains a live agenda item."

Mr. Romero said the sponsors have requested that Item 11(b)(1) go to the Finance and Public Works Committees before it is acted upon.

Mayor Coss said then Item (b)(1) is being postponed to go to the Committees, and Mr. Romero said yes.

MOTION: Councilor Calvert moved, seconded by Councilor Wurzbarger, to approve the agenda as amended.

VOTE: The motion was approved on a voice vote with Councilors Bushee, Calvert, Dimas, Dominguez, Ives, Rivera, Trujillo and Wurzbarger voting for the motion and none against.

Mayor Coss said the items related to the Community Workforce Agreement were just pulled from the agenda, so the next hearing will be at the Finance Committee. He thanked everyone who came out for these items this evening. He said to be clear there won't be a vote or discussion on these Items this evening.

7. APPROVAL OF CONSENT CALENDAR

MOTION: Councilor Calvert moved, seconded by Councilor Trujillo, to approve the following Consent Calendar, as amended.

VOTE: The motion was approved on the following Roll Call vote:

For: Councilor Bushee, Councilor Calvert, Councilor Dimas, Councilor Dominguez, Councilor Ives, Councilor Rivera, Councilor Trujillo and Councilor Wurzbarger.

Against: None.

A copy of an Action Sheet from the Public Works/CIP and Land Use Committee meeting of Monday, October 29, 2012, regarding Item 10(o) is incorporated herewith to these minutes as Exhibit "1."

A copy of an Action Sheet from the Public Works/CIP and Land Use Committee meeting of Monday, October 29, 2012, regarding Item 10(p) is incorporated herewith to these minutes as Exhibit "2."

- a) *[Removed for discussion by Councilor Trujillo]*
- b) **REQUEST FOR APPROVAL OF PROCUREMENT UNDER COOPERATIVE AGREEMENT – TWO (2) AMBULANCES FOR FIRE DEPARTMENT; SOUTHWEST AMBULANCE SALES, LLC. (FIRE CHIEF BARBARA SALAS)**
- c) **REQUEST FOR APPROVAL OF GRANT AWARD – FY 2012 EDWARD BYRNE MEMORIAL JUSTICE ASSISTANCE GRANT PROGRAM FOR POLICE DEPARTMENT; U.S. DEPARTMENT OF JUSTICE. (POLICE CHIEF RAYMOND RAE)**
 - 1) **REQUEST FOR APPROVAL OF BUDGET INCREASE – GRANT FUND.**

- d) **REQUEST FOR APPROVAL OF PROJECT AGREEMENT – FULL-TIME CITY ATTORNEY LITIGATING CURRENTLY FILED DWI VEHICLE FORFEITURE CASES IN DISTRICT COURT; NEW MEXICO DEPARTMENT OF TRANSPORTATION PROGRAMS DIVISION, TRAFFIC SAFETY DIVISION. (GENO ZAMORA)**
- e) **REQUEST FOR APPROVAL OF SERVICES AGREEMENT – MAINTENANCE AND TECH SUPPORT FOR CITY’S LAND MOBILE RADIO SYSTEM FOR ITT DIVISION; MOTOROLA SOLUTIONS. (THOMAS WILLIAMS)**
- f) **REQUEST FOR APPROVAL OF ENTERPRISE AGREEMENT AND FURTHER NEGOTIATION OF STATE PRICE AGREEMENT – VOLUME LICENSING FOR CITY-WIDE WINDOWS 7 AND OFFICE 2010 FOR ITT DIVISION; MICROSOFT. (THOMAS WILLIAMS)**
- g) **REQUEST FOR APPROVAL OF GRANT AGREEMENTS AND PROFESSIONAL SERVICES AGREEMENTS – SHELTER PLUS CARE GRANTS FOR HOUSING AND COMMUNITY DEVELOPMENT DEPARTMENT. (NICK SCHIAVO)**
 - 1) **THE LIFE LINK/LA LUZ**
 - 2) **ST. ELIZABETH’S SHELTER**
- h) **REQUEST FOR APPROVAL OF PROCUREMENT UNDER STATE PRICE AGREEMENT AND NATURAL GAS SALES AGREEMENT – LOWER BASE COST OF NATURAL GAS FOR CITY OF SANTA FE; STATE OF NEW MEXICO BP ENERGY COMPANY. (NICK SCHIAVO)**
- i) **REQUEST FOR APPROVAL OF A SUBSTANTIAL AMENDMENT TO FY 2011-2012 FOURTH PROGRAM YEAR ANNUAL ACTION PLAN FOR HOUSING AND COMMUNITY DEVELOPMENT DEPARTMENT. (KIM DICOME)**
- j) **REQUEST FOR APPROVAL OF GRANT AGREEMENT – WATER CONSERVATION IMPLEMENTATION AND INSTALLATION OF AUTOMATIC METER READING (AMR) DEVICES TO CITY OF SANTA FE RESIDENTIAL WATER UTILITY CUSTOMER METERS; U.S. DEPARTMENT OF THE INTERIOR, BUREAU OF RECLAMATION. (LAURIE TREVIZO)**
 - 1) **REQUEST FOR APPROVAL OF BUDGET INCREASE – GRANT FUND.**
- k) **REQUEST FOR APPROVAL OF GRANT AWARD AND PROCUREMENT UNDER STATE PRICE AGREEMENT – FOUR (4) CNG HONDA CIVICS FOR USE IN THE SANTA FE RIDE PROGRAM FOR TRANSIT DIVISION; NEW MEXICO ENERGY, MINERALS & NATURAL RESOURCES DEPARTMENT. (DAVID CHAPMAN)**
 - 1) **REQUEST FOR APPROVAL OF BUDGET INCREASE – GRANT FUND.**

- l) REQUEST FOR APPROVAL OF GRANT AWARD AND PROCUREMENT UNDER STATE PRICE AGREEMENT – TWO (2) CNG FRONT-LOADING AND TWO (2) CNG AUTOMATED SIDE-LOADING COLLECTING VEHICLES FOR SOLID WASTE DIVISION; STATE OF NEW MEXICO, ENERGY, MINERALS & NATURAL RESOURCES DEPARTMENT. (DAVID CHAPMAN)
 - 1) REQUEST FOR APPROVAL OF BUDGET INCREASE – GRANT FUND.
- m) REQUEST FOR APPROVAL OF 2012 STATE OF NEW MEXICO SEVERANCE TAX BOND CAPITAL APPROPRIATION PROJECT FOR CITY OF SANTA FE MAIN POLICE STATION; STATE OF NEW MEXICO, DEPARTMENT OF FINANCE AND ADMINISTRATION, LOCAL GOVERNMENT DIVISION. (DAVID CHAPMAN)
 - 1) REQUEST FOR APPROVAL OF BUDGET INCREASE – GRANT FUND.
- n) REQUEST FOR CONCEPT APPROVAL OF AN EASEMENT TO BENEFIT SANTA FE COUNTY FOR THE PURPOSE OF INSTALLING A 12 INCH WATER PIPELINE TO EXTEND WATER SERVICE TO THE SANTA FE ANIMAL SHELTER FACILITY AND OTHER PROPERTIES LYING SOUTH AND EAST THEREOF; BILL MOFFETT, PROJECT COORDINATOR. THE REAL PROPERTY LIES WITHIN PORTIONS OF GOVERNMENT LOT 1 AND THE NW/4 SE/4 OF SECTION 35 T17N R8E NMPM AND CONTAINS 0.93 ACRES. (EDWARD VIGIL)
- o) CONSIDERATION OF RESOLUTION NO. 2012-84 (COUNCILOR RIVERA AND COUNCILOR DIMAS). A RESOLUTION DIRECTING THE CITY MANAGER TO PROVIDE A PLAN AND PROJECTED CONSTRUCTION COST FOR RENOVATION OF THE CITY COUNCIL CHAMBERS TO INCLUDE, AT A MINIMUM, THAT THE GOVERNING BODY SEATING AREA BE RECONFIGURED TO THAT ALL MEMBERS OF THE GOVERNING BODY HAVE DIRECT VISIBILITY AND INTERACTION WITH THE PUBLIC. (CHIP LILIENTHAL)
- p) CONSIDERATION OF RESOLUTION NO. 2012-85 (MAYOR COSS AND COUNCILOR BUSHEE. A RESOLUTION AUTHORIZING THE CITY OF SANTA FE TRANSIT DIVISION TO PROVIDE FREE RIDES ON ALL BUS ROUTES AND SANTA FE RIDE VEHICLES ON GENERAL ELECTION DAY, NOVEMBER 6, 2012. (JON BULTHUIS)
- q) *[Removed for discussion by Councilor Ives]*

8. APPROVAL OF MINUTES: REGULAR CITY COUNCIL MEETING – OCTOBER 10, 2012

MOTION: Councilor Wurzbarger moved, seconded by Councilor Dimas, to approve the minutes of the Regular City Council meeting of October 10, 2012, as presented.

VOTE: The motion was approved on a voice vote with Councilors Bushee, Calvert, Dimas, Dominguez, Ives, Rivera, Trujillo and Wurzbarger voting for the motion and none against.

9. PRESENTATIONS

a) PROCLAMATION – CARLA LOPEZ, PUBLIC INFORMATION ADMINISTRATOR)

Mayor Coss read a proclamation into the record declaring October 30, 2012, as Carla Lopez Day in Santa Fe.

Ms. Lopez said she is proud to have been a part of the Coss administration for the past 6½ years, and spoke about her experiences while serving. She highlighted the Living Wage, Affordable Housing, his support of gays and lesbians and with immigrants, and current hard work on the Community Workforce Agreement. She thanked the Mayor for his leadership, and expressed appreciation for the work of the City Councilors. She said she loved working for the City.

Councilor Trujillo said Ms. Lopez has always been helpful to him, and expressed appreciation for her work. He congratulated Ms. Lopez and her family and wished them the best of luck.

Councilor Dominguez thanked Ms. Lopez's family for lending her to the City for these past years, and thanked Ms. Lopez for her service to the City.

Councilor Bushee congratulated Ms. Lopez that she and her husband were able to retire at the same time.

Councilor Dimas said he has known Carla and Mike for many years, and spoke about his personal relationship as friends with them over the years. He said they are a wonderful couple. He said go out and enjoy each other and their family. He wished them both the best of luck.

Councilor Ives said the time he had with Ms. Lopez at the City was too short, and he has enjoyed working with her over the past 7 months. He said he would echo all previous remarks about the great work she has done for the City in terms of its website and its portal. It is his hope and intention to carry on the work she's done with the existing website and the redesigned website to allow that access to "occur evermore, easily and fortunately, with the benefit of the internet, evermore automatically."

Councilor Calvert thanked Ms. Lopez for her service to the City and the Community, commenting she has always been willing to pitch-in and help wherever needed. He said if ever a household deserved a windfall, hers is one of those. He extended best wishes and happiness for their life together.

Councilor Rivera said he had the pleasure of working with her, and she kept him out of trouble a few times when he was the Fire Chief, which he appreciates. He said he appreciates being able to work with her as a Councilor. She has been a tremendous help and a great servant to the community. He wished her a good retirement.

Councilor Wurzbarger said she echoes the previous remarks, and extended a personal thank you to Ms. Lopez. She said she is committed to continuing the important Ms. Lopez put in place. She said she cut Ms. Lopez's photo from the New Mexico where Ms. Lopez, with a glowing face, is expressing happiness for both retirements. She put the photo in her office as model of what can be.

Mayor Coss thanked Ms. Lopez for her outstanding work, and wished her and Michael a great time in retirement, and asked her to don't forget about us, commenting we will miss her.

b) IMMIGRATION COMMITTEE REPORT. (ALEJANDRA SELUJA)

Alejandra Seluja, Chair, Immigration Committee, asked the previous Chair, Maria Christina Lopez, to address the Council briefly.

Maria Christina Lopez said it was an honor to be on the Committee, and to have served as Chair for almost 8 years. She highlighted the past two years. She said she believes the Committee, by working closely with the Police Department, played a role in the perfect score of the Police Department on the Bias Based Profiling Practices Act, passed by the Legislature in 2009. She noted 20 communities were reviewed by Berkeley for application of the Act, and only the Santa Fe Police Department had done everything required, and received a perfect score. She extended congratulations to the Police Department, commenting that this accomplishment, for one thing, means that people that belong to the protected groups are protected in Santa Fe.

Ms. Lopez gave a brief history and overview of the effort between the Committee and the Police Department, noting the Resolution adopted in 1999, sponsored by Councilor Bushee, which has resulted in improved relations between the Police and the Immigrant community. She said over the past 18 months the Committee held its meetings monthly throughout the City at the organizations represented by their members, including Capital High, Westminster Presbyterian Church and Womens Health Services, and Somos un Pueblo Unido in the St. Michael's corridor. The meetings informed the community about the City's Immigration policy. The Committee also listens to the people who come to the Committee and try to steer them in the appropriate direction, which is an education of the Committee as well as the community. She noted there is representative from the Police Department as well as the County on the Committee.

Ms. Lopez thanked Mayor Coss for appointing her to serve as Chair of the Committee, noting she is an immigrant from Chihuahua, has been here for more than 40 years, and is a New Mexican.

Alejandra Seluja, Chair, invited the Governing Body to attend the meetings of the Immigration Committee on the first Tuesday of every month, and said people from the community come to the community to present challenges they face, or may have faced, or to talk about their successes. She thanked Fabian Trujillo for his help in starting-up mainly bilingual businesses. She said there is a recently formed Southside Merchants Associations, and many of the new businesses are from the south side.

Ms. Seluja said they will miss Carla Lopez, who has been the staff liaison to the Committee, and presented her with flowers, and thanked her for her work with the Committee.

Mayor Coss thanked the Chair and the members of the Committee for their work on behalf of the City, and said the work of this Committee has helped to make Santa Fe a better place, noting that 12% of the population of Santa Fe are immigrants.

c) PROCLAMATION – JOSE GARCIA – CITY OF SANTA FE HISTORIAN

Mayor Coss, assisted by Councilor Bushee, read a Proclamation into the record declaring October 30, 2012, as Jose Garcia in the City of Santa Fe.

Councilor Bushee noted Mr. Garcia is the first City Historian and said he is a fount of information and she appreciates the hard work he does on behalf of the City.

Mr. Garcia said he was given the honor and opportunity to be the City Historian 2 years ago. He said he has been doing a lot of work to fulfill the obligations and responsibilities placed on him through this appointment. He said it is important in discussions regarding the history of Santa Fe to mention that we base our existence on three things: culture, history and tradition. He thanked los vecinos for allowing him to live in the wonderful community, and the Mayor and Councilors for this opportunity.

Councilor Trujillo said during the 400th Celebration, he really enjoyed talking to Mr. Garcia about the history of Santa Fe, and he hopes they can continue to do that.

Councilor Dominguez thanked Mr. Garcia for taking time to educate him about Santa Fe. He said we have a rich history, sometimes controversial, and he will encourage his boys to talk with Mr. Garcia as well.

d) RE: MIKE EVENT PARTNERSHIP APPRECIATION. (KATE NOBLE)

Mr. Noble said they collected more than 400 surveys during the event, noting they still are collating the data. She was unable to present the video on the event because of technical problems. She said there were almost 100 partners, noting there was extraordinary contribution from the community and the City departments. She said the City is extraordinary in its support for these kinds of events which creates community fabric, which is what happened during the Re: Mike Festival. She said there was art, music, and so much more during the Festival.

Ms. Noble said Michael Santillanes, YouthWorks, put together a car show which went around the back of the Re: Mike building. She spoke about the contributions from the Santa Fe Police and Fire Departments, and many other City Departments including the City Clerk, and noted they were presented certificates for their contributions. She said this really was a community mobilization.

Ms. Noble said the next steps in this effort are to collate the data and identify outcome projects, as well as to continuing ongoing community outreach with particular areas including neighborhoods, businesses and such. She thanked the Mayor and Council for their support of this effort.

Councilor Wurzbarger thanked the core team – Kate, Zane, Shannon and Julia – who spent months making this happen. She said this wasn't just about having an event to generate excitement for the area, noting they did collect valuable information which they will use in moving forward with the planning process.

Mayor Coss thanked Councilor Wurzbarger for her work as well, saying, "It was a great weekend."

CONSENT CALENDAR DISCUSSION

10 (a) REQUEST FOR APPROVAL OF COOPERATIVE AGREEMENT – ROADWAY IMPROVEMENTS TO CALLE ATAJO FROM AIRPORT ROAD TO RUFINA STREET; NEW MEXICO DEPARTMENT OF TRANSPORTATION. (DAVID CATANACH)

A copy of an Action Sheet from the Public Works/CIP and Land Use Committee meeting of Monday, October 29, 2012, regarding Item 10(a) is incorporated herewith to these minutes as Exhibit "3."

Councilor Trujillo said he removed this item to disclose that he is employed by the New Mexico Department of Transportation, and at one time he was responsible for overseeing the Local Government Road Fund, but he no longer does that, and he has no conflict.

MOTION: Councilor Trujillo moved, seconded by Councilor Wurzbarger, to approve this request.

VOTE: The motion was approved on the following Roll Call vote:

For: Councilor Bushee, Councilor Calvert, Councilor Dimas, Councilor Dominguez, Councilor Ives, Councilor Rivera, Councilor Trujillo and Councilor Wurzbarger.

Against: None.

10 (q) REQUEST FOR APPROVAL OF FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR CASE #2012-114, APPEAL FROM THE AUGUST 28, 2012 DECISION OF THE HISTORIC DISTRICTS REVIEW BOARD IN CASE #H-12-069, REQUIRING WOOD GARAGE DOORS AT 341 MAGDALENA ROAD. (KELLEY BRENNAN)

A copy of the *Findings of Fact and Conclusions of Law* in Case No. 2012-114, Appellants Jennifer and Brent Cline, is incorporated herewith to these minutes as Exhibit "4."

Councilor Ives said he pulled this item to ask a question of the City Attorney, apologizing for not being able to get this question asked and answered before the meeting. He said the Findings and Conclusions as presented don't reflect the actual vote that was taken. He said the vote is covered in the minutes, in terms that was unanimously approved with no votes against. He asked what is the standard practice and procedure in this regard, especially if there were "No" votes on a matter which had been

appealed to the Governing Body, and if we generally would include those votes in the Findings of Fact and Conclusions of Law.

Mr. Zamora said, "The format of the Findings and Conclusions are that of a final document, which [is that] the vote of the Governing Body approved these Findings. When there is approval by a Governing Body, the Mayor signs on behalf of the Governing Body, and does not sign until such time as the decision is made by a vote. This document represents the decision. What follows with this decision if, for example there is an appeal to District Court, is not only the Findings and Conclusions, which were authorized for signature by the Governing Body, but the minutes of the meeting which will contain the votes."

Councilor Ives thanked Mr. Zamora, saying he just wanted to be clear on how we went about this.

MOTION: Councilor Ives moved, seconded by Councilor Calvert, to approve the Findings of Fact and Conclusions of Law in Case #2012-114, as presented.

VOTE: The motion was approved on the following Roll Call vote:

For: Councilor Bushee, Councilor Calvert, Councilor Dimas, Councilor Dominguez, Councilor Ives, Councilor Rivera, Councilor Trujillo and Councilor Wurzbarger.

Against: None.

END OF CONSENT CALENDAR DISCUSSION

11. COMMUNITY WORKFORCE AGREEMENT OPTIONS:

A copy of an Action Sheet from the Public Works/CIP and Land Use Committee meeting of Monday, October 29, 2012, regarding Item 11(a), indicating an approved Motion to Deny, is incorporated herewith to these minutes as Exhibit "5."

A copy of an Action Sheet from the Public Works/CIP and Land Use Committee meeting of Monday, October 29, 2012, regarding Item 11(b), indicating an approved Motion to Deny, is incorporated herewith to these minutes as Exhibit "6."

A copy of an Action Sheet from the Public Works/CIP and Land Use Committee meeting of Monday, October 29, 2012, regarding Item 11(b)(1), indicating No Recommendation, is incorporated herewith to these minutes as Exhibit "7."

- a) **CONSIDERATION OF RESOLUTION NO. 2012- ____ (COUNCILOR BUSHEE AND COUNCILOR DIMAS). A RESOLUTION DECLARING AN EMERGENCY RELATING TO COMMUNITY WORKFORCE AGREEMENTS ("CWA") SUBSECTION 28.8 OF THE CITY OF SANTA FE PURCHASING MANUAL; DIRECTING STAFF TO CONTRACT WITH THE BUREAU OF BUSINESS AND ECONOMIC RESEARCH AT THE UNIVERSITY OF NEW MEXICO TO RESEARCH AND REPORT TO THE CITY OF SANTA FE ON THE ECONOMIC IMPACT OF COMMUNITY WORKFORCE AGREEMENTS; AND DIRECTING STAFF TO DELAY THE IMPLEMENTATION OF PROJECTS SUBJECT TO THE CWA ORDINANCE UNTIL A PRESENTATION OF THE REPORT IS MADE TO THE GOVERNING BODY. (NICK SCHIAVO AND ROBERT RODARTE) THIS ITEM WAS NOT APPROVED BY THE PUBLIC WORKS AND FINANCE COMMITTEES, AND THEREFORE WERE REMOVED FROM THE AGENDA**
- b) **CONSIDERATION OF RESOLUTION NO. 2012- ____ (COUNCILOR BUSHEE AND COUNCILOR DIMAS). A RESOLUTION RELATING TO COMMUNITY WORKFORCE AGREEMENTS ("CWA") SUBSECTION 28.8 OF THE CITY OF SANTA FE PURCHASING MANUAL; DIRECTING STAFF TO DELAY THE IMPLEMENTATION OF PROJECTS SUBJECT TO THE CWA ORDINANCE UNTIL A PUBLIC HEARING IS HELD ON LEGISLATION TO REPEAL THE CWA ORDINANCE. (ROBERT RODARTE AND JUDITH AMER) THIS ITEM WAS NOT APPROVED BY THE PUBLIC WORKS AND FINANCE COMMITTEES, AND THEREFORE WERE REMOVED FROM THE AGENDA**
- 1) **REQUEST TO PUBLISH NOTICE OF PUBLIC HEARING ON NOVEMBER 28, 2012: BILL NO. 2012-38: AN ORDINANCE REPEALING THE COMMUNITY WORKFORCE AGREEMENTS ORDINANCE, SUBSECTION 28.8 OF THE CITY OF SANTA FE PURCHASING MANUAL (COUNCILOR BUSHEE AND COUNCILOR DIMAS). (ROBERT RODARTE AND JUDITH AMER) THIS ITEM WAS REMOVED FROM THE AGENDA, AND SENT TO THE FINANCE AND PUBLIC WORKS COMMITTEES**

12. MATTERS FROM THE CITY MANAGER

There were no matters from the City Manager.

13. MATTERS FROM THE CITY ATTORNEY

There were no matters from the City Attorney.

14. MATTERS FROM THE CITY CLERK

Yolanda Vigil, City Clerk, reminded everyone to vote in the upcoming election next week, noting there is early voting at the County Clerk's Office, at the corner of Palace and Grant Avenue.

Mayor Coss said everyone should go and see the Halloween decorations in the Clerk's office which are great.

15. COMMUNICATIONS FROM THE GOVERNING BODY

A copy of "Bills and Resolutions scheduled for introduction by members of the Governing Body," for the Council meeting of October 30, 2012, is incorporated herewith to these minutes as Exhibit "8."

Councilor Dimas

Councilor Dimas had no communications.

Councilor Calvert

Councilor Calvert wished everyone a safe and Happy Halloween, with emphasis on the safe part, and to be sure everyone else is safe as well.

Councilor Calvert sent a special thanks to the City Streets Division for its quick work on improving Federal Place.

Councilor Calvert introduced a Resolution authorizing the City of Santa Fe's participation in Carpe Diem West's Healthy Headwaters Alliance and endorsing the Alliance's May 2012 Policy Platform. A copy of the Resolution is incorporated herewith to these minutes as Exhibit "9."

Councilor Rivera

Councilor Rivera wished a Happy Anniversary to his parents, who will celebrate 47 years of marriage on November 9, 2012.

Councilor Ives

Councilor Ives introduced a Resolution naming the park located on Canyon Road that is currently is known as Power Plant Park as the "Water History Park and Museum." He said the facility is a wonderful reminder of the history of water and power use in Santa Fe. He said the City has spent funds to fix the building, noting there is a strong and active citizens group which is working on further plans for that space. A copy of the Resolution is incorporated herewith to these minutes as Exhibit "10."

Councilor Bushee

Councilor Bushee asked if the broken main on Old Taos Highway has been fixed, and Mr. Romero said he will look into this.

Councilor Bushee asked if we could get the DOT or City staff to remind people that Washington Avenue, by the Scottish Rite Temple will be repaired and to provide an indication of how long that will take, noting she would like to know what persons are in charge of that repair effort.

Councilor Bushee asked if the City could do something with the lower part of lower Washington Avenue at the same time of the DOT repair, noting it is not in very good shape as well.

Councilor Bushee said the City had a good mention in *the New York Times* about bicycling in Santa Fe after the International Mountain Biking Association conference.

Councilor Trujillo

Councilor Trujillo wished everyone a safe and Happy Halloween, and asked people to please be careful driving because there are a lot of children out on Halloween.

Councilor Trujillo introduced the following:

1. An Ordinance relating to possession of controlled substances; repealing Section 16-15.1 SFCC 1987, and adopting a new Section 16-5.1, to prohibit the unlawful possession of marijuana and synthetic cannabinoids. A copy of the Ordinance is incorporated herewith to these minutes as Exhibit "11."
2. An Ordinance related to the City of Santa Fe Uniform Traffic Ordinance; amending Schedule A, Section 2, Penalty Assessment Misdemeanor schedule to delete "Jaywalking" from such schedule and amending Section 3, Mandatory Court Appearance Schedule to include Jaywalking. A copy of the Ordinance is incorporated herewith to these minutes as Exhibit "12."

Councilor Trujillo said the graffiti guys "just went crazy this last month," in his District and throughout the whole City. He is hoping we can get this cleaned up and get pictures of the tags, find out who is doing this, so they can pay for the costs of cleaning up the graffiti.

Councilor Trujillo asked Melissa Byers if she could provide him with the laws on bicycles, noting that many bicyclists aren't following the laws of the road.

Councilor Dominguez

Councilor Dominguez said he too would like to wish everyone a safe and Happy Halloween.

Councilor Dominguez asked if there can be a discussion about the graffiti at Public Safety Committee. He wants statistics from the Police Department – numbers of arrests, success of the program since it was moved to the Police Department. He said he would like to have a discussion on graffiti at the Finance Committee in the future.

Councilor Dominguez introduced the following:

1. An Ordinance relating to the Water Code, Chapter 25 SFCC 1987; amending Section 25-1.3 SFCC 1987, to exempt Santa Fe Public Schools from compliance with portions of Chapter 14 SFCC 1987 (Land Development Laws) when the City and the Santa Fe Public Schools have entered into a memorandum of understanding regarding development of public school projects within the presumptive City limits and making such other stylistic or grammatical changes that are necessary. He asked that it go to Finance and Public Works Committee. A copy of the Ordinance is incorporated herewith to these minutes as Exhibit "13."
2. A Resolution amending Table 22 of the Impact Fees Capital Improvement Plan for planned major road improvements, to include the extension of Herrera Drive and the extension of Paseo del Sol, and authorizing the expenditure of Roadway Impact Fee funds for the construction of the extension of Herrera Drive. A copy of the Resolution is incorporated herewith to these minutes as Exhibit "14."

Councilor Wurzbarger

Councilor Wurzbarger said Halloween is one of her favorite holidays as well, and wished everyone a safe and Happy Halloween.

She said there is a graffiti problem which both she and Councilor Ives are concerned, and she needs to speak with Mr. Romero about some things which are happening on San Mateo.

Councilor Wurzbarger said she is cosponsoring the renaming of the Power Plant Park with Councilor Ives.

Councilor Wurzbarger introduced, cosponsored by Councilor Ives, an Ordinance relating to Community Workforce Agreement, Section 28.8 of the City of Santa Fe Purchasing Manual ("Purchasing Manual"); amending Subsection 28.8.2 of the Purchasing Manual to establish that the Market Station Condominium at the Santa Fe Railyard is the only covered project; creating a new Subsection 28.8.5 of the Purchasing Manual to establish that the Community Workforce Agreements Ordinance shall only apply to the Market Station Condominium at the Santa Fe Railyard Project until a review and assessment of the results of the project is completed. She asked that it go to the Public Works Committee on November 13, 2012, then to the Finance Committees and then to the Council for a Request to Publish on November 28, 2012, with a public hearing before the Council in January 2013. A copy of the Ordinance is incorporated herewith to these minutes as Exhibit "15."

Mayor Coss

Mayor Coss introduced the following:

1. A Resolution establishing City of Santa Fe legislative priorities relating to the adoption of a long-term solvency plan for the Public Employees Retirement Association, the establishment of a funding formula for the Santa Fe Public School District, funding for priority Santa Fe City-wide capital outlay projects and funding for various capital outlay projects within each City Council District for consideration by the New Mexico State Legislature during the 51st Legislature, State of New Mexico, First Session, 2013. He said he would like for it to go to the Public Works and Finance Committees in November before the holidays. A copy of the Resolution is incorporated herewith to these minutes as Exhibit "16."

He said he would like to meet with the delegation before the Christmas holidays, and said Mr. Romero and Mr. Duran will be working on a date for the meeting.

2. A Resolution adopting the special flood hazard areas identified by the Federal Emergency Management Agency (FEMA) in the current scientific and engineering report entitled, "The Flood Insurance Study (FIS) for Santa Fe County, New Mexico and Incorporated Areas," with accompanying Flood Insurance Rate Map (FIRM), effective December 4, 2012. A copy of the Resolution is incorporated herewith to these minutes as Exhibit "17."

Mayor Coss noted they had the first meeting of LEAD last night, commenting he was surprised to be the most conservative person in attendance. He said the spirit and emphasis on solving the drug problem and its relation to the City's property crime and graffiti issues. He said it is a very good group. He thanked Councilor Dimas who has been with him since the beginning on this, noting there were more than 30 people in attendance yesterday.

Mayor Coss thanked the people of Carlsbad, and the Carlsbad Mayor and Councilors for hosting us last week when we toured WIPP, which he said is a very, very interesting tour.

END OF AFTERNOON SESSION AT 6:15 P.M.

EVENING SESSION

A. CALL TO ORDER AND ROLL CALL

The Evening Session was called to order by Mayor David Coss, at approximately 7:15 p.m. Following the Pledge of Allegiance, salute to the New Mexico Flag, and Invocation, Roll Call indicated the presence of a quorum as follows:

Members Present

Mayor David Coss
Councilor Rebecca Wurzbarger, Mayor Pro-Tem
Councilor Patti J. Bushee
Councilor Christopher Calvert
Councilor Bill Dimas
Councilor Carmichael A. Dominguez
Councilor Peter N. Ives
Councilor Christopher M. Rivera
Councilor Ronald S. Trujillo

Others Attending

Robert P. Romero, City Manager
Geno Zamora, City Attorney
Yolanda Y. Vigil, City Clerk
Melessia Helberg, Council Stenographer

F. PETITIONS FROM THE FLOOR

Mayor Coss gave each person 2 minutes to petition the Governing Body

Roxanne Rivera Weist, President, Associated Builders & Contractors of New Mexico, said she would like to answer a question asked last night by Councilor Rivera regarding the Apprenticeship Program and the Community Workforce Agreement. She said, "If, prior to the Community Workforce Agreement you have not belonged to a union, and you join, sign the Collective Bargaining Agreement and you become apprentice, after that project is complete, you are no longer an apprentice with the unions unless you to continue to be signature to the union. This is unlike the Merit Shop. Apprentices in the Merit Shop Program are named apprentices, whether or not they are out of work, whether or not there are jobs, they remain apprentices. They continue to attend class... when work does come around, they continue to get their on-the-job training hours. Apprentices in Merit Shop Programs receive all health insurances and other benefits from their employers. They are paid according to the requirements of Davis-Bacon for working on public works. They advance in the Apprenticeship Program by completing their OJT hours and classroom hours to receive higher training. They receive training through the National Center for Construction Education and Research Curriculum. Apprentices in plumbing, sheet-metal and electrical

programs receive co-training to prepare them to take the Journeymen's test. They do not have to pay dues and they receive a certification of Completion from the State Apprenticeship Council of New Mexico."

Ms. Rivera-Weist continued, "With regard to a question that was asked last night about the Los Alamos National Lab Apprenticeship Program through the unions. I have a copy of the Apprenticeship Standards from Los Alamos, and under 16.0 Continuity of Employment, the Laboratory will make every effort to provide continuous employment to the apprentice. If it is necessary to terminate an apprentice due to lack of work, the Apprentice Agreement shall be terminated. So this does answer the questions about the Apprenticeship Program in the CWA."

Jane Jernigan, National Utility Contractors Association of New Mexico, said she has appeared here before, and is here again, with regard to the CWA. She said businesses have a choice of whether to be union or non-union when starting their businesses, and employees have a choice as to whether to work for a union company. However, the CWA removes those choices if you want to work in the City of Santa Fe on projects over \$500,000. She said under the CWA, businesses are forced to sign a union agreement, forced to pay administration costs associated with the CWA, and employees will be forced to pay union dues, but they receive no benefits back from that unless they stay with the union between 5-7 years. It also could lead to no deposit in their 401-K with their current employer, and matching deposits from their employer, because the employee may not be able to make both payments. She said employees will be only temporarily enrolled in the apprenticeship program during the length of the job, and are out once the job is over. She said she is very concerned, with regard to the Cornell study of jobs on the East Coast being used to promote the CWA in Santa Fe, and the compromise is not relative nor a valid comparison. The job market, the labor force, among other things, are very different on the East Coast than in Santa Fe.

David Wilson, American Fire Sprinkler Association, representative for New Mexico, said, with regard to the Community Workforce Agreement, the CWA, the American Fire Sprinkler Association membership, Board of directors and contracting members are 100% opposed to the CWA Ordinance No. 2012-12.

Jon Hendry, President of the New Mexico Federation of Labor, said he is not going to make arguments on the CWA. He said you have heard the different points of view. He said the Contractors are saying leave it as it is, "Everything is fine. It's okay to have an Oklahoma company build the Convention Center and such. Leave things as they are. The system we have right now is fine. They are offering us no alternatives." He asked why the Apprenticeship program is not in here already, and why there is no sort of agreement which gets young people working. He said he comes from the motion picture business and said, "We're getting young people working here. We're getting young people working at Santa Fe Studios. We're getting young people working at Garson, we're working in the high schools. We're putting people to work at the Community College every day, in union jobs, paying a fair wage with benefits. And all I'm asking is, if this CWA is not the solution, then you need to find another solution, because the system right now is not working." He said we are losing our best and brightest, noting his son is in Montana and

his daughter is in Lake Tahoe because they can't find a job that pays more than the living wage. He said something is wrong, and the CWA is what unions are offering to try to fix this. He wants to have an opportunity to see what the unions to see what they can do to fix this. He asked those in opposition if the system is working, and if it is, he will show them that it is. If it's not working, offer a solution, not the same old argument union and non-union. "Let's put Santa Feans to work."

Stefanie Beninato said she is against private security at Railyard. She said we spent a lot of money installing a substation at the Railyard, and questions the need for private security when there is a substation that needs to be staffed. She said she also is here to speak against the CWA, noting she is a homeowner who does construction. She understands only about 10% of the construction industry are union members in Santa Fe, which means the CWA is benefitting a very very small percentage of the construction industry. She supports labor unions, but she also supports freedom of choice, and it is up to the individuals to create a union shop under the National Labor Relations Act, if that's what they want to do. She said it is incomprehensible as to how you can require union membership, but you can't require a local hiring. She said we need local hiring and by requiring unions you will be taking more jobs, as usual to Albuquerque rather than to Santa Fe. She see the CWA as supporting union leadership and giving more power to them, which seems to be a "pay to play" scheme.

Rob Heineman, retired electrical contractor after 30 years. Mr. Heineman said he served on the State Electrical Board under Governors Johnson and Richardson. He has been National President of The Independent Electrical Contractors Association in Washington, D.C. He said he has contracted at LANL, the City, noting he built the Wastewater Plant. He said he built Capital High School, the Waste Transfer Station, La Fonda Hotel, St. Vincent's Hospital and has done a lot of work in Santa Fe over the past 35 years. He said, "I can tell you, that first of all, there are very few contractors in Santa Fe proper. There isn't a huge workforce in Santa Fe proper. He said when \$20 million contracts go out to bid from Los Alamos, there are buses of people coming from Albuquerque to work. They're not being bused from Santa Fe to do the work.

Mr. Heineman said a Community Workforce Agreement, or Project Labor Agreement, has been tried around the nation on several occasions, and ended in disaster in most places as well as lawsuits. He said the big dig in Boston is 4 years over-due, and \$1 billion over budget. He said in 1992, a Project Labor Agreement was put in place to build a wing at UNM Hospital. He said there was a huge brouhaha over it, but they decided to move forth with it, and analyze the results. He has he has never seen a report, commenting that UNM has never issued another Project Labor Agreement. He said he is now retired, but anything this Governing Body does to disenfranchise 80-90% of the local work force is not a good idea. He said current procurement laws which are in place, regarding the State Apprenticeship Council, the Davis-Bacon Act and the Little Davis-Bacon Act, makes it impossible for a contractor to come here and participate in a public works project without a *bona fide* State-approved apprenticeship program. He said it just doesn't work that way. He said there are plenty of programs – ABC, Independent Electrical Contractors – and these programs combined, probably train 80-90% of the apprentices in the State. He said the proposal is to provide a stable workforce, you will be cutting yourself short.

Morty Simon said he is a 40 year Santa Fe resident, teaches for the National Labor College and he has had experience in observing similar programs in Las Vegas, which takes local youth, getting them into a union Apprenticeship Program, for which they don't have to pay, and they can earn money while earning a trade. He said it works well, and he weighs in on the side of giving the CWA a try, at least once, and then make judgments on how it work. He said if it is working, we should see more of our kids working at high wages with benefits, and if it isn't, then the City can set it aside. He believes it is worth trying, and asked the Governing Body to give it a try. He said high wage jobs with benefits are a rarity and this is a chance to do this.

Rick Greene, representative of Rose Sprinkler Fitters, Local 669, said this is the largest union of fire protection installers. He said he can't speak for every union's apprenticeship program, but their union's apprentices do not fall out of the apprenticeship if they're not working, as long as they continue to do their lessons. He said their apprentices are not signatory to the union – the companies are signatory to the union. Apprentices leaving one company can go to another company and not change programs. He said, for example, if an apprentice is in an ABC program and loses the job with the ABC program, but goes to another sprinkler program with an AFSA Program, he doesn't know if they have to start over. However, with their contractors, it is seamless, so there is more opportunity and it is easier for them to stay in the program. He said it is important to complete the program which will provide good careers for Santa Feans. He said the Council needs to look at the graduation rate of apprentices, look at the programs, and who's training and turning out journeymen.

Mike Archuleta said he has worked all over the State, but has not been able to work in Santa Fe, because "I chose to be union and because I chose to get a retirement and better benefits, and way of life for my family. Now don't take this away from us. Give us a chance, that's all I ask. I'm in favor of the CWA. Keep it as is, please."

Jerry Romero, Business Manager, Ironworkers Local, said no one is required to join the Ironworkers to be in an apprenticeship program, because those are State-approved programs. He said you don't have to be in union to get in their apprentice program. He said there was controversy about the wing at the UNM Hospital wing, but, "As far as I know, there was nothing but praise for that project. The job was on time, on budget, and nothing but praise after that." He said he doesn't know if a study was done on it, but it was a successful project. He said the Ironworkers stand in support of the CWA.

Ray Baca, Executive Director, New Mexico Building Trades Council, said he represents all of the construction labor unions in New Mexico, which is in favor of retaining the CWA as "we had written it and has been written and approved earlier in the year." M He said there have been suggestions for Friendly Amendments to the CWA. He said one of the positive things about CWA's is they can customize for the needs of a particular municipality. He said they wanted to customize this CWA to the needs of the City of Santa Fe. He said according to the study done by Cornell University, 180 of the PLA/CWA's were all successful. There may have been litigation, but in 99.9% of the cases, it was ruled in favor of the City who chose to enter into a CWA. He said there are 600-700 people working at LANL under an Agreement,

noting LANL is the largest self-performing contractor in the State with the largest sustained construction work force in New Mexico.

G. APPOINTMENTS

Regional Coalition of LANL Communities

Mayor Coss made the following appointment to the Regional Coalition of LANL Communities:

Councilor Rebecca Wurzbarger, Alternate

MOTION: Councilor Rivera moved, seconded by Councilor Calvert, to approve this appointment.

VOTE: The motion was approved unanimously on a voice vote with Councilors Bushee, Calvert, Dimas, Dominguez, Ives, Rivera, Trujillo and Wurzbarger voting in favor of the motion and none voting against.

Law Enforcement Assisted Diversion Task Force ("LEAD")

Mayor Coss made the following appointments to the Law Enforcement Assisted Diversion Task Force ("LEAD"), noting Councilor Dimas is on the list by mistake, and he is adding Jeaninne Lujan as an appointee:

~~Councilor Bill Dimas;~~
Mark L. Boschelli, Santa Fe Community Guidance Center Director;
Laura A. Brown, MD, MHP, Lifelink;
Stephen Anthony Branch, City of Espanola Fire/Police Chief; and
Jeaninne Lujan.

MOTION: Councilor Rivera moved, seconded by Councilor Dimas, to approve these appointments.

VOTE: The motion was approved unanimously on a voice vote with Councilors Bushee, Calvert, Dimas, Dominguez, Ives, Rivera, Trujillo and Wurzbarger voting in favor of the motion and none voting against.

Santa Fe Arts Commission

Mayor Coss made the following appointments to the Santa Fe Arts Commission:

Gabe Gomez – term ending 10/2014;
Kirk Ellis – Reappointment – term ending 10/2014;
Ramona Sakiestewa – Reappointment – term ending 10/2012; and
Anne Pedersen – Reappointment – term ending 10/2014.

MOTION: Councilor Wurzbarger moved, seconded by Councilor Calvert, to approve these appointments.

VOTE: The motion was approved unanimously on a voice vote with Councilors Bushee, Calvert, Dimas, Dominguez, Ives, Rivera, Trujillo and Wurzbarger voting in favor of the motion and none voting against.

Charter Review Commission

Mayor Coss made the following appointments to the Charter Review Commission:

Justice Patricio M. Serna, Chair;
Steven G. Farber;
Houston Johansen;
Nancy R. Long;
Carol Romero-Wirth;
Brian Patrick Gutierrez; and
John B. Hiatt.

Mayor Coss said he believes the appointments are almost complete, and Yolanda Vigil can tell you which ones still are needed.

MOTION: Councilor Wurzbarger moved, seconded by Councilor Dimas, to approve these appointments.

DISCUSSION: Councilor Dominguez asked what is the deadline to make these appointments.

Mayor Coss said, "As soon as possible. Yesterday."

VOTE: The motion was approved unanimously on a voice vote with Councilors Bushee, Calvert, Dimas, Dominguez, Ives, Rivera, Trujillo and Wurzbarger voting in favor of the motion and none voting against.

H. PUBLIC HEARINGS

- 1) **CONSIDERATION OF BILL NO. 2012-30: ADOPTION OF ORDINANCE NO. 2012-31 COUNCILOR CALVERT AND COUNCILOR BUSHEE). AN ORDINANCE RELATING TO THE LAND DEVELOPMENT CODE, CHAPTER 14 SFCC 1987, AND ARTICLE 18-5.1 SFCC 198. REGARDING DISTRESS MERCHANDISE SALES SIGNS AND LICENSES; AMENDING SECTION 14-8.10(B)(8) SFCC 1987, REGARDING VIOLATIONS OF SIGN REGULATIONS TO INCLUDE DISTRESS MERCHANDISE SALE SIGNS IN THE H DISTRICTS; CREATING A NEW SECTION 14-8.10(H)(28)(f) SFCC 1987, REGARDING THE REGULATION OF DISTRESS MERCHANDISE SALE SIGNS IN THE H-DISTRICTS; AMENDING SECTION 18-5.1 SFCC 1987, REGARDING THE GROUNDS FOR DENIAL OF A DISTRESS MERCHANDISE SALE LICENSE AND**

THE REVOCATION OF A DISTRESS MERCHANDISE SALE LICENSE; AND MAKING SUCH OTHER SUCH STYLISTIC AND GRAMMATICAL CHANGES AS ARE NECESSARY. (MATTHEW O'REILLY)

The staff report was presented by Matthew O'Reilly.

Public Hearing

Elizabeth Perez said she owns a business downtown, and this is a terrific step, and the Ordinance strengthens comprehensive enforcement, improves the esthetics of the downtown historic area, as well as increasing consumer trust and confidence. She said they appreciate the tenacity which has led City staff, elected officials and civilians to work to improve this situation for Santa Fe and its visitors, and she thanks them.

John Dressman said he owns a store on plaza. He thanked everyone who was involved in getting this done. It is fabulous that the City has been able to recognize the deleterious effects of these kinds of things have on downtown, and they really appreciate the efforts of the Governing Body and Mr. O'Reilly.

The Public Hearing was closed

MOTION: Councilor Wurzburger moved, seconded by Councilor Calvert, to adopt Ordinance 2012-31.

VOTE: The motion was approved on the following Roll Call vote:

For: Councilor Bushee, Councilor Calvert, Councilor Dimas, Councilor Dominguez, Councilor Ives, Councilor Rivera, Councilor Trujillo and Councilor Wurzburger.

Against: None.

Explaining his vote: Councilor Calvert said, "Yes, and I really want to thank Matt O'Reilly for his work in this area and for his staffs' work in this area. Yes."

- 2) **CONSIDERATION OF BILL NO. 20-12-31: ADOPTION OF ORDINANCE NO. 2012-32. MAYOR COSS, COUNCILOR WURZBURGER AND COUNCILOR BUSHEE). AN ORDINANCE RELATING TO THE ESTABLISHMENT OF THE CITY OF SANTA FE INTERNAL AUDIT DEPARTMENT; CREATING A NEW ARTICLE 2-22 SFCC 1987. (DR. MELVILLE MORGAN AND JUDITH AMER)**

The staff report was presented by Dr. Morgan.

Public Hearing

There was no one speaking for or against this request.

The Public Hearing was closed

MOTION: Councilor Bushee moved, seconded by Councilor Wurzbarger, to adopt Ordinance No. 2012-32, with the Finance Committee amendments.

DISCUSSION: Councilor Dominguez and Councilor Ives asked to be added as co-sponsors.

VOTE: The motion was approved on the following Roll Call vote:

For: Councilor Bushee, Councilor Calvert, Councilor Dimas, Councilor Dominguez, Councilor Ives, Councilor Rivera, Councilor Trujillo and Councilor Wurzbarger.

Against: None.

Mayor Coss thanked Dr. Morgan, City Legal and the Audit Committee for their work on this legislation.

- 3) **CONSIDERATION OF BILL NO. 2012-32: ADOPTION OF ORDINANCE NO. 2012-33 (COUNCILOR DOMINGUEZ AND MAYOR COSS). AN ORDINANCE RELATING TO THE LAND DEVELOPMENT CODE, CHAPTER 14 SFCC 1987, REGARDING LEGAL NONCONFORMING USES; AMENDING SECTION 14-10.2(C) TO INCREASE THE PERIOD OF TIME BEFORE A LEGAL NONCONFORMING USE MAY NOT BE RESUMED, AND PROVIDING THAT USES OF GOVERNMENTAL PROPERTY MAY BE RESUMED AT ANY TIME UNDER CERTAIN CONDITIONS; AND MAKING SUCH OTHER STYLISTIC OR GRAMMATICAL CHANGES THAT ARE NECESSARY. (MATTHEW O'REILLY)**

The staff report was presented by Matthew O'Reilly.

Public Hearing

There was no one speaking for or against this request.

The Public Hearing was closed

MOTION: Councilor Dominguez moved, seconded by Councilor Wurzbarger, to adopt Ordinance No. 2012-33, with the staff amendments which are in the Council packet.

VOTE: The motion was approved on the following Roll Call vote:

For: Councilor Bushee, Councilor Calvert, Councilor Dimas, Councilor Dominguez, Councilor Ives, Councilor Rivera, Councilor Trujillo and Councilor Wurzbarger.

Against: None.

- 4) **CONSIDERATION OF RESOLUTION NO. 2012-86 CASE #2012-39. LA LUZ HEALTH COMPLEX GENERAL PLAN AMENDMENT. JAMES W. SIEBERT, AGENT FOR SANDRA PACHECO, REQUESTS APPROVAL OF A GENERAL PLAN FUTURE LAND USE MAP AMENDMENT TO CHANGE THE DESIGNATION OF 6.36± ACRES FROM RESIDENTIAL – LOW DENSITY RESIDENTIAL 93-7 DWELLING UNITS PER ACRE) TO TRANSITIONAL MIXED USE. THE PROPERTY IS LOCATED SOUTH OF RUFINA STREET EXTENDING TO AGGIE ROAD. (DAN ESQUIBEL) (Postponed at October 10, 2012 City Council Meeting)**

Items H(4) and H(5) were combined for purposes of presentation, public hearing and discussion, but were voted upon separately.

A Memorandum dated October 30, 2012, with attachments, to the Governing Body, from Daniel A. Esquibel, Land Use Planner Senior, Current Planning Division, regarding this matter, is incorporated herewith to these minutes as Exhibit "18."

The *La Luz Health Complex Rezoning from MHP (Mobile Home Park) to MU (Mixed Use) & Preliminary Development Plan*, are incorporated herewith to these minutes by reference, and are on file with, and can be obtained from, the Land Use Department, Current Planning Division.

A copy of a proposed amendment submitted by James W. Siebert, regarding *Compliance with Fire Department Condition of Approval*, is incorporated herewith to these minutes as Exhibit "19."

Mayor Coss noted this Case was heard at the previous Council meeting and asked if the public hearing was closed or if it is still open.

Ms. Vigil said the public hearing is still open.

The staff report was presented by Tamara Baer. Please see Exhibit "18" for specifics of this presentation.

Recommendation: The applicant has demonstrated compliance with Chapter 14 for a General Plan amendment and rezoning. The Land Use Department recommends approval of Case #2012-39 and #2012-40 subject to conditions listed in Conditions Exhibit A [Exhibit "18"].

Councilor Dominguez said he wasn't here for the previous hearing, noting he read the record and studied the packet. He said one question was regarding ownership, and there was direction to staff to resolve that by tonight, and general direction to staff to work on resolution of that prior to subsequent phases. He asked if there has been any progress with that issue.

Ms. Baer said staff has no additional information. She said, "The way that it was left with the Planning Commission, and I neglected to add that the Planning Commission approved these cases on August 2nd, was that there would have to be some final resolution of that ownership question before we would consider a Development Plan for Phase II. And I think Planning Commission was generally comfortable with that, as was the staff."

Councilor Dominguez asked if he can add an additional follow-up question. He said part of the discussion at the last meeting, was if we look ahead to Phases II and III, there obviously will be a need for a secondary access point. He said the land ownership hasn't been resolved, so you are saying at the two phases after that, will have to have the second access point resolved, whether it's on a new piece of property which the owners do own, in the event they don't own Aggie Road or it can't be used as a second access point.

Ms. Baer said, "There are two ways that this could happen, and I believe both of them do involve Aggie Road. One would be that Aggie Road would become an open access at all times. The other alternative would be for Aggie Road to be accessed, but with an Opticon controlled gate, so it would be only used for emergency access. And I don't think that question has been answered or resolved."

Councilor Dominguez said, "But that would have to come through the development plan phase, the final development for Phase II and III."

Ms. Baer said, "That's correct, and actually there might even be a third option, which we haven't looked into very much, or discussed with the Applicants, but would be a possibility, of looking at an easement through the property which fronts Cerrillos Road, which, I believe is the Olive Garden, and going through there. That parking lot is never completely full. I think there might be a possibility of going through there, but that hasn't been broached with the owners, but it's something that we would want to look at though."

Councilor Calvert asked for input from the Fire Marshal in this regard.

Reynaldo Gonzales, Fire Marshal said, "The way we reviewed it through the Fire Department is that the IOC 2009 requires 2 access points for emergency access. Right now, we've looked at both options that have been addressed to us. Now with Opticon and the gate, we still have the concerns of who is going to maintain the gate and any repairs that they will need, and also who is going to maintain the road for emergency access so it's drivable by emergency vehicles if need be, and [inaudible] whether the road conditions deteriorate."

Councilor Rivera said one of the questions the Council had, and a concern expressed by the residents on Aggie Road, is if there will be any expansion of Aggie Road, or if you would require any expansion of Aggie Road in order to make it accessible by emergency vehicles.

Fire Marshal Gonzales said, "The only thing we would require is the 20 foot access deemed by the IOC and it is in drivable condition."

Councilor Rivera asked if it would have to be paved to be considered drivable.

Fire Marshal Gonzales said, "It would not have to be paved, it would just have to maintain the weight of the vehicles."

Councilor Rivera noted the road is pretty wide, but at the end it seems it goes into private property. He asked where would the emergency vehicle access be in relation to this property.

Fire Marshal Gonzales said, "We have not obtained exactly where they're planning on putting the gate. Like they said, it wouldn't be required until Phase 2 and Phase III of the project, but I'm thinking it would be on the borderline of the property line there."

Councilor River asked, "Do we know, and maybe the owners can tell me, is that toward the end of Aggie Road or is it off one of the side streets that comes off Aggie Road."

Public Hearing

Presentation by the Applicant

Jim Siebert, 915 Mercer, Agent for the Applicants, was sworn. Mr. Siebert said, "The answer is that this is the end of the Aggie Road and it doesn't extend any further than this property, the Pachecos' property. You were talking where it narrows down, actually that's the one portion of Aggie Road where there is a recorded easement which allows for ingress and egress and improvements to the roadways. So, you're right, that one small section will have to be widened to some degree."

Mr. Siebert said, "I have prepared a condition that my clients would agree to, and if you like, I can hand that out for your consideration." Mayor Coss said yes, and Mr. Siebert distributed copies of the proposed condition [Exhibit "19."], which states as follows:

"Prior to commencement of construction for phase II of the La Luz Health Complex the applicant shall agree to maintain Aggie Road, sufficient for emergency access by the Fire Department, from the south end of the subject property to the paved section of Aggie Road measuring an approximate distance of 600 feet. The applicant shall install an automatic gate at the emergency access with an opticon actuator and agree to maintain the gate in an operable condition at all times."

Councilor Rivera asked, "Ray [Gonzales], with regard to what the attorney recommended, would it be acceptable to the Fire Department to have an easement through a parking lot, like Olive Garden, in order to get the second means of ingress and egress."

Fire Marshal Gonzales said, "Most definitely."

Councilor Bushee asked who will maintain the gates, and if that needs to be made a condition of approval.

Mayor Coss said the proposed condition of approval says, "Agree to maintain the gate."

Councilor Calvert noted the Fire Marshal raised an issue to do with the maintenance of the access, i.e. Aggie Road, in a condition which allows for emergency access. He asked if the Applicant is willing to make a similar commitment to that, because he doesn't see that it will be done on its own, especially when ownership is in dispute and it is sort of a common road that nobody seems to be maintaining.

Ms. Baer said, "The owners of this property have also agreed to maintain in the Road in a passable condition, satisfactory to the Fire Marshal."

Councilor Rivera asked if there has been any discussion at the public hearing or the meeting at the Nancy Rodriguez Center, as to whether or not the neighbors on Aggie Road would be amenable to an emergency access gate.

Mr. Siebert said, "In the discussion we had there, Councilor Rivera, the discussion we had with the landowners, there were approximately 12-14 people there representing the majority of landowners along Aggie Road, there is no objection whatsoever to having the Road serve as emergency access with an emergency gate. There was considerable objection to improving the roadway – anything they would do to encroach on any of their properties as the result of improving that roadway."

Councilor Calvert said, "On that point too, the landowners we heard from at the last hearing were much more in favor of having a gate control, than open all the time, so that it would be strictly an emergency access and not accessible to anybody and everybody that might find their way down that road."

Councilor Ives said he is trying to understand the ownership issue and how that plays into the easement process. He said, "It sounds like the ownership of this easement is not clear yet. Is that a correct statement?"

Ms. Baer said "That's correct."

Councilor Ives asked, "What would be the City's position in terms of conditions on the landowner to clarify that issue before engaging in Phase II or Phase III of the project."

Ms. Baer said, "We had asked at the Planning Commission, Mayor, Councilor Ives and Councilors, and we continue to request that the landowner, the applicant for this project, clarify at their expense who the owners are, and what rights are available for this project on that easement, or on that land."

Councilor Ives asked, "Is there, and granted we don't necessarily need to know a final answer tonight, is there clarity amongst the neighbors that use of that easement would be granted, so you don't start to proceed and all of a sudden find a neighbor saying, 'That's my property. You're in Court. And all of a sudden losing that second access'."

Ms. Baer said, "I can't speak for the neighbors. And I hope Mr. Siebert will correct me if I'm wrong, but it was my impression that most of the neighbors who spoke, and who object to that road being open, are actually on Aggie Lane. And one of their concerns was that Aggie Lane was going to be opened up because Aggie Road was opened. Aggie Lane comes down... it's a really narrow private street that comes from Rufina and tees onto Aggie Road. So, correct me if I'm... Okay. And I believe a lot of the people who spoke were actually on Aggie Lane, but were concerned that if Aggie Road were opened, then it would open up traffic to Aggie Lane as well."

Councilor Ives said, "I suppose mine is a plea to the owners that obviously they get whatever they need in writing from anybody who might claim to be able to... or to claim any ownership in that road to use it, so that your access is clear, and you don't find it being contested later after you've undertaken significant investment in a project that might, potentially, be blocked."

Ms. Baer said, "And Councilor, we would verify that before going forward."

The Public Hearing was closed

MOTION: Councilor Calvert moved, seconded by Councilor Dimas, to adopt Resolution No. 2012-86, approving Case #2012-39, La Luz Health Complex General Plan Amendment, with all conditions of approval as recommended by staff, with the Findings of Fact and Conclusions of Law, and with the condition of approval proposed by the Applicant tonight [Exhibit "19".]

DISCUSSION: Councilor Dominguez asked, "Do you have any indication as to whether or not there will be a requirement after Phases II and III are presented, that Aggie Road will not have to be open to the public, or is this Fire Department recommendation sufficient enough for future phases."

Ms. Baer asked him to repeat his question.

Councilor Dominguez said, "In other words, when Phase II and III come forward, is there going to be a recommendation by staff to open Aggie Road up, and not keep it just as an emergency access."

Ms. Baer said, "That recommendation is there in the report in the conditions now, for Phases II and III."

Councilor Dominguez said, "That it be open to the public."

Ms. Baer said, "Yes. That's the Land Use staff recommendation. And in fact, there is a Code provision that is part of the rewrite, effective as of March first of this year, that says that roads have to be continuous, unless there is some particular reason that they cannot be, and that may include ownership. It may include topography. It's not topography in this case, [and] ownership certainly would come into it, or, a development that would preclude continuation of a road. So the staff position has been that we would prefer to have that road open and to have the continuity of access."

FRIENDLY AMENDMENT: Councilor Calvert would like to amend the motion that this approval is given with the understanding that if the access with the Opticon gate satisfies the Code, that the Opticon Gate is the preferred alternative that is being recommended by the Governing Body.

DISCUSSION ON THE PROPOSED FRIENDLY AMENDMENT BY THE SECOND: Councilor Calvert said he thought Ms. Baer just said it was "going to be a through street without a gate, that's what you're recommending and what is required." He said this isn't his understanding of what is required, he just thought that was the staff preference, and asked Ms. Baer if he is correct.

Ms. Baer said, "Not necessarily. The Code requires that a street be continuous, unless there is a reason that it cannot be."

Councilor Calvert, "One of the things you just cited was ownership, and what we have is a definite problem with ownership on Aggie Road, so that's why I would make that recommendation. So I would be amending my own motion, and hope the second would be amenable.

THE AMENDMENT WAS FRIENDLY TO THE SECOND, COUNCILOR DIMAS, AND THERE WERE NO OBJECTIONS BY THE OTHER MEMBERS OF THE GOVERNING BODY.

Councilor Dominguez said, "Mayor, I just want to say that I'm okay with that. I think that the applicant and the City are going to make sure that the responsible thing is done when it comes to future phases, and so, I'm okay with that."

Councilor Rivera asked, "What happens if the owners of Aggie Road don't want any type of access into this property. What happens with the future property use, and what we just passed as far as making it a mixed use. I know you can't see into the future to tell me exactly, but what are some of the options that the owners may have."

Ms. Baer said, "It's possible that they wouldn't be able to continue on with Phases II and III as anticipated, or they would have [to find] a second means of ingress and egress. One of the suggestions that was made, was the possibility of coming in from Cerrillos Road and connecting directly to this property, so we would look at all of those options."

Councilor Rivera said, "So the owners do have options besides Aggie Road."

Ms. Baer asked if he is speaking of the owners of this property, the applicants, and Councilor Rivera said yes.

Ms. Baer said, "Yes, and if worse came to worst, and in one circumstance, if it was determined that there was no legal access to Aggie Road, then we would look it at, again, with the Fire Marshal and the Traffic Engineer, to see if a cul-de-sac would be feasible."

Councilor Rivera said, "Okay. Thank you."

VOTE: The motion, as amended, was approved on the following Roll Call vote:

For: Councilor Bushee, Councilor Calvert, Councilor Dimas, Councilor Dominguez, Councilor Ives, Councilor Rivera, Councilor Trujillo and Councilor Wurzbarger.

Against: None.

- 5) **CONSIDERATION OF BILL NO. 2012-33: ADOPTION OF ORDINANCE NO. 2012-34. CASE #2012-40. LA LUZ HEALTH COMPLEX REZONING TO MU. JAMES W. SIEBERT, AGENT FOR SANDRA PACHECO, REQUESTS REZONING OF 6.36± ACRES OF LAND FROM MHP (MOBILE HOME PARK) TO MIXED MU (MIXED USE). THE APPLICATION INCLUDES A DEVELOPMENT PLAN FOR MEDICAL COMPLEX CONSISTING OF A MEDICAL CLINIC, ASSISTED HOUSING FOR THE ELDERLY AND MEDICAL OFFICES. THE PROPERTY IS LOCATED SOUTH OF RUFINA STREET EXTENDING TO AGGIE ROAD. (DAN ESQUIBEL) (Postponed at October 10, 2012 City Council Meeting)**

MOTION: Councilor Calvert moved, seconded by Councilor Dimas, to adopt Ordinance No. 2012-34 approving Case #2012-40, La Luz Health Complex Rezoning to MU, with all conditions of approval as recommended by staff, with the Findings of Fact and Conclusions of Law, with the condition of approval proposed by the Applicant tonight [Exhibit "19"], and that this approval is given with the understanding that if the access with the Opticon gate satisfies the Code, that the Opticon gate is the preferred alternative that is being recommended by the Governing Body.

VOTE: The motion was approved on the following Roll Call vote:

For: Councilor Bushee, Councilor Calvert, Councilor Dimas, Councilor Dominguez, Councilor Ives, Councilor Rivera, Councilor Trujillo and Councilor Wurzbarger.

Against: None.

CLARIFICATION OF THE MOTION ON ITEM H(3): Yolanda Vigil asked for clarification, if the motion to adopt Ordinance No. 2012-33, [Item H(3)] included the staff amendments which were in the packet, and the maker Councilor Dominguez and the second Councilor Wurzbarger said yes. Ms. Vigil said, "Then I'll put that in the motion. Thank you."

I. ADJOURN

The was no further business to come before the Governing Body, and upon completion of the Agenda, the meeting was adjourned at approximately 8:15 p.m.

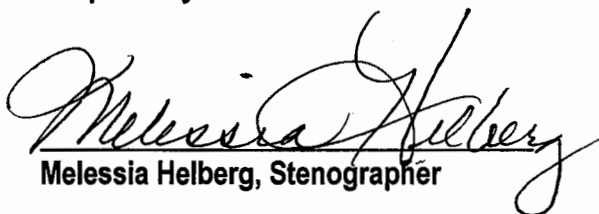
Approved by:

Mayor David Coss

ATTESTED TO:

Yolanda Y. Vigil, City Clerk

Respectfully submitted:


Melessia Helberg, Stenographer

**ACTION SHEET
ITEM FROM THE
PUBLIC WORKS/CIP AND LAND USE COMMITTEE MEETING
OF
MONDAY, OCTOBER 29, 2012**

ITEM 13

REQUEST FOR APPROVAL OF A RESOLUTION DIRECTING THE CITY MANAGER TO PROVIDE A PLAN AND PROJECTED CONSTRUCTION COST FOR RENOVATION OF THE CITY COUNCIL CHAMBERS TO INCLUDE, AT A MINIMUM, THAT THE GOVERNING BODY SEATING AREA BE RECONFIGURED SO THAT ALL MEMBERS OF THE GOVERNING BODY HAVE DIRECT VISIBILITY AND INTERACTION WITH THE PUBLIC (COUNCILORS RIVERA AND DIMAS) (CHIP LILIENTHAL)

PUBLIC WORKS COMMITTEE ACTION: Approved on Consent

SPECIAL CONDITIONS OR AMENDMENTS:

STAFF FOLLOW UP:

VOTE	FOR	AGAINST	RECUSED
CHAIRPERSON WURZBURGER			
COUNCILOR CALVERT	X		
COUNCILOR IVES	X		
COUNCILOR RIVERA	X		
COUNCILOR TRUJILLO	X		

Exhibit "1"

**ACTION SHEET
ITEM FROM THE
PUBLIC WORKS/CIP AND LAND USE COMMITTEE MEETING
OF
MONDAY, OCTOBER 29, 2012**

ITEM 12

REQUEST FOR APPROVAL OF A RESOLUTION AUTHORIZING THE CITY OF SANTA FE TRANSIT DIVISION TO PROVIDE FREE RIDES ON ALL BUS ROUTES AND SANTA FE RIDE VEHICLES ON GENERAL ELECTION DAY, NOVEMBER 6, 2012 (MAYOR COSS AND COUNCILOR BUSHEE) (JON BULTHUIS)

PUBLIC WORKS COMMITTEE ACTION: Approved on Consent

SPECIAL CONDITIONS OR AMENDMENTS:

STAFF FOLLOW UP:

VOTE	FOR	AGAINST	RECUSED
CHAIRPERSON WURZBURGER			
COUNCILOR CALVERT	X		
COUNCILOR IVES	X		
COUNCILOR RIVERA	X		
COUNCILOR TRUJILLO	X		

Exhibit "2"

**ACTION SHEET
ITEM FROM THE
PUBLIC WORKS/CIP AND LAND USE COMMITTEE MEETING
OF
MONDAY, OCTOBER 29, 2012**

ITEM 7

REQUEST FOR APPROVAL OF COOPERATIVE AGREEMENT WITH NEW MEXICO DEPARTMENT OF TRANSPORTATION (NMDOT) FOR LOCAL GOVERNMENT ROAD FUND – CALLE ATAJO RESURFACING (DAVID CATANACH)

PUBLIC WORKS COMMITTEE ACTION: Approved

SPECIAL CONDITIONS OR AMENDMENTS:

STAFF FOLLOW UP:

VOTE	FOR	AGAINST	ABSTAIN
CHAIRPERSON WURZBURGER			
COUNCILOR CALVERT	X		
COUNCILOR IVES	X		
COUNCILOR RIVERA	X		
COUNCILOR TRUJILLO	X		

Exhibit "3"

City of Santa Fe
Governing Body
Findings of Fact and Conclusions of Law

Case No. 2012-114

Appellant's Name – Jennifer and Brent Cline

THIS MATTER came before the City of Santa Fe (City) Governing Body (Governing Body) for hearing on October 10, 2012, upon the appeal (Appeal) of Jennifer and Brent Cline (Appellants) from the August 2, 2012 decision (the Decision) of the City's Historic Districts Review Board (HDRB) requiring that the garage doors on a noncontributing accessory dwelling unit (Building) that the Appellants are converting to a garage (Project) at 341 Magdalena Road (Property) be wood rather than metal (the Condition):

The record on the Appeal (the Record) includes the following documents:

1. The Verified Appeal Petition filed on September 13, 2012;
2. The report of Land Use Department Historic Preservation Division staff dated August 28, 2012;
3. The relevant portion of the minutes of the August 28, 2012 HDRB meeting;
4. Findings of Fact and Conclusions of Law adopted by the HDRB on September 11, 2012 and filed by the City Clerk with the records of the City as Item #12-0822 (HDRB Findings and Conclusions);
5. Memorandum dated October 1, 2012 for the October 10, 2012 Meeting of the Governing Body to the Members of the Governing Body from Kelley Brennan, Assistant City Attorney regarding Appeal of the Appellants from the Decision of the HDRB in Case #H-12-069 Requiring Wood Garage Doors, with Exhibits A-E;

After conducting a public hearing and having reviewed the Record and heard from the Appellant and City staff, with no members of the public present to speak, the Governing Body hereby FINDS, as follows:

FINDINGS OF FACT

1. The Governing Body reviewed the Record and heard the report of City staff and received testimony and evidence from the Appellant.
2. Pursuant to Santa Fe City Code (SFCC) §14-2.2(F), the Governing Body has the power and authority on appeals of final actions of any Land Use Board to hear *de novo* and decide the matter that is the subject of appeal after giving notice in accordance with the notice provisions of SFCC §14-3.1(H)(4).
3. Pursuant to SFCC §14-3.17(A)(1)(b), final actions of a Land Use Board include a decision made after a public hearing.
4. The Decision is a final action subject to appeal to the Governing Body to hear and decide the matter.

Exhibit "4"

5. Notice of the Appeal was properly given in accordance with the notice provisions of SFCC §14-3.1(H)(4).
6. The Building is designated as “noncontributing” to the Downtown and Eastside Historic District (District).
7. SFCC §14-5.2(A)(1)(c) provides generally that the historic qualities of Santa Fe be preserved through, among other things, “[a] general harmony as to style, form, color, height, proportion, texture and material between buildings of historic design and those of more modern design.”
8. “Harmony” with respect to development within the City’s historic districts is established by reference to the general design standards set out in SFCC §14-5.2(D) and to the specific design standards set out for each of those districts.
9. SFCC §14-5.2(E)(2) establishes the design standards for “Recent Santa Fe Style” within the District applicable to the Project, which provide generally that “[r]ecent Santa Fe style intends to achieve harmony with historic buildings by retention of a similarity of materials, color, proportion, and general detail.”
10. SFCC §14-5.2(E)(2)(a) - (f) (Design Standards) specifically regulate height, the percentage of publicly visible façades used for window and door openings and their location, the use of cantilevers, surface finish materials on publicly visible facades, color of surface finishes on publicly visible facades and roof overhangs.
11. The Design Standards require that Project materials help “achieve harmony with historic buildings.”
12. The HDRB uses as a reference point the “streetscape” where the proposed development is located as described in §14-5.2(D)(9)(a)(ii).
13. None of the garage doors within the Project’s streetscape are wood and the garage doors on the adjacent property are metal.
14. The metal garage doors proposed for the Project are harmonious with those on other buildings within the streetscape.

CONCLUSIONS OF LAW

Under the circumstances and based upon the Record and the evidence and testimony submitted at the hearing, the Governing Body CONCLUDES and ORDERS as follows:

1. The Governing Body has the power and authority to hear and decide the matter that is the subject of the Appeal.
2. The metal garage doors proposed for the Project are harmonious with those on other buildings within the streetscape.

WHEREFORE, IT IS ORDERED ON THE _____ OF OCTOBER 2012 BY THE GOVERNING BODY OF THE CITY OF SANTA FE:

That the appeal is granted and the Project approved without the Condition.

[SIGNATURES APPEAR ON THE FOLLOWING PAGE]

Mayor

Date:

FILED WITH THE CITY CLERK:

Yolanda Y. Vigil
City Clerk

Date:

APPROVED AS TO FORM:

Villy A. Brennan
Geno Zamora
City Attorney

10/23/12
Date:

**ACTION SHEET
ITEM FROM THE
PUBLIC WORKS/CIP AND LAND USE COMMITTEE MEETING
OF
MONDAY, OCTOBER 29, 2012**

ITEM 16**COMMUNITY WORKFORCE AGREEMENT OPTIONS**

- A. A RESOLUTION DECLARING AN EMERGENCY RELATING TO COMMUNITY WORKFORCE AGREEMENTS ("CWA") SUBSECTION 28.8 OF THE CITY OF SANTA FE PURCHASING MANUAL; DIRECTING STAFF TO CONTRACT WITH THE BUREAU OF BUSINESS AND ECONOMIC RESEARCH AT THE UNIVERSITY OF NEW MEXICO TO RESEARCH AND REPORT TO THE CITY OF SANTA FE ON THE ECONOMIC IMPACT OF COMMUNITY WORKFORCE AGREEMENTS; AND DIRECTING STAFF TO DELAY THE IMPLEMENTATION OF PROJECTS SUBJECT TO THE CWA ORDINANCE UNTIL A PRESENTATION OF THE REPORT IS MADE TO THE GOVERNING BODY (COUNCILORS BUSHEE AND DIMAS) (NICK SCHIAVO AND ROBERT RODARTE)**

PUBLIC WORKS COMMITTEE ACTION: Motion to Deny

SPECIAL CONDITIONS OR AMENDMENTS:

STAFF FOLLOW UP:

VOTE	FOR	AGAINST	RECUSED
CHAIRPERSON WURZBURGER			
COUNCILOR CALVERT	X		
COUNCILOR IVES	X		
COUNCILOR RIVERA	X		
COUNCILOR TRUJILLO		X	

Exhibit "5"

**ACTION SHEET
ITEM FROM THE
PUBLIC WORKS/CIP AND LAND USE COMMITTEE MEETING
OF
MONDAY, OCTOBER 29, 2012**

ITEM 16**COMMUNITY WORKFORCE AGREEMENT OPTIONS**

B. A RESOLUTION RELATING TO COMMUNITY WORKFORCE AGREEMENTS ("CWA") SUBSECTION 28.8 OF THE CITY OF SANTA FE PURCHASING MANUAL; DIRECTING STAFF TO DELAY THE IMPLEMENTATION OF PROJECTS SUBJECT TO THE CWA ORDINANCE UNTIL A PUBLIC HEARING IS HELD ON LEGISLATION TO REPEAL THE CWA ORDINANCE (COUNCILORS BUSHEE AND DIMAS) (ROBERT RODARTE AND JUDITH AMER)

PUBLIC WORKS COMMITTEE ACTION: Motion to Approve

SPECIAL CONDITIONS OR AMENDMENTS:

STAFF FOLLOW UP:

VOTE	FOR	AGAINST	RECUSED
CHAIRPERSON WURZBURGER		X	
COUNCILOR CALVERT		X	
COUNCILOR IVES		X	
COUNCILOR RIVERA	X		
COUNCILOR TRUJILLO	X		

Exhibit "6"

**ACTION SHEET
ITEM FROM THE
PUBLIC WORKS/CIP AND LAND USE COMMITTEE MEETING
OF
MONDAY, OCTOBER 29, 2012**

ITEM 16**COMMUNITY WORKFORCE AGREEMENT OPTIONS**

- AN ORDINANCE REPEALING THE COMMUNITY WORKFORCE AGREEMENTS ORDINANCE, SUBSECTION 28.8 OF SANTA FE PURCHASING MANUAL (COUNCILORS BUSHEE AND DIMAS) (ROBERT RODARTE AND JUDITH AMER)

PUBLIC WORKS COMMITTEE ACTION: No recommendation given

SPECIAL CONDITIONS OR AMENDMENTS:

STAFF FOLLOW UP:

VOTE	FOR	AGAINST	RECUSED
CHAIRPERSON WURZBURGER			
COUNCILOR CALVERT			
COUNCILOR IVES			
COUNCILOR RIVERA			
COUNCILOR TRUJILLO			

Exhibit "7"

**CITY COUNCIL MEETING OF
OCTOBER 30, 2012
BILLS AND RESOLUTIONS SCHEDULED FOR INTRODUCTION
BY MEMBERS OF THE GOVERNING BODY**

Mayor David Coss		
Co-Sponsors	Title	Tentative Committee Schedule
	A RESOLUTION ESTABLISHING CITY OF SANTA FE LEGISLATIVE PRIORITIES RELATING TO THE ADOPTION OF A LONG-TERM SOLVENCY PLAN FOR THE PUBLIC EMPLOYEES RETIREMENT ASSOCIATION, THE ESTABLISHMENT OF A FUNDING FORMULA FOR THE SANTA FE PUBLIC SCHOOL DISTRICT, FUNDING FOR PRIORITY SANTA FE CITY-WIDE CAPITAL OUTLAY PROJECTS AND FUNDING FOR VARIOUS CAPITAL OUTLAY PROJECTS WITHIN EACH CITY COUNCIL DISTRICT- FOR CONSIDERATION BY THE NEW MEXICO STATE LEGISLATURE DURING THE 51 ST LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2013.	Public Works – 11/13/12 Finance – 11/19/12 Council – 11/28/12
	A RESOLUTION ADOPTING THE SPECIAL FLOOD HAZARD AREAS IDENTIFIED BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA) IN THE CURRENT SCIENTIFIC AND ENGINEERING REPORT ENTITLED, "THE FLOOD INSURANCE STUDY (FIS) FOR SANTA FE COUNTY, NEW MEXICO AND INCORPORATED AREAS" WITH ACCOMPANYING FLOOD INSURANCE RATE MAP (FIRM), EFFECTIVE DECEMBER 4, 2012.	Council – 11/14/12
Councilor Patti Bushee		
Co-Sponsors	Title	Tentative Committee Schedule
Councilor Chris Calvert		
Co-Sponsors	Title	Tentative Committee Schedule
	A RESOLUTION AUTHORIZING THE CITY OF SANTA FE'S PARTICIPATION IN CARPE DIEM WEST'S HEALTHY HEADWATERS ALLIANCE AND ENDORSING THE ALLIANCE'S MAY 2012 POLICY PLATFORM.	Public Utilities – 11/7/12 Finance – 11/19/12 Council – 11/28/12

Councilor Bill Dimas		
Co-Sponsors	Title	Tentative Committee Schedule
Councilor Carmichael Dominguez		
Co-Sponsors	Title	Tentative Committee Schedule
Councilor Peter Ives		
Wurzbarger	A RESOLUTION NAMING THE PARK LOCATED ON CANYON ROAD THAT IS CURRENTLY KNOWN AS POWER PLANT PARK AS THE "WATER HISTORY PARK AND MUSEUM".	Public Works – 11/13/12 Finance – 11/19/12 Council – 11/28/12
Councilor Chris Rivera		
Co-Sponsors	Title	Tentative Committee Schedule
Councilor Ron Trujillo		
Co-Sponsors	Title	Tentative Committee Schedule
	AN ORDINANCE RELATING TO POSSESSION OF CONTROLLED SUBSTANCES; REPEALING SECTION 16-15.1 SFCC 1987 AND ADOPTING A NEW SECTION 16-5.1 TO PROHIBIT THE UNLAWFUL POSSESSION OF MARIJUANA AND SYNTHETIC CANNABINOIDS.	Public Safety – 11/20/12 Finance – 12/3/12 Council (request to publish) – 12/12/12 Council (public hearing) – 1/9/13
	AN ORDINANCE RELATED TO THE CITY OF SANTA FE UNIFORM TRAFFIC ORDINANCE; AMENDING SCHEDULE A, SECTION 2, PENALTY ASSESSMENT MISDEMEANOR SCHEDULE TO DELETE "JAYWALKING" FROM SUCH SCHEDULE AND AMENDING SECTION 3, MANDATORY COURT APPEARANCE SCHEDULE, TO INCLUDE JAYWALKING.	Public Safety – 11/20/12 Finance – 12/3/12 Council (request to publish) – 12/12/12 Council (public hearing) – 1/9/13

Councilor Wurzburger		
Co-Sponsors	Title	Tentative Committee Schedule
Ives	AN ORDINANCE RELATING TO COMMUNITY WORKFORCE AGREEMENTS, SECTION 28.8 OF THE CITY OF SANTA FE PURCHASING MANUAL ("PURCHASING MANUAL"); AMENDING SUBSECTION 28.8.2 OF THE PURCHASING MANUAL TO ESTABLISH THAT THE MARKET STATION CONDOMINIUM AT THE SANTA FE RAILYARD IS THE ONLY COVERED PROJECT; CREATING A NEW SUBSECTION 28.8.5 OF THE PURCHASING MANUAL TO ESTABLISH THAT THE COMMUNITY WORKFORCE AGREEMENTS ORDINANCE SHALL ONLY APPLY TO THE MARKET STATION CONDOMINIUM AT THE SANTA FE RAILYARD PROJECT, UNTIL A REVIEW AND ASSESSMENT OF THE RESULTS OF THE PROJECT IS COMPLETED.	Public Works – 11/13/12 Finance – 11/19/12 Council (request to publish) – 11/28/12 Council (public hearing) – 1/9/13

Introduced legislation will be posted on the City Attorney's website, under legislative services (<http://www.santafenm.gov/index.asp?nid=320>). If you would like to review the legislation prior to that time or you would like to be a co-sponsor, please contact Melissa Byers, (505)955-6518, mdbyers@santafenm.gov.

CITY OF SANTA FE, NEW MEXICO

RESOLUTION NO. 2012-____

INTRODUCED BY:

Councilor Chris Calvert

A RESOLUTION

**ENDORISING THE MAY 2012 POLICY PLATFORM OF THE HEALTHY HEADWATER'S
ALLIANCE; AND AUTHORIZING THE CITY OF SANTA FE TO PARTICIPATE IN
CARPE DIEM WEST'S HEALTHY HEADWATERS ALLIANCE.**

WHEREAS, Carpe Diem West is a non-profit water resource advocacy group whose focus is helping communities in the American West protect critical water resources in the face of multiple challenges, including climate change; and

WHEREAS, forested headwaters are seeing a rapid spread of endemic species like the mountain pine beetle, increases in the number of uncharacteristic wildfires and man-made stressors that can damage watersheds; and

WHEREAS, many headwaters are also weakened by past management legacies that must be remedied with restoration; and

WHEREAS, these combined challenges are threatening the ability of headwaters' to continue providing clean, reliable supplies of water to the millions of people in western communities who rely on them; and

1 **WHEREAS**, a changing climate could exacerbate all of these problems as warmer conditions
2 prevail, rain and snowfall become more erratic, and floods and droughts become more severe; and

3 **WHEREAS**, the United States Forest Service (“Forest Service”) has a unique opportunity to
4 help address these threats as sixty percent of the water used in the American West originates on
5 National Forest System land; and

6 **WHEREAS**, even as the Forest Service is placing renewed emphasis on its 1897 Organic Act
7 mission to “secure favorable conditions of water flows,” there continues to be a tightening of federal
8 budgets and other factors that are limiting its ability to respond to these emerging threats; and

9 **WHEREAS**, the City of Santa Fe, through its extensive work with the Forest Service
10 protecting the municipal watershed and valuable surface water resource from wildfire, has
11 substantially benefited from interaction with other communities engaged in similar efforts through
12 participation in events coordinated by Carpe Diem West, including webinars and in-person meetings;
13 and

14 **WHEREAS**, the Governing Body supports Carpe Diem West’s initiative to marshal a
15 coalition of water utilities, elected officials, land managers, scientists, conservationists, recreationists,
16 timber companies, and business leaders working to promote the health and resilience of the
17 headwaters that provide water security to communities across the American West; and

18 **WHEREAS** the City of Santa Fe and the Healthy Headwaters Alliance believe such work is
19 most effectively planned and carried out by broad-based partnerships at the local level; and

20 **WHEREAS**, the Healthy Headwaters Alliance is dedicated to providing the leadership
21 necessary to support community-level headwater protection work, both through the effective use of
22 existing programs and the development of new programs and policies designed to promote healthy,
23 resilient headwaters systems.

24 **NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE**
25 **CITY OF SANTA FE** that the Governing Body hereby endorses the May 2012 Policy Platform of

1 the Healthy Headwater's Alliance, attached hereto as Exhibit A.

2 **BE IT FURTHER RESOLVED** that the Governing Body hereby authorizes the City of
3 Santa Fe to participate in Carpe Diem West's Healthy Headwaters Alliance.

4 PASSED, APPROVED AND ADOPTED this ____ day of _____, 2012.

5

6

7

DAVID COSS, MAYOR

8 ATTEST:

9

10

11 _____
YOLANDA Y. VIGIL, CITY CLERK

12 APPROVED AS TO FORM:

13

14

15 _____
GENO ZAMORA, CITY ATTORNEY

16

17

18

19

20

21

22

23

24

25 *M/Melissa/Resolutions 2012/Healthy Headwaters*

CITY OF SANTA FE, NEW MEXICO

RESOLUTION NO. 2012-____

INTRODUCED BY:

Councilor Peter Ives

Councilor Rebecca Wurzbarger

A RESOLUTION

**NAMING THE PARK LOCATED ON CANYON ROAD THAT IS CURRENTLY
KNOWN AS POWER PLANT PARK AS THE "WATER HISTORY PARK AND
MUSEUM".**

WHEREAS, the Governing Body adopted Resolution No. 2010-19 reestablishing the
procedures and criteria for naming city owned public spaces; and

WHEREAS, the Governing Body of Santa Fe granted franchises about 1880 to provide
for the development of a water system for fire fighting and potable drinking water and for a
hydro-electric power system at the park on Canyon Road currently known as the Power Plant
Park; and

WHEREAS, in 1895 the hydro-electric power plant began generating electricity and
providing a piped water supply down the Santa Fe River canyon to the City for the development
of downstream areas; and

WHEREAS, the historic hydro-electric generating plant on the Santa Fe River may have
been the first and only such facility in New Mexico and employed state-of-the-art Pelton wheels

1 to produce the power; and

2 **WHEREAS**, the historic structure and site had fallen into disrepair and in 2006 the Santa
3 Fe City Council took action and provided funds to rehabilitate the site and the building in
4 accordance with their responsibility to maintain City-owned historic structures; and

5 **WHEREAS**, the rehabilitated historic building and surrounding park lands are a public
6 resource both for Santa Fe residents and for visitors from throughout the United States and
7 numerous foreign visitors, and provide a community center for and the centerpiece for
8 interpretation of the Santa Fe River watershed for water education of our school children,
9 residents and visitors; and

10 **WHEREAS**, the Governing Body desires to name the park known as Power Plant Park
11 as the "Water History Park and Museum."

12 **NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY**
13 **OF SANTA FE** that the park located on Canyon Road that is currently known as the Power Plant
14 Park shall be renamed as the "Water History Park and Museum".

15 PASSED, APPROVED, and ADOPTED this ____ day of _____, 2012.

16
17 _____
18 DAVID COSS, MAYOR

19 ATTEST:

20
21 _____
22 YOLANDA Y. VIGIL, CITY CLERK
23
24
25

1 APPROVED AS TO FORM:

2

3

4 GENO ZAMORA, CITY ATTORNEY

5

6

7

8

9

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25 M/Melissa/Water History Park

CITY OF SANTA FE, NEW MEXICO

BILL NO. 2012-__

INTRODUCED BY:

Councilor Ron Trujillo

AN ORDINANCE

RELATING TO POSSESSION OF CONTROLLED SUBSTANCES; REPEALING SECTION
16-15.1 SFCC 1987 AND ADOPTING A NEW SECTION 16-5.1 TO PROHIBIT THE
UNLAWFUL POSSESSION OF MARIJUANA AND SYNTHETIC CANNABINOIDS.

BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF SANTA FE:

Section 1. [REPEAL] Section 16-15.1 SFCC 1987 (being Ord. #2005-7, §3) is
repealed.

Section 1. A new Section 16-15.1 SFCC 1987 is ordained to read:

16-15.1 [NEW MATERIAL] Marijuana or Synthetic Cannabinoids Possession
Prohibited.

A. It is unlawful for a person intentionally to possess one ounce or less of marijuana or
synthetic cannabinoids also known as "Spice," "K-2" or other name.

B. A person who violates this section shall, for the first offense, be guilty of a petty
misdemeanor and shall be punished by a fine of not less than fifty dollars (\$50.00) or more than one
hundred dollars (\$100) and by imprisonment for not more than fifteen days.

1 C. The municipal court does not have jurisdiction over subsequent offenses.

2 APPROVED AS TO FORM:

3

4

5 _____
GENO ZAMORA, CITY ATTORNEY

6

7

8

9

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25 CAO/M/Melissa/Controlled Substances (possession)

CITY OF SANTA FE, NEW MEXICO

BILL NO. 2012-____

INTRODUCED BY:

Councilor Ron Trujillo

AN ORDINANCE

**RELATED TO THE CITY OF SANTA FE UNIFORM TRAFFIC ORDINANCE;
AMENDING SCHEDULE A, SECTION 2, PENALTY ASSESSMENT MISDEMEANOR
SCHEDULE TO DELETE "JAYWALKING" FROM SUCH SCHEDULE AND AMENDING
SECTION 3, MANDATORY COURT APPEARANCE SCHEDULE, TO INCLUDE
JAYWALKING.**

BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF SANTA FE:

**Section 1. The City of Santa Fe Uniform Traffic Ordinance, Schedule A, Section 2,
Penalty Assessment Misdemeanor Schedule (being Ord. #2006-34, as amended) is amended to
delete the following:**

COMMON NAME OF OFFENSE	SECTION VIOLATED	PENALTY ASSESSMENT
[Jaywalking]	[12-6-14.1]	[\$25.00]

**Section 2. The City of Santa Fe Uniform Traffic Ordinance, Schedule A, Section 3,
Mandatory Court Appearances (being Ord. #2006-34, as amended) is amended to amend the
following offense:**

1 Pedestrian Related Violations, including Jaywalking 12-6-14 [(except ~~12-6-14.1~~)]

2 APPROVED AS TO FORM:

3

4

5 _____
GENO ZAMORA, CITY ATTORNEY

6

7

8

9

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25 *M/Melissa/Bills 2012/UTO Penalty Assessment Schedule*

CITY OF SANTA FE, NEW MEXICO

BILL NO. 2012-____

INTRODUCED BY:

Councilor Carmichael Dominguez

Mayor David Coss

AN ORDINANCE

RELATING TO THE WATER CODE, CHAPTER 25 SFCC 1987; AMENDING SECTION 25-1.3 SFCC 1987 TO EXEMPT SANTA FE PUBLIC SCHOOLS FROM COMPLIANCE WITH PORTIONS OF CHAPTER 14 SFCC 1987 (LAND DEVELOPMENT LAWS) WHEN THE CITY AND THE SANTA FE PUBLIC SCHOOLS HAVE ENTERED INTO A MEMORANDUM OF UNDERSTANDING REGARDING DEVELOPMENT OF PUBLIC SCHOOL PROJECTS WITHIN THE PRESUMPTIVE CITY LIMITS AND MAKING SUCH OTHER STYLISTIC OR GRAMMATICAL CHANGES THAT ARE NECESSARY.

BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF SANTA FE:

Section 1. Section 25-1.3 SFCC 1987 (being Ord. #2009-54, §2 as amended) is amended to read:

25-1.3 Compliance with Chapter 14.

A. *Legislative Findings.*

1. The city has limited water supplies. Much of the city's water supply is dependent on annual precipitation, and in times of shortage or drought, this dependence can create significant variability in the seasonal and annual water supply available to the city and

1 its water customers.

2 2. The governing body has recognized through the adoption of different
3 ordinances concerning water supply and demand that it needs to aggressively pursue
4 available avenues for increasing the city's water supply.

5 3. The governing body recognizes that it is in the best interest of the health,
6 safety and welfare of all customers of the city's water system that the city continue to take
7 steps necessary to: adopt water management policies that conserve and plan for
8 enhancements to its supply and storage of water; accurately determine the level of demand on
9 the city's water system; ensure that the current and future water needs and priorities of the
10 city and its water customers are met; and ensure that legal obligations of the city in operating
11 the city water system are met.

12 4. The development of land has significant impacts on the city's overall water
13 consumption and conservation as well as the city's water delivery system. Potential city water
14 customers must comply with the city's development processes and code in order for the city
15 to adequately plan for its water supply and delivery to all customers.

16 B. All applicants for city water service requiring a water service agreement or written
17 contract as set forth elsewhere in this Chapter shall agree, as a matter of contract, that future
18 development of the property shall require compliance with all provisions of Chapter 14 SFCC 1987
19 (Land Development). This provision shall apply to all agreements or contracts entered into after
20 December 21, 2009.

21 C. Except for the requirements of Development Water Budgets, Section 14-8.13 SFCC
22 1987 and Impact Fees, Section 14-8.14 SFCC 1987 [~~and Early Neighborhood Notifications 14-3.1(F)~~
23 ~~SFCC 1987~~], this Section does not apply to:

24 (1) public post-secondary educational institutions, as defined in, and for the
25 express purposes found in, the Post-Secondary Educational Planning Act, Section 21-2-2

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

NMSA 1978; or
(2) Santa Fe public school projects if the Santa Fe public schools and the city
have entered into a memorandum of understanding regarding the development of public
school projects within the presumptive city limits.

APPROVED AS TO FORM:

GENO ZAMORA, CITY ATTORNEY

CITY OF SANTA FE, NEW MEXICO

RESOLUTION NO. 2012-____

INTRODUCED BY:

A RESOLUTION

AMENDING TABLE 22 OF THE IMPACT FEES CAPITAL IMPROVEMENT PLAN FOR
PLANNED MAJOR ROAD IMPROVEMENTS TO INCLUDE THE EXTENSION OF
HERRERA DRIVE AND THE EXTENSION OF PASEO DEL SOL AND AUTHORIZING
THE EXPENDITURE OF ROADWAY IMPACT FEE FUNDS FOR THE CONSTRUCTION
OF THE EXTENSION OF HERRERA DRIVE.

WHEREAS, on January 9, 2008, the Governing Body approved Resolution No. 2008-7
adopting the "*Impact Fees Capital Improvements Plan and Land Use Assumptions, 2007-2012 for
Roads, Parks, Fire and Police*" (I.F.C.I.P.) for the City of Santa Fe; and

WHEREAS, Table 22 of the I.F.C.I.P. includes planned major road improvements for 2007
through 2012, specifying roads to be improved and thereby eligible to receive impact fee funds; and

WHEREAS, the proposed roadway improvements, located south of the existing terminus of
Paseo del Sol and west of the existing terminus of Herrera Drive, all within the Tierra Contenta
Master Planned community, are not now included in Table 22 of the I.F.C.I.P.; and

WHEREAS, the proposed roadway improvements, have been, and continue to be, planned

Exhibit "14"

1 and recognized as essential connections required by the approved Tierra Contenta Master Plan; and

2 **WHEREAS**, the proposed roadway improvements are now deemed necessary to ensure
3 sufficient fire and police access and general roadway network traffic capacity for a proposed 100,000
4 square-foot K-8 elementary school, the existing public schools in the immediate vicinity, and the
5 Tierra Contenta community in general.

6 **NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE**
7 **CITY OF SANTA FE** that Table 22, page 23, "*Impact Fees Capital Improvements Plan and Land*
8 *Use Assumptions, 2007-2012 for Roads, Parks, Fire and Police*" (I.F.C.I.P.) is amended to include
9 the following improvements, making these improvements eligible to receive impact fee funding for
10 their construction:

<u>Project Name</u>	<u>Location</u>	<u>Cost Estimate</u>
Herrera Drive Extension	West to Paseo del Sol	\$ 1,000,000
Paseo del Sol Extension	South to Herrera Drive	\$ 350,000

14 **BE IT FURTHER RESOLVED** that the Public Works Department is authorized to utilize
15 roadway impact fee funds for construction of the Herrera Drive Extension improvements.

16 PASSED, APPROVED, AND ADOPTED this _____ day of _____, 2012.

18 _____
19 DAVID COSS, MAYOR

20 ATTEST:

21 _____
22 _____
23 YOLANDA Y. VIGIL, CITY CLERK
24
25

1 APPROVED AS TO FORM:
2
3
4 GENO ZAMORA, CITY ATTORNEY
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25 *M/Melissa/Resolutions 2012/ICIP_Herrera_Paseo*

CITY OF SANTA FE, NEW MEXICO

BILL NO. 2012-__

INTRODUCED BY:

Councilor Rebecca Wurzbarger

AN ORDINANCE

RELATING TO COMMUNITY WORKFORCE AGREEMENTS, SECTION 28.8 OF THE CITY OF SANTA FE PURCHASING MANUAL ("PURCHASING MANUAL"); AMENDING SUBSECTION 28.8.2 OF THE PURCHASING MANUAL TO ESTABLISH THAT THE MARKET STATION CONDOMINIUM AT THE SANTA FE RAILYARD IS THE ONLY COVERED PROJECT; CREATING A NEW SUBSECTION 28.8.5 OF THE PURCHASING MANUAL TO ESTABLISH THAT THE COMMUNITY WORKFORCE AGREEMENTS ORDINANCE SHALL ONLY APPLY TO THE MARKET STATION CONDOMINIUM AT THE SANTA FE RAILYARD PROJECT, UNTIL A REVIEW AND ASSESSMENT OF THE RESULTS OF THE PROJECT IS COMPLETED.

BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF SANTA FE:

Section 1. Subsection 28.8.2 of the City of Santa Fe Purchasing Manual (being Ord, #2012-12, §1) is amended to read:

28.8.2 Applicability; Contracts Over \$500,000, Market Station at the Santa Fe Railyard.

The public works construction contract[s] for the Market Station Condominium Project, a

Exhibit "15"

1 city-owned property, at the Santa Fe Railyard is in excess of \$500,000 and shall be
2 governed by a Community Workforce Agreement ("CWA"), a ~~[and shall be known as]~~
3 "Covered Project[s]."

4 **Section 2. A new Subsection 28.8.5 of the City of Santa Fe Purchasing Manual is**
5 **ordained to read:**

6 **28.8.5 [NEW MATERIAL] Limitation of Community Workforce Agreements.**

7 Subsection 28.8 of the Purchasing Manual, Community Workforce Agreements, is
8 limited to the Market Station Condominium Project, a city-owned property, at the Santa
9 Fe Railyard, until the governing body has the opportunity to review and assess the results
10 of the Covered Project, which final review and assessment shall occur within thirty (30)
11 days of its completion.

12 APPROVED AS TO FORM:

13
14 _____
15 GENO ZAMORA, CITY ATTORNEY

CITY OF SANTA FE, NEW MEXICO

RESOLUTION NO. 2012-__

INTRODUCED BY:

Mayor David Coss

A RESOLUTION

**ESTABLISHING CITY OF SANTA FE LEGISLATIVE PRIORITIES RELATING TO THE
ADOPTION OF A LONG-TERM SOLVENCY PLAN FOR THE PUBLIC EMPLOYEES
RETIREMENT ASSOCIATION, THE ESTABLISHMENT OF A FUNDING FORMULA
FOR THE SANTA FE PUBLIC SCHOOL DISTRICT, FUNDING FOR PRIORITY SANTA
FE CITY-WIDE CAPITAL OUTLAY PROJECTS AND FUNDING FOR VARIOUS
CAPITAL OUTLAY PROJECTS WITHIN EACH CITY COUNCIL DISTRICT- FOR
CONSIDERATION BY THE NEW MEXICO STATE LEGISLATURE DURING THE 51ST
LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2013.**

WHEREAS, the 60 day session of the 2013 Legislative Session begins on January 15, 2013;
and

WHEREAS, the Governing Body desires to establish City of Santa Fe legislative priorities to
be considered by the State Legislature; and

WHEREAS, such priorities include the adoption of a long-term solvency plan for the Public
Employees Retirement Association and the establishment of a legislative funding formula for the

1 Santa Fe Public School district; and

2 **WHEREAS**, the Governing Body also desires to request from the Legislature funding for
3 various City of Santa Fe capital outlay projects, which include city-wide projects and well as projects
4 within each City Council district.

5 **NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE**
6 **CITY OF SANTA FE** that the Governing Body hereby establishes the following legislative priorities
7 for consideration by the New Mexico Legislature:

8 1. Adoption of a long-term solvency plan for the Public Employees Retirement
9 Association.

10 2. Establishment of a legislative funding formula for the Santa Fe Public School
11 District.

12 3. Funding for the following city-wide capital outlay priority projects:

- 13 • Plan, design and construction of improvements from Guadalupe Street to Old
14 Santa Fe Trail for the Santa Fe River Restoration – Phase III

15 **Amount Requested – \$1,000,000**

- 16 • Plan, design and renovation of the Police Main Facility – Phase III

17 **Amount Requested – \$1,000,000**

18 4. Funding for the following capital outlay project located in City of Santa Fe Council
19 District #1:

- 20 • Plan, design and construction of traffic calming improvements

21 **Amount Requested – \$50,000**

22 5. Funding for the following capital outlay projects located in City of Santa Fe Council
23 District #2:

- 24 • Plan, design and construction of trail improvements for Sun Mountain Trails

25 **Amount Requested – \$150,000**

- Plan, design and construction improvements to Power Plant Park

Amount Requested – \$150,000

6. Funding for the following capital outlay projects located in City of Santa Fe Council

District #3:

- Plan, design and construction of Southwest Sector Effluent Line

Amount Requested – \$100,000

- Plan design and construction of Larragoite Park Improvements

Amount Requested – \$100,000

7. Funding for the following capital outlay projects located in City of Santa Fe Council

District #4:

- Plan, design and construction of landscape improvements on Zia Road

Amount Requested – \$100,000

- Plan, design and construction of median sidewalk improvements

Amount Requested – \$100,000

- Plan, design and construction of safe routes to school from Chapparral to Zia Station

Amount Requested – \$100,000

BE IT FURTHER RESOLVED that the City Clerk is directed to forward a copy of this resolution to the City of Santa Fe lobbyist and the City of Santa Fe State Legislative Delegation.

PASSED, APPROVED, and ADOPTED this _____ day of _____, 2012.

DAVID COSS, MAYOR

1 ATTEST:

2
3
4 YOLANDA Y. VIGIL, CITY CLERK

5 APPROVED AS TO FORM:

6
7
8 GENO ZAMORA, CITY ATTORNEY

9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25 *CAO/M/Melissa/Resolutions 2012/Legislative Priorities (2013)*

CITY OF SANTA FE, NEW MEXICO

RESOLUTION NO. 2012-____

INTRODUCED BY:

Mayor David Coss

A RESOLUTION

ADOPTING THE SPECIAL FLOOD HAZARD AREAS IDENTIFIED BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA) IN THE CURRENT SCIENTIFIC AND ENGINEERING REPORT ENTITLED, "THE FLOOD INSURANCE STUDY (FIS) FOR SANTA FE COUNTY, NEW MEXICO AND INCORPORATED AREAS" WITH ACCOMPANYING FLOOD INSURANCE RATE MAP (FIRM), EFFECTIVE DECEMBER 4, 2012.

WHEREAS, on May 9, 2012, the Governing Body approved and adopted Ordinance No. 2012-19 to amend Land Development Code Subsections 14-3.10(B) SFCC 1987 and 14-3.10(C) SFCC 1987 relating to development in special flood hazard areas; Section 14-8.3 relating to flood regulations; Article 14-12 SFCC 1987 to repeal the definition of "floodplain"; various definitions and established definitions for "flood insurance rate map" and "waiver"; and made other changes; and

WHEREAS, the adoption of Ordinance No. 2012-19 was necessary for the City of Santa Fe to remain in good standing with the National Flood Insurance Program (NFIP); and

WHEREAS, participation in the NFIP allows city residents to obtain flood insurance and

1 keeps the cost of flood insurance low; and

2 **WHEREAS**, since the adoption of Ordinance No. 2012-19, the FEMA has completed a new
3 FIS and FIRM for Santa Fe County and incorporated areas within Santa Fe County that include the
4 City of Santa Fe; and

5 **WHEREAS**, the effective date of the new FEMA FIS and FIRM is December 4, 2012, and;

6 **WHEREAS**, the City of Santa Fe is required to adopt the new FEMA FIS and FIRM before
7 December 4, 2012 in order to remain in good standing with the NFIP.

8 **NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE**
9 **CITY OF SANTA FE** that the City of Santa Fe hereby adopts the special flood hazard areas
10 identified by the Federal Emergency Management Agency (FEMA) in the current scientific and
11 engineering report entitled, "The Flood Insurance Study (FIS) for Santa Fe County, New Mexico and
12 Incorporated Areas" with accompanying Flood Insurance Rate Map (FIRM), effective December 4,
13 2012.

14 PASSED, APPROVED, AND ADOPTED this _____ day of _____, 2012.

15
16 _____
17 DAVID COSS, MAYOR

18 ATTEST:

19 _____
20 YOLANDA Y. VIGIL, CITY CLERK

21 APPROVED AS TO FORM:

22
23 _____
24 GENO ZAMORA, CITY ATTORNEY

25 *M/Melissa/Resolutions 2012/FEMA Maps*

City of Santa Fe, New Mexico

memo

DATE: October 30, 2012 Governing Body Meeting

TO: Governing Body

VIA:

Robert P. Romero
Robert P. Romero, City Manager

Matthew S. O'Reilly, P.E., Director, Land Use Department

Tamara Baer, Planner Manager, Current Planning Division

FROM: Daniel A. Esquibel, Land Use Planner Senior, Current Planning Division

LA LUZ HEALTH COMPLEX GENERAL PLAN AMENDMENT AND REZONING TO MU.

Case #2012-39. La Luz Health Complex General Plan Amendment. James W. Siebert, agent for Sandra Pacheco, requests approval of a General Plan Future Land Use Map Amendment to change the designation of 6.36± acres from Low Density Residential (3-7 dwelling units per acre) to Transitional Mixed Use. The property is located south of Rufina Street extending to Aggie Road. (Dan Esquibel, Case Manager)

Case #2012-40. La Luz Health Complex Rezoning to MU. James W. Siebert, agent for Sandra Pacheco, requests rezoning of 6.36± acres of land from MHP (Mobile Home Park) to MU (Mixed Use). The application includes a Development Plan for medical complex consisting of a medical clinic, assisted housing for the elderly and medical offices. The property is located south of Rufina Street extending to Aggie Road. (Dan Esquibel, Case Manager)

Attached as Exhibits A1 through E1, are the August 2, 2012 Planning Commission Findings of Fact and Conclusions of Law, proposed Resolution & Bill, August 2, 2012 Planning Commission meeting minutes and packet material for the Governing body's review.

The Governing Body postponed the above referenced cases to their meeting of October 30, 2012 in order to obtain additional information from the Fire Marshal.

RECOMMENDATION:

The applicant has demonstrated compliance with Chapter 14 for a General Plan amendment and rezoning. The Land Use Department recommends **APPROVAL** of case # 2012-39 and 2012-40 subject to conditions listed in Conditions Exhibit A.

Exhibit "18"

October 10, 2012
Governing Body
Case # 2012-39 & 2012-40
**La Luz Health Complex Rezoning to MU &
La Luz Health Complex General Plan**

EXHIBIT A1

August 2, 2012 Planning Commission Findings and Conclusions of Law

City of Santa Fe
Planning Commission
Findings of Fact and Conclusions of Law

Case #2012-39

La Luz Health Complex General Plan Amendment

Case #2012-40

La Luz Health Complex Rezoning to MU/Preliminary Development Plan

Owner's Name – Sandra Pacheco

Applicant's Name – James W. Siebert and Associates, Inc.

THIS MATTER came before the Planning Commission (Commission) for hearing on August 2, 2012 upon the application (Application) of James W. Siebert and Associates, Inc. as agent for Sandra Pacheco (Applicant).

The subject site is located on the south side of Rufina Street extending to Aggie Road (Property) and is comprised of 6.36± acres zoned MHP (Mobile Home Park).

The Applicant seeks (1) approval of an amendment to the City of Santa Fe General Plan Future Land Use Map (Plan) changing the designation of the Property from Low Density Residential (3-7 dwelling units/acre) to Transitional Mixed Use and (2) to rezone the Property from MHP to MU (Mixed Use). The Application includes a preliminary development plan for a medical complex consisting of a medical clinic, assisted housing for the elderly and medical offices (Project).

After conducting a public hearing and having heard from staff and all interested persons, the Commission hereby FINDS, as follows:

FINDINGS OF FACT

General

1. The Commission heard testimony and took evidence from staff, the Applicant, and members of the public interested in the matter.
2. Santa Fe City Code (Code) §14-3.2(D) sets out certain procedures for amendments to the Plan, including, without limitation, a public hearing by the Commission and recommendation to the Governing Body based upon the criteria set out in Code §14-3.2(E).
3. Code §§14-3.5(B)(1) through (3) set out certain procedures for rezonings, including, without limitation, a public hearing by the Commission and recommendation to the Governing Body based upon the criteria set out in Code §14-3.5(C).
4. Pursuant to Code §14-3.8(B)(2), a development plan is required in conjunction with rezoning in certain districts as provided in Code §14-4.

5. Code §14-4.3(L)(2)(b) requires consideration and approval by the Commission and Governing Body of preliminary or final development plans for rezoning to MU as provided in Code §14-3.8.
6. Code §14-3.8(B)(3) requires that the development plans described in Code §14-3.8(B)(2) be reviewed by the Commission.
7. Code §14-3.8(C)(2)(f) requires that action by the Commission on a development plan be taken at a public hearing with notice provided in accordance with Code §14-3.1(H).
8. Code §14-3.1 sets out certain procedures to be followed on the Application, including, without limitation, (a) a pre-application conference [§14-3.1(E)(1)(a)(i)]; (b) an Early Neighborhood Notification (ENN) meeting [§14-3.1(F)(2)(a)(iii), (iv) and (xii)]; and (c) compliance with Code Section 14-3.1(H) notice and public hearing requirements.
9. A pre-application conference was held on January 26, 2012.
10. Code §14-3.8(B)(1) requires an ENN, notice and a public hearing on development plans in accordance with the provisions of Code §§14-3.1(F), (H) and (I).
11. Code §14-3.1(F) establishes procedures for the ENN meeting, including (a) scheduling and notice requirements [Code §14-3.1(F)(4) and (5)]; (b) regulating the timing and conduct of the meeting [Code §14-3.1(F)(5)]; and (c) setting out guidelines to be followed at the ENN meeting [§14-3.1(F)(6)].
12. An ENN meeting was held on the Application on March 27, 2012 at the Nancy Rodriguez Center.
13. Notice of the ENN meeting was properly given.
14. The ENN meeting was attended by the Applicant, City staff and other interested parties and the discussion followed the guidelines set out in Code Section 14-5.3.1(F)(6).
15. Commission staff provided the Commission with a report (Staff Report) evaluating the factors relevant to the Application and recommending approval by the Commission of the proposed Plan amendment and the rezoning, subject to the conditions set out in the Staff Report (Conditions).

The General Plan Amendment

16. Code §14-3.2(B)(2)(b) requires the City's official zoning map to conform to the Plan, and requires an amendment to the Plan before a change in land use classification is proposed for a parcel shown on the Plan's land use map.
17. The Commission is authorized under Code §14-2.3(C)(7)(a) to review and make recommendations to the Governing Body regarding proposed amendments to the Plan.
18. The Commission has considered the criteria established by Code §14-3.2(E)(1) and finds the following facts:
 - (a) *Consistency with growth projections for the City, economic development goals as set forth in a comprehensive economic development plan for the City, and with existing land use conditions, such as access and availability of infrastructure [§14-3.2(E)(1)(a)].*
The Property is within the Southwest Santa Fe Community Area Master Plan (SWAMP) "Cerrillos Road Corridor", which identifies traditional land patterns of long narrow strips with residential patterns varying in type, pattern and density and promotes transitional land use types to integrate transitional buffering areas between the corridor and existing or future residential areas. Adjoining zoning includes C-2 (General Commercial), with

retail and restaurant uses and R-3 (Residential – 3 dwelling units/acre). The area north of Rufina Street is in the County and includes vacant land and land used for residential and agricultural purposes. The proposed amendment is thus more consistent with the SWAMP than the current Low Density Residential Land Use designation in that it will provide a transition between commercial and residential areas. Water, sanitary sewer, stormwater, electrical, and natural gas utilities located along Rufina Street are accessible for connection. Access to the Property from Rufina Street is sufficient to serve the Project with a cul-de-sac in the event that Aggie Road cannot be utilized to access the Property.

(b) *Consistency with other parts of the Plan [§14-3.2(E)(1)(b)].*

The proposed amendment is consistent with provisions of the Plan that promote a mix of uses and housing types in all areas of the City and the identification of infill sites that should develop at densities greater than existing zoning allows.

(c) *The amendment does not: (i) allow uses or a change that is significantly different from or inconsistent with the prevailing use and character of the area; (ii) affect an area of less than two acres, except when adjusting boundaries between districts; or (iii) benefit one of a few landowners at the expense of the surrounding landowners or the general public [§14-3.2(E)(1)(c)].*

The amendment will not allow a use or change that is inconsistent with the prevailing uses of the area, which include a range of traditional rural forms and urbanization and is currently underserved by compatible institutional uses. The amendment is consistent with the SWAMP, which promotes transitional land uses to buffer existing and proposed residential areas from commercial and high-density development in the Cerrillos Road Corridor. The proposed amendment addresses an area of 6.36± acres. Based upon the foregoing, the amendment would not benefit the Property owner at the expense of the surrounding landowners and the general public.

(d) *An amendment is not required to conform with Code §14-3.2(E)(1)(c) if it promotes the general welfare or has other adequate public advantage of justification [§14-3.2(E)(1)(d)].*

This is not applicable.

(e) *Compliance with extraterritorial zoning ordinances and extraterritorial plans [§14-3.2(E)(1)(e)].*

This is not applicable.

(f) *Contribution to a coordinated, adjusted and harmonious development of the municipality which will, in accordance with existing and future needs, best promote health, safety, morals, order, convenience, prosperity or the general welfare as well as efficiency and economy in the process of development [§14-3.2(D)(1)(e)].*

The proposed amendment will contribute to a coordinated, adjusted and harmonious development of the City in that it is consistent with the SWAMP and the policies of the Plan as set forth in paragraph 18(a)-(c) above.

The Rezoning

19. Under Code §14-3.5(A)(1)(d) any individual may propose a rezoning (amendment to the zoning map).

20. Code §§14-2.3(C)(7)(c) and 14-3.5(B)(1)(a) provide for the Commission's review of proposed rezonings and recommendations to the Governing Body regarding them.
21. Code §§14-3.5(C) establishes the criteria to be applied by the Commission in its review of proposed rezonings.
22. The Commission has considered the criteria established by Code §§14-3.5(C) and finds, subject to the Conditions, the following facts:
 - (a) *One or more of the following conditions exist: (i) there was a mistake in the original zoning; (ii) there has been a change in the surrounding area, altering the character of the neighborhood to such an extent as to justify changing the zoning; or (iii) a different use category is more advantageous to the community, as articulated in the Plan or other adopted City plans [SFCC §14-3.5(C)(1)(a)].*

A different use category is more advantageous to the community, as articulated in the SWAMP, which promotes transitional zone types to integrate transitional buffering areas between the corridor and existing or future residential areas. Adjoining zoning south of Rufina Street includes C-2 (General Commercial), with retail and restaurant uses, and R-3 (Residential – 3 dwelling units/acre) and the area north of Rufina Street, which is in the County, includes vacant land and land used for residential and agricultural purposes. The proposed amendment is thus consistent with the SWAMP in that it will provide a transition between commercial and residential areas.
 - (b) *All the rezoning requirements of SFCC Chapter 14 have been met [SFCC §14-3.5(C)(1)(b)].*

In accordance with the facts found by the Commission in paragraphs 18 and 22(a) above, all the rezoning requirements of Chapter 14 have been met.
 - (c) *The proposed rezoning is consistent with the applicable policies of the Plan [Section 14-3.5(A)(c)].*

In accordance with the facts found by the Commission in paragraphs 18 and 22(a) above, the proposed rezoning is consistent with the Plan.
 - (d) *The amount of land proposed for rezoning and the proposed use for the land is consistent with City policies regarding the provision of urban land sufficient to meet the amount, rate and geographic location of the growth of the City [SFCC §14-3.5(C)(1)(d)].*

The Property consists of 6.36± acres and its development for mixed use is consistent with the cited City policies.
 - (e) *The existing and proposed infrastructure, such as the streets system, sewer and water lines, and public facilities, such as fire stations and parks, will be able to accommodate the impacts of the proposed development [Section 14-3.5(C)(e)];*

Water, sanitary sewer, stormwater, electrical, and natural gas utilities located along Rufina Street are accessible for connection. Access to the Property from Rufina Street is sufficient to serve the Project with a cul-de-sac in the event that Aggie Road cannot be utilized to access the Property.

The Preliminary Development Plan

23. The Commission has the authority under Code §14-2.3(C)(1) to review and decide applications for development plan approval.

24. Code §14-3.8(C)(1)(j) requires preliminary development plans to show sufficient detail to demonstrate the feasibility of meeting all applicable development standards (the Submittal Requirements).
25. The Applicant has complied with the Submittal Requirements.
26. Code §14-3.8(D)(1) sets out certain findings that must be made by the Commission to approve a development plan, including:
 - (a) That it is empowered to approve the development plan for the Project [§14-3.8(D)(1)];
 - (b) That approving the development plan for the Project does not adversely affect the public interest [§14-3.8(D)(1)]; and
 - (c) That the use and any associated buildings are compatible with and adaptable to buildings, structures and uses of the abutting property and other properties in the vicinity of the Project [§14-3.8(D)(1)].
27. Based upon the analysis contained in the Staff Report, the evidence presented at the public hearing and the facts set forth in paragraphs 18 and 22 above, approving the preliminary development plan will not adversely affect the public interest.
28. Based upon the analysis contained in the Staff Report, the evidence presented at the public hearing and the facts set forth in paragraphs 18 and 22 above, the Project is compatible with and adaptable to adjacent properties and to other properties in the vicinity of the Project.
29. Code §14-3.8(D)(2) provides that the Commission may specify conditions of approval that are necessary to accomplish the proper development of area and to implement the policies of the Plan.
30. The preliminary development plan shows the feasibility of the Project meeting all applicable development standards.

CONCLUSIONS OF LAW

Under the circumstances and given the evidence and testimony submitted during the hearing, the Commission CONCLUDES as follows:

General

1. The proposed Plan amendment, rezoning and preliminary development plan were properly and sufficiently noticed via mail, publication, and posting of signs in accordance with Code requirements.
2. The ENN meeting complied with the requirements established under the Code.

The General Plan Amendment

3. The Commission has the power and authority at law and under the Code to review the proposed amendment to the Plan and to make recommendations to the Governing Body regarding such amendment.

The Rezoning

5. The Applicant has the right under the Code to propose the rezoning of the Property.

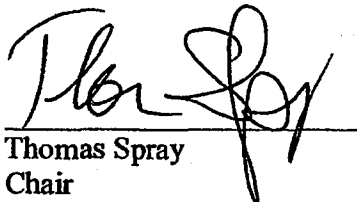
6. The Commission has the power and authority at law and under the Code to review the proposed rezoning of the Property and to make recommendations regarding the proposed rezoning to the Governing Body based upon that review.

The Preliminary Development Plan

7. The Commission has the authority to review and decide the application for preliminary development plan approval.
8. The Applicant has complied with the Required Submittals.
9. The preliminary development plan shows the feasibility of the Project meeting all applicable development standards.
10. Approving the preliminary development plan does not adversely affect the public interest.
11. The proposed use and any associated buildings are compatible with and adaptable to buildings, structures and uses of the abutting property and other properties in the vicinity of the Project.

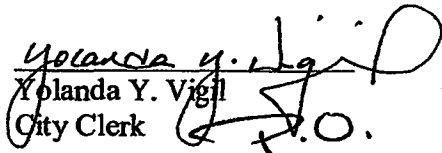
WHEREFORE, IT IS ORDERED ON THE 13TH OF SEPTEMBER 2012 BY THE PLANNING COMMISSION OF THE CITY OF SANTA FE:

1. That for the reasons set forth in the foregoing Findings of Fact and Conclusions of Law, the Commission recommends to the Governing Body that it approve the Plan amendment, subject to the Conditions.
2. That for the reasons set forth in the foregoing Findings of Fact and Conclusions of Law, the Commission recommends to the Governing Body that it approve the rezoning of the Property, subject to the Conditions.
3. That the preliminary development plan is approved, subject to the Conditions.


Thomas Spray
Chair

9/13/12
Date:

FILED:


Yolanda Y. Vigil
City Clerk

9.17.12
Date:

Page 7 of 7

APPROVED AS TO FORM:

Kelley A. Brennan
Kelley Brennan
Assistant City Attorney

9/13/12
Date:

October 10, 2012

Governing Body

Case # 2012-39 & 2012-40

**La Luz Health Complex Rezoning to MU &
La Luz Health Complex General Plan**

EXHIBIT B1

Resolution

CITY OF SANTA FE, NEW MEXICO

RESOLUTION NO. 2012-__

A RESOLUTION

**AMENDING THE GENERAL PLAN FUTURE LAND USE DESIGNATION FROM
"RESIDENTIAL - LOW DENSITY RESIDENTIAL" (3-7 DWELLING UNITS PER ACRE)
TO "TRANSITIONAL MIXED USE" FOR PROPERTY COMPRISING AN AREA OF
APPROXIMATELY 6.36 ACRES MORE OR LESS. THE PROPERTY IS LOCATED SOUTH
OF RUFINA STREET EXTENDING TO AGGIE ROAD. ("LA LUZ HEALTH COMPLEX
GENERAL PLAN AMENDMENT," CASE NO. 2012-39)**

**WHEREAS, the agent for the owners of the subject property more particularly described on
Exhibit A has submitted an application to amend the General Plan Future Land Use Map designation
of the property from "Residential - Low Density" (3-7 dwelling units per acre) to "Transitional Mixed
Use" as shown on Exhibit B.**

**WHEREAS, pursuant to Section 3-19-9 NMSA 1978, the General Plan may be amended,
extended or supplemented; and**

**WHEREAS, the general plan amendment criteria set forth in Section 14-2.1 SFCC 1987
have been met; and**

1 WHEREAS, reclassification of the subject property would be consistent with the General
2 Plan Themes and Policies for Land Use (General Plan, Chapter 3) and Growth Management (General
3 Plan, Chapter 4); and

4 WHEREAS, the city desires to provide for more coordinated, adjusted and harmonious
5 development in the area South of Rufina Street and West of Richards Avenue that would not have
6 adverse impacts upon the surrounding neighborhood.

7 NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY
8 OF SANTA FE that the General Plan Future Land Use Map designation for the property described is
9 amended to change the designation from "Residential - Low Density" (3-7 dwelling units per acre) to
10 "Transitional Mixed Use" as shown on Exhibit B attached hereto.

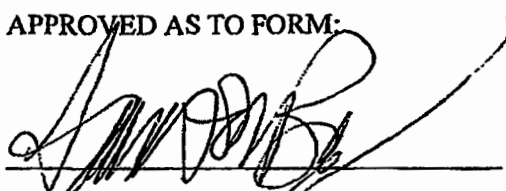
11 PASSED, APPROVED and ADOPTED this ____ day of _____, 2012.

12
13
14 _____
15 DAVID COSS, MAYOR

16 ATTEST:

17
18
19 _____
20 YOLANDA Y. VIGIL, CITY CLERK

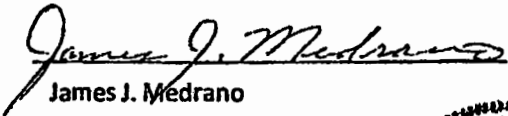
21 APPROVED AS TO FORM:

22 
23 _____
24 GENO I. ZAMORA, CITY ATTORNEY
25

LEGAL DESCRIPTION-NARVAIZ

A tract of land designated as Parcel C-1, being a portion of Small Holding Claim No. 431 within Section 5, Township 16 North, Range 9 East, New Mexico Principal Meridian, in the Village of Agua Fria, Santa Fe County, New Mexico, being more particularly described as follows:

Beginning at the Northeast corner of the herein described tract of land, marked by a 5/8" rebar with an aluminum cap marked "LS5338", said corner being also a point on the Southerly Right-Of-Way of Rufina Street, from which point, a U.S.G.L.O. brass cap marking the corner common to Sections 5 & 6, Township 16 North, Range 9 East and Section 32, Township 17 North, Range 9 East, New Mexico Principal Meridian, bears the following courses: North 10°30'21" West, 104.67 feet; thence North 10°33'08" West, 771.43 feet; thence West, 1960.47 feet; thence from said point and place of beginning, South 10°32'26" East, 752.04 feet to a 3/4" pipe; thence South 10°38'53" East, 1077.09 feet to a 3/4" pipe marking the Southeast corner of said tract; thence South 55°50'10" West, 163.23 feet to a U.S.G.L.O. marked stone making the Southwest corner of said tract; thence North 10°49'18" West, 805.20 feet to a 1/2" rebar with cap marked "LS12656"; thence North 79°04'00" East, 30.00' to a 3/4" pipe; thence North 10°50'44" West, 125.00 feet to a 1/2" rebar with cap marked "LS2656"; thence South 79°04'00" West, 30.00 feet; thence North 10°48'49" West, 916.24 feet; to a 5/8" rebar with aluminum cap marked "LS5338" marking the Northwest corner of said tract; said corner being also a point on the Southerly Right-Of-Way of Rufina Street; thence along said Right-Of-Way of Rufina Street, North 62°22'11" East, 163.74 feet to the point and place of beginning containing 6.3614 acres more or less, all as shown on the plat of survey by LeRoy M. Smith, N.M.P.S. No. 12656 entitled "Plat of survey/Family Transfer for Lucy & Dan Narvaiz..." filed in the office of the County Clerk, Santa Fe County, New Mexico on April 7, 1997 in Plat Book 359, Pages 026-027 as instrument No. 979-556.


James J. Medrano

N.M.P.S.No. 5217



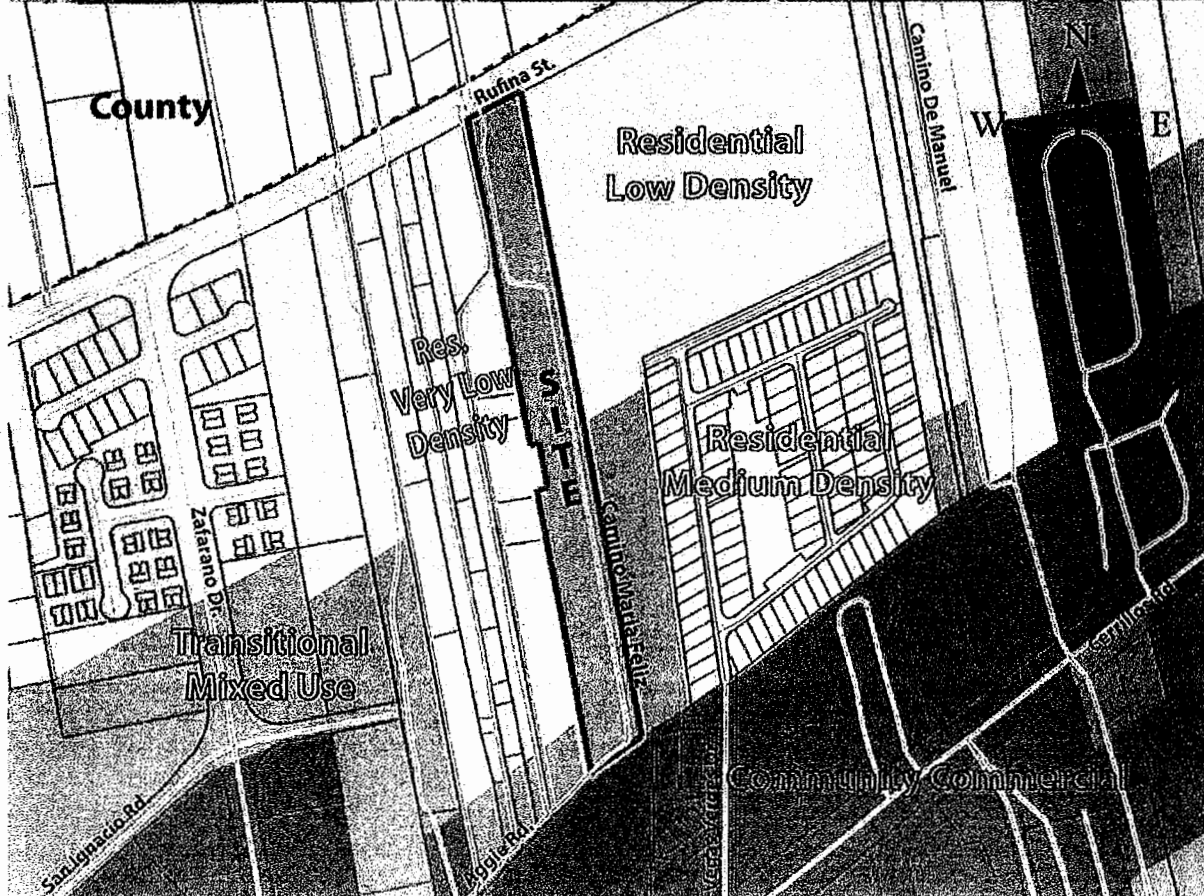
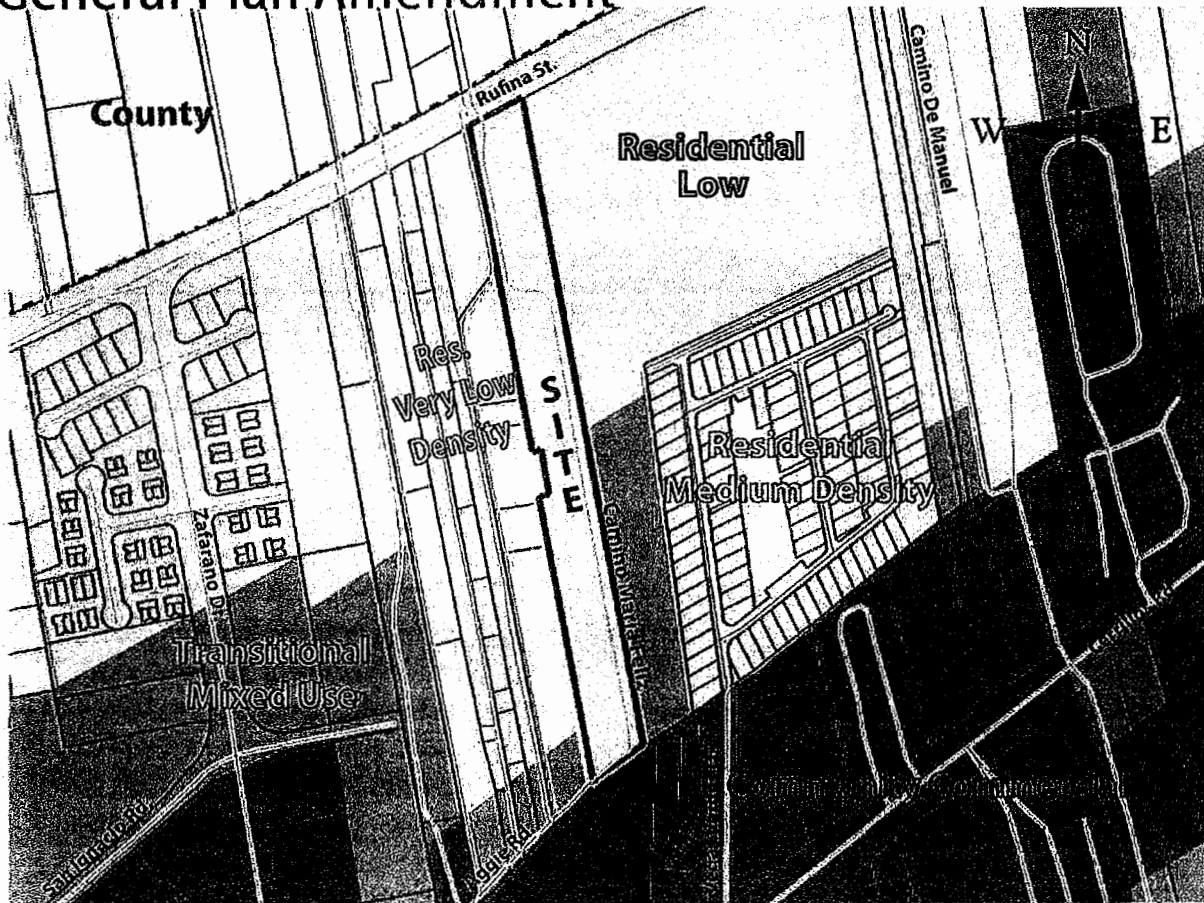
EXHIBIT A

RES. #2012-_____

General Plan Amendment

E
X
I
S
T
I
N
G

P
R
O
P
O
S
E
D



Res. _____

EXHIBIT A

October 10, 2012

Governing Body

Case # 2012-39 & 2012-40

**La Luz Health Complex Rezoning to MU &
La Luz Health Complex General Plan**

EXHIBIT C1

Bill

23 is amended to conform to the change of the classification set out in section 1 of this ordinance.

Section 3. This rezoning action and any future development plan for the Property is approved with and subject to the conditions set forth in the table attached hereto as EXHIBIT B and incorporated herein summarizing the City of Santa Fe staff technical memoranda and conditions recommended by the Planning Commission on August 2, 2012.

Section 4. This rezoning action is subject to the time restrictions set forth in Section 14-3.5(D)(1) SFCC 1987 (Two-year Review/Recission). Resolution 2011-26 has extended zoning approvals for a limited duration of time.

Section 5. This Ordinance shall be published one time by title and general summary and shall become effective five days after publication.

PASSED, APPROVED AND ADOPTED this ____ day of _____, 2012.

APPROVED AS TO FORM:



GENO L. ZAMORA, CITY ATTORNEY

EXHIBIT - B
Conditions of Approval
La Luz Health Complex

	Condition	Department	Staff
1	<p>The Developer shall revise the Traffic Study to cover the maximum allowable uses for the proposed MU zoning.</p> <p>A. The Developer shall utilize the Trip Generation land use category of "General Office" for 50% of the square footage, which is the maximum allowable use of Commercial within the Mixed Use (MU) Zoning.</p> <p>B. In addition, the Developer shall utilize "Apartment" trip generation category rather than "Nursing Home" to predict the trips generated by the proposed residential portion of the development</p>		
2	<p>The Developer shall revise the reverse curve in the middle of the development so that the design meets the minimum radius curve for a 25 mph road per the AASHTO's "A Policy on Geometric Design of Highways and Streets" for an urban roadway with no super-elevation.</p>		
3	<p>The Developer shall demonstrate, through use of sight triangles in the area of this curve, that there will be sufficient sight distance for the through traffic and for the driveway that intersects in the middle of the curve. It seems that parking and some of the residential units (i.e. 6, 7, and 8) might impede sight distance.</p>		
4	<p>The Developer shall construct the following access improvements to Rufina Street in accordance with AASHTO green book standards and the New Mexico State Access Manual:</p> <p>A. Phase I:</p> <ol style="list-style-type: none"> Developer shall widen the asphalt to add a westbound Left Turn lane with sufficient shoulder width to allow U-Turns; The Left Turn lane shall be created with the use of pavement markings, however, Sufficient asphalt shall be provided to allow for the future installation of curb and gutter and medians as applicable. <p>B. Phase II:</p> <ol style="list-style-type: none"> The Developer shall construct an eastbound Right Turn Deceleration lane that includes curb and gutter; The Developer shall construct an eastbound Left turn lane with sufficient space to allow U-Turns with appropriate curb and gutter and medians if applicable; 	Traffic Engineering Division	Sandra Kassens April 5, 2012

EXHIBIT B

EX. IT - B
Conditions of Approval
La Luz Health Complex

12	Included as part of Final Development Plan Review the applicant shall provide in the parking plan for phases I and II loading zones and bicycle parking pursuant to 14-8.6(D) and (E).	Current Planning	Dan Esquibel 08/02/12 (PC Staff Memo)
13	<ol style="list-style-type: none"> 1. Shall Comply with International Fire Code (IFC) 2009 Edition. 2. Shall meet fire department access for MU. 3. Shall meet water supply requirements prior to construction. 4. Shall have 20 feet road width for fire department access. 5. Shall meet IFC 2009 turn-around for fire apparatus. 	Fire Marshal	Reynaldo Gonzales April 20, 2012

Corrections:

Page 8 – 6th ¶, 1st sentence: ~~expectation~~ – expectation

Page 11J - 1st sentence: ~~I will have one on Friday~~. There was no meeting today for the Summary Committee; there will be a meeting on August 2, 2012.

Page 10 – 9th ¶ under Chair Spray: On the conditions of approval, it states that “per the Office of the Public Regulation Commission,” how are they involved?

Page 10 – 11th ¶, 1st sentence: Cap the letter “t” in the word this: *This* is the second case in which we have discussed this *issue*.

Commissioner Pava moved to approve the minutes of July 19, 2012 as amended, second by Commissioner Harris, motion carried by unanimous voice vote.

- **FINDINGS/CONCLUSIONS:**

Case #2012-58 1158 Harrison Road Rezoning from R-2 to R-5

Commissioner Lindell moved to approve Findings of Fact and Conclusions, Case #2012-58, second by Commissioner Ortiz, motion carried by unanimous voice vote.

Case #2012-59 1159 Harrison Road Lot Split

Commissioner Harris moved to approve Findings of Fact and Conclusions, Case #2012-59, second by Commissioner Bemis, motion carried by unanimous voice vote.

Case #2012-60 Arroyo San Antonio Final Subdivision Plat

Commissioner Pava moved to approve Findings of Fact and Conclusions, Case #2012-60, second by Commissioner Villarreal, motion carried by unanimous voice vote.

E. OLD BUSINESS

1. **Case #2012-39** **La Luz Health Complex General Plan Amendment.** James W. Siebert, agent for Sandra Pacheco, requests approval of a General Plan Future Land Use Map Amendment to change the designation of 6.36± acres of land from Low Density Residential (3-7 dwelling units per acre) to Transitional Mixed Use. The property is located south of Rufina Street extending to Aggie Road. (Dan Esquibel, Case Manager) (POSTPONED FROM JUNE 7, 2012 AND JULY 5, 2012)

We heard this case June 7, 2012 and July 5, 2012. The applicant has hired a consultant to research Aggie Road and provided information to the city. Per 14-9.2(D)(8) Access and Traffic Calming SFCC 1987, “*Cul-de-sacs and other dead-end streets, both public and*

road. We do have enough sufficient area to accommodate sidewalk on both sides of the road.

The first phase is for a Veteran's Administration Clinic. Chris Pacheco is here if you have any questions with the status of that particular proposal for the VA. We have parking that well exceeds the parking standard for the city. It is a standard that the VA has a certain criteria to submit a proposal, you have to have a minimum of 65 parking places; so that is why we have an extraordinary number of parking spaces associated with this project.

This concludes my comments, I will answer any questions you might have.

Public Hearing

No comments. Public Hearing Closed.

Comments and Questions from the Commissioners:

Commissioner Bemis: In the last 4 years who has been plowing or grading this road?

Mr. Siebert. Actually there are two particular individuals, one is Mr. Scarfiotti who has a business adjacent to the property and he has dump trucks and graders who do the plowing and Mr. Martinez. They also ask others who live in that area to participate in helping.

Commissioner Bemis: How do they feel about the road condition?

Mr. Siebert: The feedback from the neighborhood meetings was unanimous that they did not want a public road.

Commissioner Harris: Q: I am curious about the facility itself. A VA Clinic, the activities that will be there as well as the hours of operation, is that something that you can answer?

Mr. Siebert: I would feel more comfortable if Chris Pacheco would answer that.

Chris Pacheco, 5905 El Prado NW, Albuquerque, NM – Sworn In

Hours will be the standard 9:00 am to 5:00 pm. There would be staff most likely around 8:00 am until 6:00 pm. It is part of what the VA calls a community based outpatient clinic program. What they are trying to do is provide services in the region outside of Albuquerque.

Commissioner Harris: Staff, of the two cases that we are being asked to consider an amendment to the General Plan and rezoning. There is a development plan included and if we approve, the language included on the rezoning case; is we approve Phase I are we approving a final or preliminary development plan?

Chair Spray asked Mr. Romero to come forward. Do we have any places in the city where we have something of a similar nature before a development could go forward?

Mr. Romero: I am not aware of any situation like Aggie Road, although when Phase III does come about if we could determine that the property owner does have access rights to Aggie Road, we would plan to do so. If he doesn't then it will work having a cul-da-sac. It would be preferred from the connectivity and the Master Plan to do it complete, but the cul-da-sac will work.

Chair Spray: Mr. Pacheco, do you have a backup plan?

Mr. Pacheco: If we would be unsuccessful, the property would still lend itself to medical offices.

Ms. Baer: I would clarify for your vote under consideration that the rezoning requires either a preliminary or a final development plan. You don't have to vote on them separately but if you do vote to approve the rezoning you would be approving what we are calling the preliminary development plan.

Chair Spray: Thank you.

Commissioner Harris moved to recommend approval of Case #2012-39 with conditions, second by Commissioner Lindell, motion carried by unanimous voice vote.

2. **Case #2012-40. La Luz Health Complex Rezoning to MU.** James W. Siebert, agent for Sandra Pacheco, requests rezoning of 6.36± acres of land from MHP (Mobile Home Park) to MU (Mixed Use). The application includes a Preliminary Development Plan for a medical complex consisting of a medical clinic, assisted housing for the elderly and medical offices. The property is located south of Rufina Street extending to Aggie Road. (Dan Esquibel, Case Manager) (POSTPONED FROM JUNE 7, 2012 and JULY 5, 2012)

Commissioner Villarreal moves to recommend for approval Case #2012-40 with staff conditions, second by Commissioner Bemis, motion carried by unanimous voice vote.

F. NEW BUSINESS

1. **Case #2012-70. Classic Rock Preliminary Subdivision Plat.** Morey Walker, agent for Eker Land LLC, requests Preliminary Subdivision Plat approved for 5 lots and 4.38± acres. The property is zoned I-2 (General Industrial) and is located at 2865 Rufina Street. (Donna Wynant, Case Manager)

(Exhibit: Power Point Presentation attached)

The site is located in an industrial area. Primarily in this area you are going to find automotive businesses which are I-1 and I-2. Note that numbering is not correct in the 5 lot industrial subdivision plat, corrected plat provided as (Exhibit B). Lots front public streets; (Clark Road, Rufina St. and Siler Ln.)

City of Santa Fe, New Mexico

memo

DATE: July 20, 2012 for the August 2, 2012 Planning Commission Meeting

TO: Planning Commission

VIA: Matthew S. O'Reilly, P.E., Director, Land Use Department
Tamara Baer, Planner Manager, Current Planning Division

FROM: Daniel A. Esquibel, Land Use Planner Senior, Current Planning Division

LA LUZ HEALTH COMPLEX GENERAL PLAN AMENDMENT AND REZONING TO MU.

Case #2012-39. La Luz Health Complex General Plan Amendment. James W. Siebert, agent for Sandra Pacheco, requests approval of a General Plan Future Land Use Map Amendment to change the designation of 6.36± acres from Low Density Residential (3-7 dwelling units per acre) to Transitional Mixed Use. The property is located south of Rufina Street extending to Aggie Road. (Dan Esquibel, Case Manager)

Case #2012-40. La Luz Health Complex Rezoning to MU. James W. Siebert, agent for Sandra Pacheco, requests rezoning of 6.36± acres of land from MHP (Mobile Home Park) to MU (Mixed Use). The application includes a Development Plan for medical complex consisting of a medical clinic, assisted housing for the elderly and medical offices. The property is located south of Rufina Street extending to Aggie Road. (Dan Esquibel, Case Manager)

These two items were postponed at the June 7, 2012 and July 5, 2012 Planning Commission meetings with direction to the applicant to address ownership of and access to Aggie Road.

RECOMMENDATION:

The applicant has demonstrated compliance with Chapter 14 for a General Plan amendment and rezoning. The Land Use Department recommends **APPROVAL** of case # 2012-39 and 2012-40 subject to conditions listed in Conditions Exhibit A

EXHIBIT 1
Conditions of Approval
Case 2012-40
La Luz Health Complex

	Condition	Department	Staff
1	<p>The Developer shall revise the Traffic Study to cover the maximum allowable uses for the proposed MU zoning.</p> <p>A. The Developer shall utilize the Trip Generation land use category of "General Office" for 50% of the square footage, which is the maximum allowable use of Commercial within the Mixed Use (MU) Zoning.</p> <p>B. In addition, the Developer shall utilize "Apartment" trip generation category rather than "Nursing Home" to predict the trips generated by the proposed residential portion of the development</p>		
2	<p>The Developer shall revise the reverse curve in the middle of the development so that the design meets the minimum radius curve for a 25 mph road per the AASHTO's "A Policy on Geometric Design of Highways and Streets" for an urban roadway with no super-elevation.</p>		
3	<p>The Developer shall demonstrate, through use of sight triangles in the area of this curve, that there will be sufficient sight distance for the through traffic and for the driveway that intersects in the middle of the curve. It seems that parking and some of the residential units (i.e. 6, 7, and 8) might impede sight distance.</p>	Traffic Engineering Division	Sandra Kassens April 5, 2012
4	<p>The Developer shall construct the following access improvements to Rufina Street in accordance with AASHTO green book standards and the New Mexico State Access Manual:</p> <p>A. Phase I:</p> <ul style="list-style-type: none"> i. Developer shall widen the asphalt to add a westbound Left Turn lane with sufficient shoulder width to allow U-Turns; ii. The Left Turn lane shall be created with the use of pavement markings, however, iii. Sufficient asphalt shall be provided to allow for the future installation of curb and gutter and medians as applicable. <p>B. Phase II:</p> <ul style="list-style-type: none"> i. The Developer shall construct an eastbound Right Turn Deceleration lane that includes curb and gutter; ii. The Developer shall construct an eastbound Left turn lane with sufficient space to allow U-Turns with appropriate curb and gutter and medians if applicable; 		

EXHIBIT 1

EX. JT 1
Conditions of Approval
Case 2012-40
La Luz Health Complex

12	Included as part of Final Development Plan Review the applicant shall provide in the parking plan for phases I and II loading zones and bicycle parking pursuant to 14-8.6(D) and (E).	Current Planning	Dan Esquibel 08/02/12 (PC Staff Memo)
13	<ol style="list-style-type: none"> 1. Shall Comply with International Fire Code (IFC) 2009 Edition. 2. Shall meet fire department access for MU. 3. Shall meet water supply requirements prior to construction. 4. Shall have 20 feet road width for fire department access. 5. Shall meet IFC 2009 turn-around for fire apparatus. 	Fire Marshal	Reynaldo Gonzales April 20, 2012

~~Commissioner Villarreal – yes
Commissioner Bemis – no
Commissioner Lindell – no
Commissioner Ortiz – no
Commissioner Bordegaray – yes~~

~~Motion passed 4:3.~~

7. **Case #2012-39. La Luz Health Complex General Plan Amendment.** James W. Siebert, agent for Sandra Pacheco, requests approval of a General Plan Future Land Use Map Amendment to change the designation of 6.36± acres of land from Low Density Residential (3-7 dwelling units per acre) to Transitional Mixed Use. The property is located south of Rufina Street extending to Aggie Road. (Dan Esquibel, Case Manager)

Mr. Esquibel: There are two cases – the general plan amendment and future land use amendment to change the designation to transitional mixed use. The applicant has demonstrated compliance and the Land Use Department recommends approval subject to conditions on Exhibit A. The future land use map identifies this as mixed use and the applicant wants to rezone it as mixed use. There is a detailed site plan. We are recommending one new condition "The applicant shall submit as part of their final development plan, an enforceable plan per Article 14-9.2(c) (6) (e) for the phased completion of the new street to City standards or apply for a variance to width of R-O-W.

Jim Siebert, 915 Mercer Street, Santa Fe, New Mexico

I am representing Mr. and Mrs. Pacheco. In 2005 this property was annexed and rezoned to a mobile home park. The current zoning request is a medium density designation. Currently it has a lower density designation. There is some inconsistency. The existing conditions on the property – from Rufina to Aggie Road are zoned C2. There are vacant properties owned by the Archdiocese. The utilities are on Rufina Street. There is a sewer line, electric, gas, etc. We would be tying in – the water line would be looped in in a phased manner.

The applicant is proposing a medical clinic adjacent to Rufina Street. They have entered into a competition for a Veteran's Administration Clinic. They are 1 of 7 people participating in that proposal. We would develop in phases – phase 1 is clinic – an assisted living facility would be in the middle (single story) three medical offices (3,200 – 3,500 sq. ft). We have proposed eliminating the sidewalk on one side of the road on the vacant land we would eliminate the sidewalk.

Mr. Siebert reviews the photos of the surrounding areas.

Chris Pacheco: 5905 El Prado NW, Albuquerque, 87107

We are in competition for the VA clinic. There were 6 other properties selected. I am a real estate developer. I am a service disabled veteran. I do projects for the VA. One of the reasons that we selected this site is that it meets all the requirements. It is within a mile of services, a mile of public transportation, and has adequate parking (61 spaces).

Public portion closed

Commissioner Harris: I agree with Mr. Siebert on the additional condition. It does seem to me it would be easily dealt with in the final development. Is there a reason why you think it is important to bring it up now?

Mr. Esquibel: There is a section that discusses whether you can utilize your adjoining property owners. The odds of that property developing may be quite some time. Looking at what we wanted for this development and what the code requires unless the developer can provide an agreement from the church that they will build that portion of the road then it is best that they build that road or seek a variance. You can see that is a long part of the development and it would be needed to meet the requirement. There are two choices.

Commissioner Harris: Is it not possible or appropriate to deal with it in the final development plan?

Mr. Esquibel: It has been known that once a preliminary plan has been solidified applicants come in thinking that is the solidified plan so catching it at this stage for a future development would be easier than trying to go backwards.

Commissioner Harris: Is your plan set in stone?

Mr. Siebert: No. There is a variety of interpretation of the code 14-9-2(b) a land use board or in the case of city street projects may consider and approve.

The reason I am bringing this up is the land use configurations in that area are long narrow parcels. You need a street type that better fits the land use in that area. I am saying we are not going to comply. It came up so late in the process we do not know the financial impact.

Mr. Esquibel: When dealing with that innovative design you come in with a design for that road that is equal to or better than what is required. What we are proposing is to meet the standards rather than compromise for future development.

Ms. Baer: This is the first time we are hearing that this is an innovative street section. We have a situation where we are just asking that this doesn't inadvertently get approved tonight. It can be in the future but we want to acknowledge that a variance is necessary or the innovative street section is requested officially. Two sections of the street are being proposed not to be built. The code requires a 42' section and sidewalks on both sides. We do not know when the other sides will be built. You can defer that development to some other time but we would like that explicitly understood.

Commissioner Harris: I think I understand that issue and how I feel about it. It was worth discussing. The overall development – I wish you well on the VA clinic. The

Chair Spray: I believe there are issues that have to be resolved before we proceed.

Commissioner Villarreal: I think this development is innovative and there would be two access points. I am curious about the maintenance of this road. Who will that fall upon? Is there a condition we can place that we move forward and find a viable option for that road? There are two lanes that merge immediately. I am trying to figure out a way to have the road issue resolved.

Commissioner Harris: We are being asked to consider two cases, the general plan amendment. I would assume that in this competition for site selection this is a very important step you need to give to the VA. Perhaps we can reconsider the rezoning without the preliminary development plan.

Commissioner Ortiz: I personally was involved with Aggie Road and I refused to do maintenance on the road because I do not know who it belongs to. I see Aggie Road as a great way to make this happen but I think we need to find out who it belongs to and it need to be an option for getting the traffic out of there and it is in poor shape. There are a lot of people who think they may own it and I do not know if there is maintenance there. We need to have some condition on this regarding Aggie Road. I am at a loss that we still have not been able to resolve this. I have been retired 5 ½ years and it is still an issue. If there is an agreement between existing property owners they should resolve it.

Chair Spray: What is the ramification of trying to resolve this at last.

Ms. Baer: It would be our recommendation that we put the burden on the applicant.

Chair Spray: We have some options. We could postpone until that is determined. We can divide the vote on rezoning and not vote on development plan.

Ms. Brennan: Yes, you can.

Commissioner Pava: So let's say this were to be rezoned this evening is mixed use specific to a connected development plan or does this allow any number of uses subsequently if the veterans' proposal goes away.

Ms. Baer: The requirement to rezone to mixed use includes a preliminary development plan. Once it is rezoned they could come forward with a different development plan.

Commissioner Villarreal: When is the deadline on the competition?

Mr. Pacheco: The deadline is moved to the first quarter of FY13.

Commissioner Villarreal: I would move to postpone to clarify the Aggie Road issue.

Ms. Baer: You can postpone to a date certain but you should ask the applicant.

August 2, 2012
Planning Commission
Case # 2012-39 & 2012-40
**La Luz Health Complex Rezoning to MU &
La Luz Health Complex General Plan**

EXHIBIT 3

June 7, 2012 Planning Commission Packet Material

The request for General Plan amendment is to change the Land Use designation from Low Density Residential to Transitional Mixed Use. The rezoning request is to change the existing MHP zoning to Mixed Use for the purposes of developing a Veterans Medical Clinic with Medical Offices and Assisted Living.

II. GENERAL PLAN AMENDMENT POLICIES & APPROVAL CRITERIA

Case #2012-39. La Luz Health Complex General Plan Amendment.

The Future Land Use Map identifies the Future Land Use designation for this area as Low Density Residential. A global view of the area indicates a range of traditional, rural forms and urbanization. The neighborhood is currently devoid of compatible institutional uses to serve the neighborhoods. Transitional Mixed Use offers neighborhood public spaces and intensity of uses appropriate to neighborhood pattern which is currently under served. Transitional Mixed Use would provide a beneficial transition between the heavy commercial to the south and the low to very density residential to the north, meeting the intent recommended by the General Plan and South West Area Master Plan (SWAMP).

Chapter 14 Criteria - Section 14-3.2 of the Land Development Code establishes various procedural requirements and approval criteria for general plan amendments. The applicant responses along with staff's analysis are addressed below.

E. Section 14-3.2 (E) (1) Approval Criteria (applicable criteria)

The Planning Commission shall review and make a finding on the following criteria:

1. Criteria for All Amendments to the General Plan

- (a) consistency with growth projections for Santa Fe, economic development goals as set forth in a comprehensive economic development plan for Santa Fe and existing land use conditions such as access and availability of infrastructure;

Applicant response:

"The City has designated this area as a primary growth area for the City. The completion of Rufina Street along with the installation of the storm sewer, sanitary sewer, water, electric and natural gas for the southwest area has accelerated the viability of this area for immediate development. This portion of the Southwest Sector is now served by a variety of retail services at the San Isidro Commercial Center, including the recently opened Sunflower Market grocery store and Lowe's. All utilities are available to this site and access is available both from Rufina Street and Aggie Road. The appropriateness for development is demonstrated by the fact that this part of the "Presumptive City Limits" was the first to be annexed by the City."

Staff response:

With road circulation between Rufina and Aggie Road and water and sewer service, the proposal will have some impact on the city's available resources in order to accommodate the development. However, it does not conflict with the comprehensive growth policies of the city.

- (b) Consistency with other parts of the General Plan;

Applicant response:

Not addressed.

Staff response to "i, ii & iii":

The prevailing use for the property is MHP (Mobile Home Park, eight (8) dwelling units to the acre) consisting of one (1) lot. The adjoining uses include R-3 (Residential three (3) dwelling units to the acre), and C-2 (General Commercial), C-2 uses include retail and restaurant uses, the area north of Rufina is located within the County jurisdiction and are either vacant, residential or used for some agricultural propose.

- (d) an amendment is not required to conform with Subsection 14-3.2(E)(1)(c) if it promotes the general welfare or has other adequate public advantage or justification;
- (e) compliance with extraterritorial zoning ordinances and extraterritorial plans;

Staff response:

Items (d) & (e) above are not applicable.

- (f) contribution to a coordinated, adjusted and harmonious development of Santa Fe that in accordance with existing and future needs best promotes health, safety, morals, order, convenience, prosperity or the general welfare, as well as efficiency and economy in the process of development; and;

Applicant response:

"The veterans' clinic will serve 2,600 veterans in this region of the County and Northern New Mexico, many of which live in close proximity to the proposed facility. There is currently very limited access to health services in this area of Santa Fe. If "harmonious development" includes health services this development would certainly qualify. The medical offices and assisted living provide the opportunity to create jobs in this part of the urban area."

Staff response:

The site is large parcel totaling approximately 6.36 ± acres. The applicant's focus for the property is to redevelop the site to for health related services. This will provide a well needed service for the area. Infrastructure and off site impacts, related to the development, will be by the applicant.

- (f) consideration of conformity with other city policies, including land use policies, ordinances, regulations and plans.

Applicant response:

Not addressed

Staff response:

The zoning designation granted by the city after annexation was MHP. No significant changes to the area have occurred beyond the property's annexation or properties annexed as part of the phase 1 annexation.

- (iii) a different use category is more advantageous to the community, as articulated in the general plan or other adopted city plans;

Applicant response:

"The Mixed Use District recently had been adopted when the zoning application was prepared for the Mobile Home Park rezoning. Until the last few years there was no experience in the application of this district. In the last few years there have been several applications for the MU District, allowing land owners to understand the effectiveness of this zoning district. The Mixed Use District is designed to accommodate the variety of uses that are proposed in this development. The significant area of the Southwest Sector in the vicinity of Cerrillos Road has been designated Transitional Mixed Use in the General Plan update. Although the Narvaiz land has been designated as Low Density Residential, the adjoining property to the east has the characteristic mix of Transitional Mixed Use and Residential. The property to the west on the approximate southern part of the tract is used for a contractor's yard, although it too is designated very low density residential. The nature of this area is mixed use. The Mixed Use zoning request is consistent with the character of this part of the southwest sector. The plan and rezoning is considered "more advantageous to the community" than the existing zoning by providing medical services that are not currently available in this part of the Santa Fe."

Staff response:

As indicated by the applicant, MU was not established at the time the property obtained MHP zoning. The change in zoning from MHP to MU provides needed compatible services to an area already provided with a number of mobile home park developments. The rezoning provides intended and appropriate infill development (subject to accommodating infrastructure) to the area. The proposed use offers health services to the area devoid of such.

- (b) all the rezoning requirements of Chapter 14 have been met;

Applicant response:

"The application does not include a request for any variances to the Land Development Code. The application and submittals has been prepared in conformance with the requirements of the Code."

- (c) the rezoning is consistent with the applicable policies of the general plan, including the future land use map;

Applicant response:

"A request has been submitted with the rezoning application to amend the City General Plan. The application has addressed the criteria for an amendment to the General Plan. With the approval of the General Plan amendment the requested Mixed Use zoning is consistent with the Future Land Use Map."

IV. ENN

An ENN was conducted on March 27, 2012 at Nancy Rodriguez Community Center. The main concerns raised by the attendees were:

1. Access from Vegas Verde
2. Construction of medians on Rufina
3. Drainage on the property

Additional concerns were raised regarding any access through Vegas Vergas Mobile Home Park. The applicants responded stating that a traffic study will be provided to the City and no access is proposed through the mobile home park. Additional concerns were raised regarding drainage off the parcel. The applicant responded by stating that terrain management plan will provided to the city addressing drainage off the property.

V. CONCLUSION

The proposal satisfies the criteria in Chapter 14 for General Plan amendment and Rezoning. *"It is the purpose of the MU mixed-use district to provide for the creative infill and development of underused and vacant land and buildings in Santa Fe. This zoning category allows office, commercial and residential uses in the same building or on the same property."*

VI. PRELIMINARY DEVELOPMENT PLAN REVIEW:

SUMMARY

The development proposal is divided into three (3) phases. Phase One ("Ph. I") incorporates the construction of a Veterans Clinic (V.A. Clinic). Phase Two ("Ph. II") the construction of forty-one (41) assisted living residential unites and Phase Three ("Ph. III") the construction of medical/dental offices all further explained below.

- **Phase I** will comprise the construction of an eighteen foot (18') high, seven thousand, two hundred twenty-five, (7,225) square foot structure to house the V.A. Clinic. The Clinic will be supported by sixty-seven (67) parking spaces, ten (10) of which will be ADA compliant. Camino Maria Feliz will be upgrade (portion within Ph. I) to sub-collector standards with no on street parking, with a temporary fire turn around. Additionally, included in Ph. I are three (3) drainage ponds, a thirty-two hundred (3200) square foot open space area which will serve as a passive park and a right turn deceleration lane off Rufina Street.
- **Phase II** will comprise the construction of forty-one (41) assisted living residential units. The residential units will be supported by fifty-two (52) parking spaces, five (5) of which will be ADA compliant, and an upgraded to that portion of Camino Maria Feliz (within Ph. II) to sub-collector standards (no on street parking), with a temporary fire turn around. Additionally, included in Ph. II are three (3) drainage ponds, both private and common open space, the removal of the existing mobile homes within the Ph. II area, and the construction of the left turn deceleration lane off Rufina Street.
- **Phase III** will comprise three (3) lots each 2.133 acres in size to develop the medical/dental structures and services. The total construction proposed for Ph. III will comprise ten thousand, eight hundred, seventy-five (10,875) square feet as follows: three

Terrain

The average slope across the property is around three percent (3%) with approximately one-third (1/3) draining toward Rufina and the balance or two-thirds (2/3) draining toward Aggie Road. Ten (10) drainage ponds are proposed throughout the development to accommodate onsite retention/detention of impervious surfaces.

Open Space

Ph I: The applicants' open space plan for Ph. I identifies a total of thirty thousand, two hundred, seven-forty (30,274) square feet or forty-nine percent (49%) open space to lot area. However, only a thirty-two hundred (3200) square foot area proposed for common open space and Passive Park was graphically depicted in the plans. The applicants Landscape and Lighting plan identifies three (3) park benches included within the common area to address usable space for passive recreation.

14-7.5(D)(5) requires *"The percentage of required open space shall be calculated on the basis of total lot area, and shall be no less than twenty-five percent..."* Additionally, *"A common, landscaped open area with seating shall be provided with a minimum size of five hundred (500) square feet per acre of development. The area shall be open to the sky and be suitably lighted and be designed to encourage social interaction"*. Thirty-two hundred (3200) square foot is proposed with passive recreation for Ph. I.

Ph. II: The applicants open space plan for Ph. II identifies both common and private open space areas. 14-7.3(B)(i)(d)(iii) requires that *"Each dwelling unit shall be provided with a minimum of two hundred fifty (250) square feet of qualifying private or common open space."* The proposed private open space totals six thousand, five hundred, fifty (6,550) square feet that will adjoin twenty-five (25) of the units. Proposed Common open space will total four thousand, five hundred, twenty (4,520) square feet and will adjoin and be shared amongst the remaining sixteen (16) units. No additional information was provided on the development of the common open space for active or passive recreation.

Ph. III: The applicants open space plan is based on open space to lot area. Lot One (1) will contain twelve thousand, nine hundred, forty-one (12, 941) square feet of open space or fifty-six percent (56%) open space to lot area. Lots Two and Three (2 & 3) each will include six thousand, five hundred, fifty-two (6,552) square feet of open space or forty percent (40%) open space to lot area.

The applicant will need to provide additional information to address to Chapter 14 SFCC compliance to open space standards for Phase II and more detail for the overall open space plan.

Landscaping

The Landscaping plan showed planting of trees and shrubs proposed around all drainage ponds, around the propose V.A Clinic and within the passive park in Ph. I. Additionally, landscaping is propose along Camino Maria Feliz internal to the property. However no landscaping was shown within the parking areas. Additional information is required to comply with chapter 14-8.4 *"Landscaping"*

Lighting

A twelve inch (12") City sewer line is located in Rufina Street. The applicant is proposing to extend an eight inch (8") sewer line the length of Camino Maria Feliz to provide sewer service to the development (reference Exhibit A3 for City Sewer Division Comments).

Solid Waste

Solid waste receptacles have been located in the parking areas of the Development. However additional information is needed to provide a more accurate review. Comments received from the Solid Waste / Environmental Services Division can be reviewed in Exhibit A4.

Fire Protection

Two (2) temporary fire turn arounds are proposed for the project, one (1) in Ph. I at the entrance to the Clinic parking area and Camino Maria Feliz and the other in Ph. II third parking area adjacent to Ph. III and also along Camino Maria Feliz. Fire Marshal Comments received can be viewed in Exhibit A1.

VII. CONCLUSION

The Preliminary Development is lacking information pertinent to the final review. However, this does not impact the project at the preliminary level.

VIII. EXHIBITS:

Exhibit A Conditions and DRT comments

- A1: April 20, 2012 Fire Marshal Comments
- A2: May 16, 2012 Technical Review Division Comments
- A3: April 26, 2012 Wastewater Management Comments
- A4: April 24, 2012 Environmental Services Division Comments
- A5: May 18, 2012 Traffic Engineering Comments
- A6: April 26, 2012 Water Division

Exhibit B - Applicant submittal

- B1: General Plan and Rezoning information

Exhibit C- Future Land Use and Zoning map

- C1: Land Use Map
- C2: SWAMP Map
- C3: Zoning Map

Exhibit D-ENN and correspondence

Packet Attachment -Plans and Maps

EXHIBIT A
Conditions of Approval
Case 2012-40
La Luz Health Complex

4 cont.	There is an existing 15 foot wide effluent easement that goes through this site. The easement is incorrectly identified on sheet P-2 as a 15 foot abandoned sewer easement. The 15 foot wide effluent easement shall be shown on all plan sets/drawings for this project.	Wastewater Division	Stan Holland April 26, 2012
5	La Luz Health complex in general needs to rethink the dumpster locations. Ingress & egress problems. Plans must have break out of the City of Santa Fe enclosure spec's ordinance 21-10.1.	Solid Waste / Environmental Services Division	Marco Randall March 15, 2012
6	Included as part of Final Development Plan Review, the applicant will need to provide additional information to address to Chapter 14 SFCC compliance to open space standards for Phases I and II and more detail for overall open space plan.	Current Planning	Dan Esquibel 05/25/12 (PC Staff Memo)
7	Included as part of Final Development Plan Review the applicant shall provide additional information is by Chapter 14-8.4 "Landscaping"		
8	Included as part of Final Development Plan Review the applicant shall provide additional information is required by 14-8.9 "Outdoor Lighting"		
9	Included as part of Final Development Plan Review the applicant shall provide in the parking plan for phases I and II loading zones and bicycle parking pursuant to 14-8.6(D) and (E).		
10	The applicant shall submit Subdivision Plat for review and approval by the Planning Commission Prior to applying for review of Phase III.		

City of Santa Fe, New Mexico

memo

DATE: April 20, 2012

TO: Case Manager: Heather Lamboy

FROM: Reynaldo Gonzales, Fire Marshal *RDG*

SUBJECT: Case # 2012-39, 2010-40 La Luz Health Complex

I have conducted a review of the above mentioned case for compliance with the International Fire Code (IFC) 2009 Edition. Below are the following requirements that shall be addressed prior to approval by Planning Commission. If you have questions or concerns, or need further clarification please call me at 505-955-3316.

1. Shall Comply with International Fire Code (IFC) 2009 Edition.
2. Shall meet fire department access for MU.
3. Shall meet water supply requirements prior to construction.
4. Shall meet IFC 2009 turn-around for fire apparatus.
5. Shall have 20 feet road width for fire department access.

EXHIBIT A1

City of Santa Fe, New Mexico

memo

DATE: April 26, 2012
TO: Dan Esquibel, Case Manager
FROM: Stan Holland, Engineer, Wastewater Division
SUBJECT: Case #2012-39 & 40 La Luz Health Complex General Plan Amendment and Rezoning

The subject properties are accessible to the City sanitary sewer system:

Connection to the City sewer system is mandatory and shall be made prior to any new construction on the lot.

Additional Comments:

1. There is an existing 15 foot wide effluent easement that goes through this site. The easement is incorrectly identified on sheet P-2 as a 15 foot abandoned sewer easement. The 15 foot wide effluent easement shall be shown on all plan sets/drawings for this project.

EXHIBIT A3

City of Santa Fe, New Mexico

memo

DATE: May 18, 2012

TO: Dan Esquibel, Planning and Land Use Department

VIA: John Romero, Traffic Engineering Division Director *JR*

FROM: Sandra Kassens, Traffic Engineering Division *SK*

SUBJECT: La Luz Health Complex General Plan Amendment (Case #2012-39)
La Luz Health Complex Rezoning to MU. (Case #2012-40)

ISSUE

James W. Siebert, agent for Sandra Pacheco, requests approval of a General Plan Future Land Use Map Amendment to change the designation of 6.36± acres of land from Low Density Residential (3-7 dwelling units per acre) to Transitional Mixed Use. In addition, James W. Siebert also requests rezoning of 6.36± acres of land from MHP (Mobile Home Park) to MU (Mixed Use). The application includes a Development Plan for a medical complex consisting of a medical clinic, assisted housing for the elderly and medical offices. The property is located south of Rufina Street extending to Aggie Road.

RECOMMENDED ACTION:

Review comments are based on submittals received on April 18, 2012. The comments below should be considered as Conditions of Approval to be addressed prior to subsequent submittal unless otherwise noted:

- 1) In order to provide a broad based oversight of the proposed GPA and Zone change, the Developer shall revise the Traffic Study to cover the maximum allowable uses for the proposed MU zoning.
 - A. The Developer shall utilize the Trip Generation land use category of "General Office" for 50% of the square footage, which is the maximum allowable use of Commercial within the Mixed Use (MU) Zoning.
 - B. In addition, the Developer shall utilize "Apartment" trip generation category rather than "Nursing Home" to predict the trips generated by the proposed residential portion of the development.
- 2) The Developer shall revise the reverse curve in the middle of the development so that the design meets the minimum radius curve for a 25 mph road per the

1 of 2

EXHIBIT AS

SS001.PM5 - 7/95

City of Santa Fe
memo

DATE: April 26, 2012
TO: Dan Esquibel, Land Use Planner Senior, Land Use Department
FROM: Antonio Trujillo, *A* Water Division Engineer
SUBJECT: Case #'s 2012-39, 2012-40 – La Luz Complex

No additional submittals are required for the General Plan Amendment and Rezone on these cases. The applicant needs to be aware that there is a large storm drain located on Rufina Street that may impact extension of the water main from Rufina Street.

EXHIBIT *A6*

Project Location and Description

The subject 6.3 acre parcel is located south of Rufina St. extending to Aggie Road. The driveway access from Rufina Street is named Camino Maria Feliz. The applicants are proposing a medical complex consisting of a medical clinic adjacent to Cerrillos, assisted housing for the elderly and those persons needing help with daily care and medical offices adjacent to the Cerrillos Road general commercial lands. Figure 1 is a site plan indicating the location of the subject property relative to the City street system and other land marks.

Ownership and Legal Lot of Record

The property is owned by Gloria Narvaiz with this land being in the family for several generations. The title to the property is established by the Narvaiz Family Irrevocable Trust which is included as Appendix A. Sandra Pacheco is Gloria's daughter who is responsible for the administration of the application along with her husband, Chris Pacheco. This property was annexed into the City in 2007. The annexation plat serves as the legal lot of record for this tract of land. A reduction of the recorded plat is provided in Appendix B to this report.

Development Request

The application includes a rezoning of the property from MHP, Mobile Home Park to MU, Mixed Use. The uses that are proposed for the property are permitted within the MU district. This avoids the division of land into separate parcels necessitating multiple zoning districts. A request for an amendment to General Plan, Future Land Use Map also accompanies this application. The change to the Future Land Use Map is from Low Density Residential 4-7 dwellings per acre to Transitional Mixed Use. A request is also submitted for the reduction of a right-of-way reservation for Aggie Road from 66 feet to 42 feet. This reservation was granted in 2007 and is reflected on the Annexation Plat. A secondary arterial street right-of-way is slightly greater than 66 feet. It is highly unlikely that major thoroughfare will be constructed on Aggie Road, especially since it is likely that this section of Aggie Road is at or near its eastern terminus. The 42 foot width road reservation for Aggie Road is proposed since this is the same road section that serves the medical complex.

A small indentation in the western property line was the result of an encroachment by a neighbor and grant of land to the adjoining lot to accommodate the encroachment. There is an abandoned effluent outfall line that provided irrigation water to the orchards within the Southwest Sector which crosses the property in an east-west direction.

There are four mobile homes that currently occupy the most southerly end of the property. That use was approved when the property was under extraterritorial jurisdiction. The mobile homes are served by a septic tank and well. These dwelling units will be removed in conjunction with the respective phase of the development program.

A major overhead electric line has been recently installed on the property running parallel to Rufina Street. An easement has been acquired by PNM for the electric line. There is an electric pole 50 feet from the western property line. This pole imposes certain limitations on the placement of the road from the property to Rufina Street.

Terrain and Vegetation

The terrain is relatively flat with an average slope across the property of two percent. Approximately one-third of the property slopes towards Rufina Street with two-thirds of the property having a slope towards Cerrillos Road. The drainage system improvements proposed for the complex are designed to complement the natural drainage on the property.

Grasses and forbs are the principal natural vegetation on the site. Stands of juniper along with Chinese Elms are located on the western property boundary are also found on this tract.

Archaeological and Site Investigation

This property is located within the Suburban Archaeological District. The lot size is 6.3 acres which is below the threshold of 10 acres which triggers the need for an archaeological survey and report. Some of the properties in the Rufina Street area had orchards. According to Mrs. Narvaiz historic orchards characteristic of the area were not located on this property.

Adjoining Land Uses

The land to the south of the subject property is zoned C-2 is fully developed with access provided from Cerrillos Road. The property to the east is owned by the Catholic Church and is vacant. Rufina Street is the geographic boundary for the northern property line. This is also the boundary for the Village of Agua Fria land use jurisdiction. To the west the properties are a mix of residential and non-conforming commercial. The residential lots are located to the north with typical lot sizes of $\frac{1}{2}$ to $\frac{3}{4}$ acre. At the southern end of the western properties there is a contractor's yard that appears to be a non-conforming use within what is now City jurisdiction.

There is adequate capacity and volume in the line with the loop connection to service the Complex with domestic and fire-flow demand. Completion of the loop line is proposed with the third phase of construction. A water line will be incrementally extended into the property with the first two phases of the project.

Fire hydrants will be provided at locations determined by the Fire Department. A technical evaluation request has been submitted to Sangre de Cristo Water Company (see Appendix C).

Sewer

There is a 12 inch City sewer line located in Rufina Street. This 12 inch line has sufficient capacity to accommodate the effluent demand created by the proposed development. Connection to the sewer line in Rufina will require a cut in the roadway. An 8 inch sewer will be extended through the length of Camino Maria Feliz. Due to the ridge that runs east-west across the property the sewer line will be approximately 10 feet deep as it crosses the ridge. This depth will occur for a short distance within the Complex.

This would be a public line dedicated to the City of Santa Fe. A technical evaluation request for sewer service has been submitted to the City Wastewater Department and can be found in Appendix C.

Electric

There is an overhead, primary transmission line located on the south side of Rufina Street. There is also a feeder three phase line running parallel and within the same easement as the transmission line for the Southwest Sector. This secondary line will serve this project. A switch gear will be required to step the electric service down from three phase to single phase. The existing electric lines in the area have sufficient capacity to serve this development project.

Natural Gas

There is a four inch gas main located on the south side of Rufina Street. It is assumed based on discussions with the Gas Company of New Mexico that a two inch line would be sufficient to satisfy the requirements of the Complex. The Gas Company of New Mexico will prepare an evaluation prior to the commencement of construction for the first phase of the project.

Telephone

Telephone is available on Rufina Street. Century Link does not prepare a capacity review until there is a building permit submitted for the property. Since this tract of land is located within the urban area, Century Link is obligated to provide telephone service to the property.

Project Description

Three phases of development are being requested as part of this application:

- Phase I consist of a 7,225 square foot veterans clinic along with the request for the reduction of a right-of-way reservation for Aggie Road from 66 feet to 42 feet.
- Phase II is a residential component consisting of 41 assisted care units.
- Phase III consists 10,875 square feet of medical offices.

A summary of the site data for this project is provided below:

Size of parcel:	6.36 acres
Requested Zoning	Mixed Use (MU)
Total building area	50,900
Lot coverage	18%

Medical

VA Clinic:	7,225 square feet
Medical Office:	10,875 Square feet
Building Height:	20 Feet

Residential

Assisted Care:	41 Units
Each Unit Gross Area	800 square feet
Total Square feet of all units	32,800
Building height	18 feet

General Plan Amendment Criteria

Response to City Code Criteria

The Land Development Code lists the criteria for addressing an amendment to the General Plan. Each of these criteria is addressed below.

(1) Criteria for all amendments to the general plan:

- (a) Consistency with growth projections for the City using a data base maintained and updated on an annual basis by the City, with economic development goals as set forth in a comprehensive economic development plan for the City, and with existing land use conditions, such as access and availability of infrastructure.*

With regard to efficiency this area is currently served by City water and City sewer and dry utilities are either on or in close proximity to the site. Police and fire already serve this area and is it assumed that solid waste collection will also be available for this development. Additional fire stations or police substations are not required in order to serve the proposed development.

(2) Additional Criteria for Amendments to Land Use Policies

- a) *The growth and economic projections contained within the plan are erroneous or have changed; or:*

The General Plan assumed that a percentage of the City's development would occur through infill. This is considered an infill development since utilities and road ways are available. The growth projections are not erroneous or have changed. This part of the presumptive City limits was considered to have one of the highest priorities for annexation and in fact was one of the first areas to be annexed. The development of this land is consistent with the assumptions and policies set forth in the Santa Fe Urban Area General Plan that urban infrastructure should be extended to this area and growth be accommodated as a result of the extension of infrastructure.

- b) *No reasonable locations have been provided for certain land uses for which there is demonstrated need; or*

This is an opportunity to provide for health care facilities to a part of Santa Fe that is currently underserved. While the General Plan has recommended other locations in Santa Fe for similar facilities, health care uses have not been attracted to this area of the Southwest Sector.

- c) *Conditions affecting the location or land area requirements of the proposed land use have changed, for example, the cost of land space requirements, consumer acceptance, market, and building technology; and*

In this case there is an unmet consumer demand for health care services in this part of Santa Fe. The Veterans Administration has a maximum lease value they are willing to pay which puts certain areas of Santa Fe outside the fiscal limitations of the VA. The applicant is able to provide the land at a lower cost than other areas of Santa Fe, passing that lower cost on to the lease rates for the clinic.

- d) *The effect of the proposed change in land use will not have a negative impact on the surrounding property. The proposed change in land use must be related to the character of the surrounding area or a provision must be made to separate the proposed change in use from adjacent property by a setback, landscaping or other means.*

(c) The rezoning is consistent with the applicable policies of the general plan, including the future land use map.

A request has been submitted with the rezoning application to amend the City General Plan. The application has addressed the criteria for an amendment to the General Plan. With the approval of the General Plan amendment the requested Mixed Use zoning is consistent with the Future Land Use Map.

(d) The amount of land proposed for rezoning and the proposed use for the land is consistent with city policies regarding the provision of urban land sufficient to meet the amount, rate, and geographic location of the growth of the city.

This area of Santa Fe has always been underserved with medical uses. This rezoning request is an opportunity to address the lack of medical facilities in this area. The City General Plan does not detail the policies associated with health services except to state that: "The City will see an increased need for in-home health care, homemaker, elderly day programs, nursing and case management services".¹ With regard to senior services the City General Plan provides a description of what is currently offered by the City Division of Senior Services but does not specify policies for the future care of our seniors.

(e) The existing and proposed infrastructure, such as the streets system, sewer and water lines, and public facilities, such as fire stations and parks, will be able to accommodate the impacts of the proposed development.

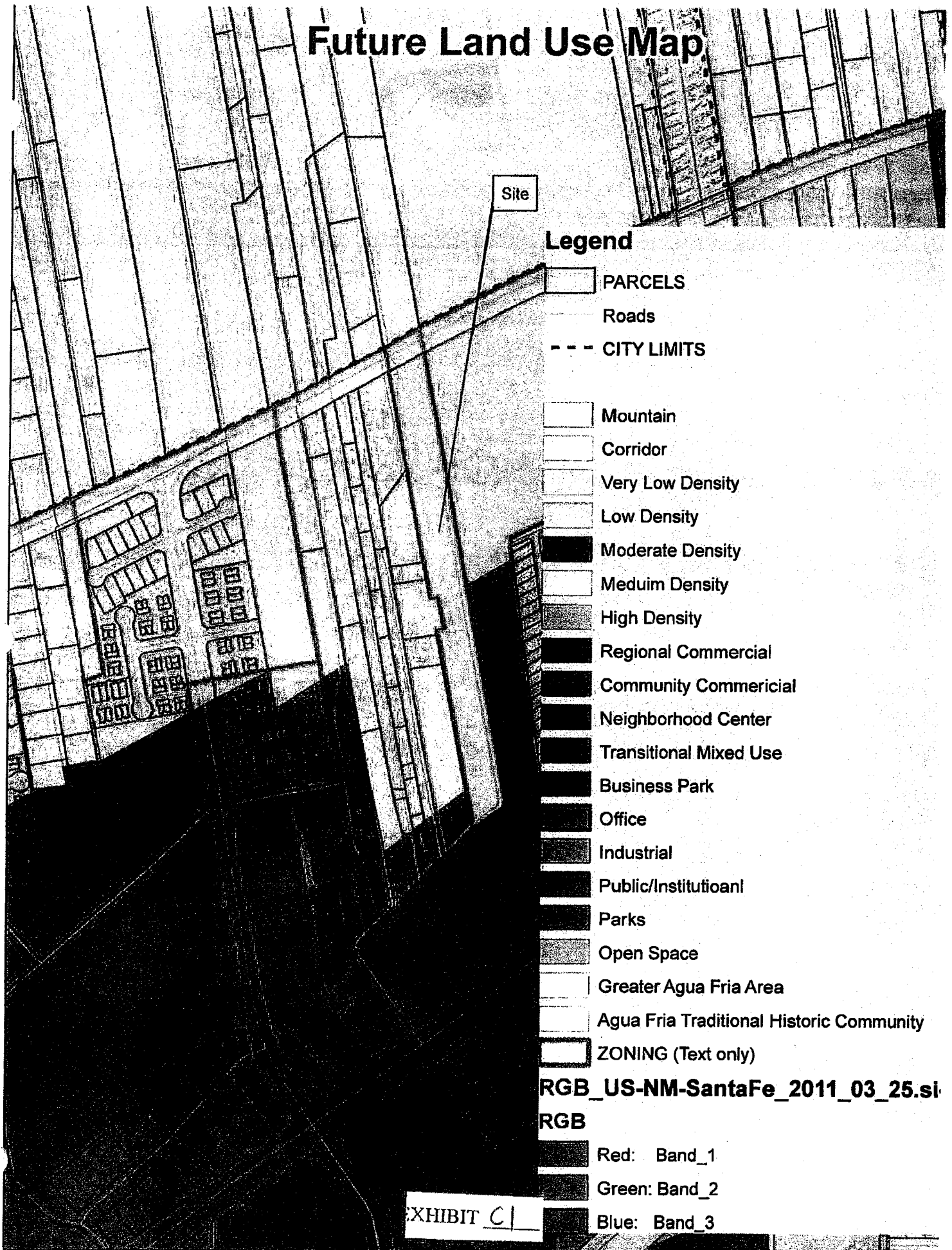
All utilities are available to the property including water, sewer and dry utilities. There is excess capacity in these utilities which are capable of providing adequate utility service to the project at full build-out. Rufina Street has been constructed as a two lane roadway and sufficient right-of-way has been acquired to allow for the expansion of this street to a four lane roadway. A storm sewer has been installed in Rufina Street sized to accommodate the historic discharge from the southwest sector.

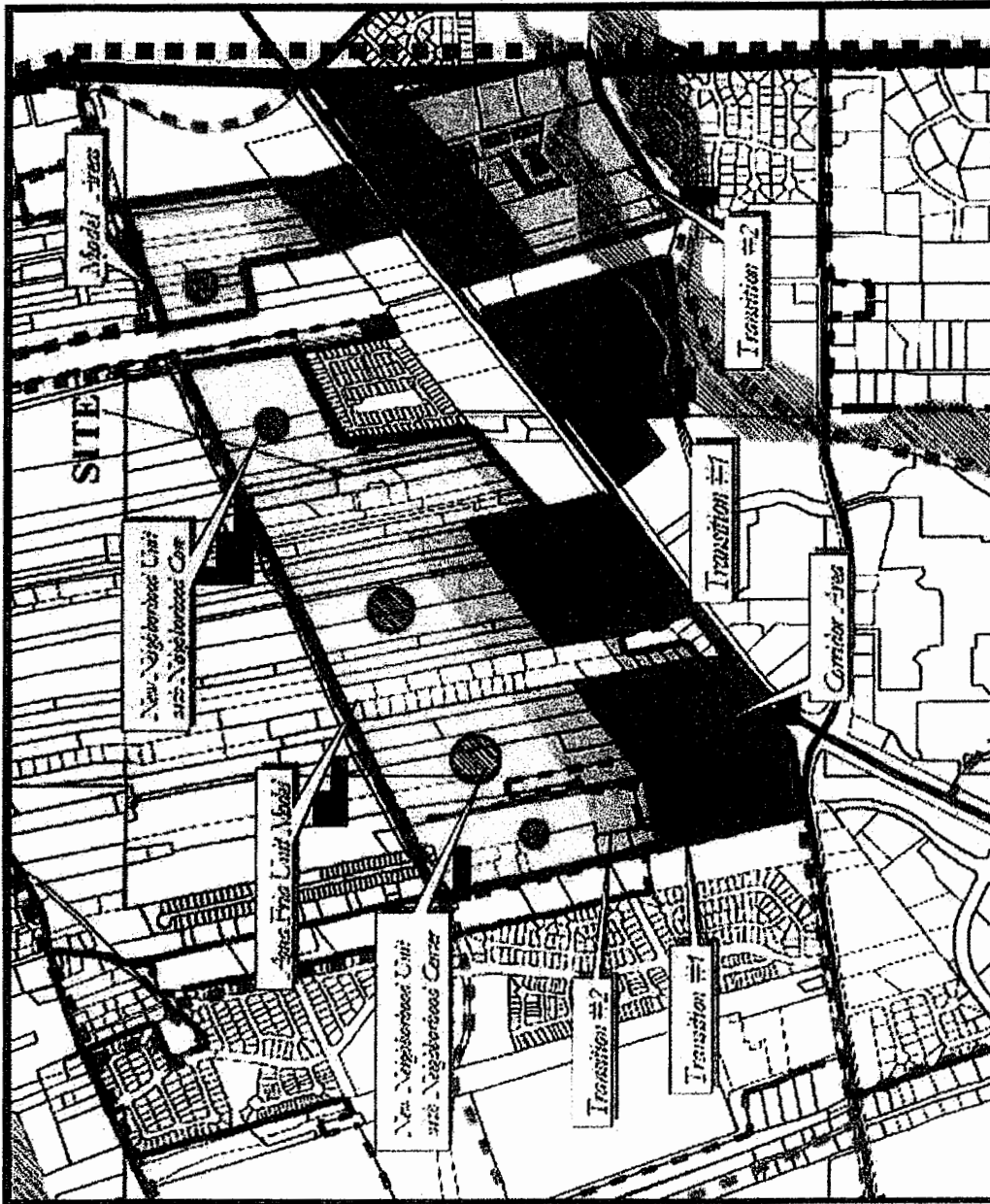
Addendum To Report

After a presentation to the Department of Veteran affairs, a letter to solicit the proposed use of the property was recently received. See Appendix D for correspondence from the Department of Veteran Affairs

¹ City of Santa Fe General Plan, September 1997 Pages 10-18

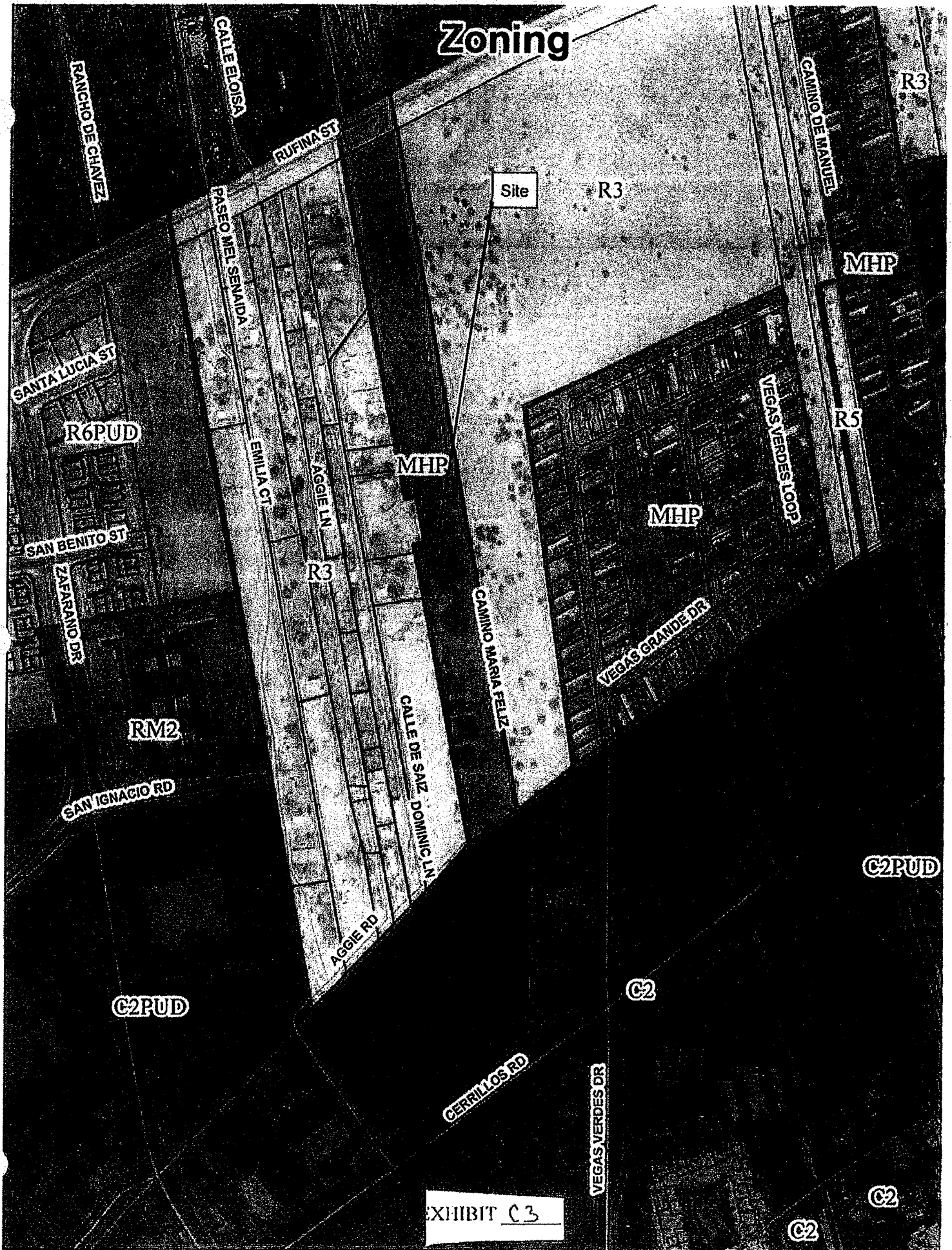
Future Land Use Map





Map 2.5.7. Proposed General Plan Future Land Uses within the Neighborhood Pattern Areas

Zoning





**City of Santa Fe
Land Use Department
Early Neighborhood Notification
Meeting Notes**

<i>Project Name</i>	Veterans Medical Clinic and Medical Offices and Assisted Living
<i>Project Location</i>	The property is located south of Rufina Street extending to Aggie Road.
<i>Project Description</i>	General Plan Future Land Use Map Amendment and requests rezoning of 6.36± acres.
<i>Applicant / Owner</i>	Sandra and Chris Pacheco
<i>Agent</i>	James W. Siebert
<i>Pre-App Meeting Date</i>	January 26, 2012
<i>ENN Meeting Date</i>	March 27, 2012
<i>ENN Meeting Location</i>	Nancy Rodriguez Center
<i>Application Type</i>	General Plan Future Land Use Map Amendment and requests rezoning.
<i>Land Use Staff</i>	Dan Esquibel
<i>Other Staff</i>	None
<i>Attendance</i>	19

Notes/Comments:

Concerns from the community:

1. Access from Vegas Verde
2. Construction of medians on Rufina
3. Drainage on the property

Concerns were raised about access onto the site and the development of raised medians. Additional concerns were raised regarding any access through Vegas Vergas Mobile Home Park. The applicants responded stating that a traffic study will be provided to the City and no access is proposed through the mobile home park. Additional concerns were raised regarding drainage off the parcel. The applicant responded by stating that terrain management plan will provided to the city addressing drainage off the property.



**City of Santa Fe
Early Neighborhood Notification Meeting
Sign-In Sheet**

Project Name: Pacheco - Gen Plan Amendment & Rezone Meeting Date: 3/27/12
 Meeting Place: Nancy Rodriguez Community Center Meeting Time: 5:30

Applicant or Representative Check Box below

↓	Name	Address	Email
<input checked="" type="checkbox"/>	1 Jim Siebert	915 Mercer St.	Jim@jwsiebert.com
<input type="checkbox"/>	2 Rosalinda Lora	1299 Vegas Vandas #39	SF@um.edu
<input type="checkbox"/>	3 Francisco & Gloria Placencia	1299 Vegas Vandas #40	SF@um.edu
<input type="checkbox"/>	4 Martha Velazquez	1299 Vegas Vandas #41	SF@um.edu
<input type="checkbox"/>	5 Gloria Anaya	1299 Vegas Vandas #42	SF@um.edu
<input type="checkbox"/>	6 TANNY PAVIA	1299 Vegas Vandas #43	SF@um.edu
<input type="checkbox"/>	7 Yolanda Gloriel	1299 Vegas Vandas #44	SF@um.edu
<input type="checkbox"/>	8 Dora Martinez	1299 Vegas Vandas #45	SF@um.edu
<input type="checkbox"/>	9 Miguel Chavez	1015 Camino Borrico	miguelmchavez@msn.com
<input type="checkbox"/>	10 ALFRED PADILLA	1299 Vegas Vandas #7	SF@um.edu
<input type="checkbox"/>	11 Michael Gonzalez	3255 Alvarado Dr. (Acacia 20)	mmmmmmg@msn.com
<input type="checkbox"/>	12 Mary Gonzalez	3255 Alvarado Dr. (Acacia 10)	mmmmmmg@msn.com

For City use: I hereby certify that the ENN meeting for the above named project took place at the time and place indicated.

Printed Name of City Staff in Attendance: Don Esquivel

Signature of City Staff in Attendance: [Signature]

Date: 3-27-12

This sign-in sheet is public record and shall not be used for commercial purposes.



City of Santa Fe
Early Neighborhood Notification Meeting
Sign-In Sheet

Project Name: _____ Meeting Date: _____
Meeting Place: _____ Meeting Time: _____

Applicant or Representative Check Box below

<input type="checkbox"/>	Name	Address	Email
<input type="checkbox"/>	William Mee	2013 Camino Sripel Marbaya	williamm@afva.com
<input type="checkbox"/>	2015 Mac	"	"
<input type="checkbox"/>	Theresa Prada	2195 Popocatepetl Sn. de	Pradatheresa@yahoo.com
<input type="checkbox"/>	Demecio Riquelme	1999 Vistas Verdes Dr. NE	
<input type="checkbox"/>	Martha Prado Soria	1299 Vistas Verdes Dr. NE	
<input type="checkbox"/>	E. M. Riquelme	2155 Paseo del Sendero	
<input type="checkbox"/>	Carla Garcia	2829 Calle de Santa Fe	
<input type="checkbox"/>			
<input type="checkbox"/>			
<input type="checkbox"/>			
<input type="checkbox"/>			
<input type="checkbox"/>			
<input type="checkbox"/>			
<input type="checkbox"/>			

For City use: I hereby certify that the ENN meeting for the above named project took place at the time and place indicated.

Don Engle
Printed Name of City Staff in Attendance
Signature of City Staff in Attendance
3-27-12
Date

This sign-in sheet is public record and shall not be used for commercial purposes.



Print Form

Early Neighborhood Notification Meeting

Request for Staff Attendance

Submittals must be completed before the City will schedule the meeting date and staff for an ENN meeting. Meetings should be coordinated with the Land Use Department to ensure staff attendance, and meetings will not be scheduled on public hearing days including Board of Adjustment, BCD-DRC, Planning Commission and City Council hearing days.

DEVELOPMENT/PROJECT NAME: Pacheco-Rufina

(The same name shall be used throughout the ENN & application submittal process)

PROJECT LOCATION/ADDRESS: 2784 Camino Maria Feliz

(Attach vicinity map and site plan)

APPLICATION TYPE:

- ☒ General Plan Amendment: From: R-LOW To: TMX4 ☐ Annexation: _____
- ☒ Rezoning From MHP To: MU ☐ Preliminary Subdivision: Number of lots _____
- ☐ Preliminary Development Plan ☐ Final Subdivision: Number of lots _____
- ☐ Final Development Plan ☐ Variance _____
- ☐ Development Plan ☐ Special Exception _____
- ☐ Amended Development Plan ☐ Other _____

Detailed Project Description: Veterans Medical Clinic, Medical Offices and Assisted Living

DEVELOPMENT/PROJECT INFORMATION:

Neighborhood Association(s) w/in 200' of project (exclude R-O-W): Agua Fria Village

Acreage: 6.376 Acres Zone District: MHP Future Land Use: R-LOW

Date of Pre-application meeting: March 8, 2012

AGENT/OWNER INFORMATION:

AGENT: James W. Siebert Address: 915 Mercer Street

City: Santa Fe State: NM Zip Code: 87505 Phone: 983-5588

OWNER: Sandra & Chris Pacheco Address: _____

PROPOSED ENN MEETING DATES: (Provide three (3) options)

	Preferred Option	Alternative 1	Alternative 2
DATE:	<u>3/27/2012</u>	_____	_____
TIME:	<u>5:30</u>	_____	_____
LOCATION:	<u>Nancy Rodriguez Community Center</u>	_____	_____

Received by LUD on: Current Date 3/9/12

LUD Initials: _____



**JAMES W. SIEBERT
AND ASSOCIATES, INC.**

**915 MERCER STREET * SANTA FE, NEW MEXICO 87501
(505) 983-5588 * FAX (505) 989-7313
siebert.associates@comcast.net**

March 12, 2012

RE: EARLY NEIGHBORHOOD NOTIFICATION MEETING

Dear Resident;

In accordance with the requirements of the City of Santa Fe's Neighborhood notification ordinance, this is to inform you that a meeting is scheduled for Tuesday **March 27, 2012 at 5:30 p.m.** at the **Nancy Rodriguez Community Center** located at 1 Prairie Dog Loop, Santa Fe NM 87507. The meeting will consist of a request for a general plan amendment to amend the existing land uses from Residential Low Density-to Transitional Mixed Use and to rezone 6.376 acres of land from MHP (Mobile Home Park) to MU (Mixed Use), and preliminary development plan.

The subject property consists of 6.376± acres and is located south of Rufina Rd, north of Cerrillos Rd and east of the Vegas Verdes Mobile Home Park.

The Early Neighborhood Notification ordinance provides for an exchange of information between applicants for development projects and the people who will be neighbors to the project.

Attached, please find a vicinity map. If you have any questions or comments, please contact James W. Siebert & Associates at (505)-983-5588.

Sincerely,

Attachments:

Vicinity Map (reverse side)



ENN GUIDELINES

Applicant Information

Project Name: Pacheco-Rufina

Name: Pacheco Chris

Last First M.I.

Address:

Street Address Suite/Unit #

C/O James W. Siebert & Associates

City State ZIP Code

Phone: () 983-5588 E-mail Address: jim@jwsiebert.com

Please address each of the criteria below. Each criterion is based on the Early Neighborhood Notification (ENN) guidelines for meetings, and can be found in Section 14-3.1(F)(5) SFCC 2001, as amended, of the Santa Fe City Code. A short narrative should address each criterion (if applicable) in order to facilitate discussion of the project at the ENN meeting. These guidelines should be submitted with the application for an ENN meeting to enable staff enough time to distribute to the interested parties. For additional detail about the criteria, consult the Land Development Code.

- (a) EFFECT ON CHARACTER AND APPEARANCE OF THE SURROUNDING NEIGHBORHOODS** For example: number of stories, average setbacks, mass and scale, landscaping, lighting, access to public places, open spaces and trails.

The Veterans Health Clinic, which is proposed adjacent to Rufina Street, will be a one story building. The land to the east is vacant and no residential dwellings are located within 1000 feet of the proposed structure. The building is setback 75 feet from the western property boundary where residential dwellings are located. Landscaping and a 5 foot wall will enhance the buffering of this project from adjoining residential dwellings. The Clinic typically operates from 8:00 to 5:00 during the week and is not open on the week-ends. While the exterior lighting has not been designed at this time a great deal of care will be taken to minimize the visibility of the lights from the adjacent residences, but to the standards that may be imposed by the VA.

- (b) EFFECT ON PROTECTION OF THE PHYSICAL ENVIRONMENT** For example: trees, open space, rivers, arroyos, floodplains, rock outcroppings, escarpments, trash generation, fire risk, hazardous materials, easements, etc.

The property is ideally suited to urban development given the flatness of the terrain and lack of concentrated drainage and availability of utilities. There are low-lying native grasses and forbs on the property but very few and principally Siberian Elms that are currently growing on this property. Rock outcroppings, steep slopes and escarpment areas do not exist on this property. There are no flood plains on or within close proximity to the subject tract of land. There is an overhead electric line adjacent to the Rufina Street right-of-way where buildings are not permitted. Any medical waste generated at this site will be disposed of consistent with state and federal regulations.

(c) IMPACTS ON ANY PREHISTORIC, HISTORIC, ARCHAEOLOGICAL OR CULTURAL SITES OR STRUCTURES, INCLUDING ACEQUIAS AND THE HISTORIC DOWNTOWN For example: the project's compatibility with historic or cultural sites located on the property where the project is proposed.

There are no acequias located on the property. There is an abandoned effluent outfall line that was installed by the City for irrigating orchards in the Southwest sector from the now abandoned Siler Road wastewater treatment plant. This is the only feature of historical significance on this tract of land. The property is not located within the historic downtown. The extension of Aggie Road, running parallel to Cerrillos Road at the north end of the property may have served as an entry road to Santa Fe although the origin of this abandoned roadway is not entirely clear.

(d) RELATIONSHIP TO EXISTING DENSITY AND LAND USE WITHIN THE SURROUNDING AREA AND WITH LAND USES AND DENSITIES PROPOSED BY THE CITY GENERAL PLAN For example: how are existing City Code requirements for annexation and rezoning, the Historic Districts, and the General Plan and other policies being met.

The land on either side of Rufina Street is sporadically developed with pockets of residential uses intermixed with larger areas of vacant land. The average density for this area of the Southwest Sector is low due to the long narrow land pattern makes development of this area difficult. The City General Plan recommends residential densities of 3-7 dwellings per acre. The existing MHP zoning permits residential densities of up to 8 dwellings per acre which requires a general plan density of 8-12 dwellings per acre. For buildings 25 feet or less in height MU district establishes a maximum density of 12 units per acre. The MU residential density would be consistent with the general plan designation that must have been applied for the MHP zoning.

(e) EFFECTS ON PARKING, TRAFFIC PATTERNS, CONGESTION, PEDESTRIAN SAFETY, IMPACTS OF THE PROJECT ON THE FLOW OF PEDESTRIAN OR VEHICULAR TRAFFIC AND PROVISION OF ACCESS FOR THE DISABLED, CHILDREN, LOW-INCOME AND ELDERLY TO SERVICES For example: increased access to public transportation, alternate transportation modes, traffic mitigation, cumulative traffic impacts, pedestrian access to destinations and new or improved pedestrian trails.

Rufina Street is a two lane facility with enough right-of-way acquired to construct a four lane road. The City constructed Rufina Street as an alternate route to Agua Fria and Cerrillos Road to encourage the infill of the Southwest Sector. A traffic study will be prepared to determine the traffic generation from the project and the mitigating measures that will be needed to accommodate that projected traffic generation. The Veterans' Medical Clinic will serve approximately 2600 veterans in the Santa Fe and adjoining areas, any of which live on the southwest area of the City. This project will provide a service to the community by providing health services to those serving in the military.

(f) IMPACT ON THE ECONOMIC BASE OF SANTA FE For example: availability of jobs to Santa Fe residents; market impacts on local businesses; and how the project supports economic development efforts to improve living standards of neighborhoods and their businesses.

Approximately 30 people will be employed at the clinic. Not all of the people working at the clinic will be new hires since a 2500 square foot version of the clinic already exists in Santa Fe. The medical personnel are well paid, including the additional doctors that will be hired to staff the clinic. The clinic provides a community service to the veterans of Santa Fe and parts of northern New Mexico. The assisted care will include staff for maintenance of the facility and managed care for the residents of the assisted care community.

- (g) EFFECT ON THE AVAILABILITY OF AFFORDABLE HOUSING AND AVAILABILITY OF HOUSING CHOICES FOR ALL SANTA FE RESIDENTS** *For example: creation, retention, or improvement of affordable housing; how the project contributes to serving different ages, incomes, and family sizes; the creation or retention of affordable business space.*

There is currently a demand for additional beds in assisted care communities. The development will provide for housing that satisfies a need in Santa Fe. Fifteen percent of the project will be subject to the City's affordability standards. The new building constructed for the clinic will be rented by the Veterans Administration and is subject to the cost limitations imposed by the VA for New Mexico.

- (h) EFFECT UPON PUBLIC SERVICES SUCH AS FIRE, POLICE PROTECTION, SCHOOL SERVICES AND OTHER PUBLIC SERVICES OR INFRASTRUCTURE ELEMENTS SUCH AS WATER, POWER, SEWER, COMMUNICATIONS, BUS SYSTEMS, COMMUTER OR OTHER SERVICES OR FACILITIES** *For example: whether or how the project maximizes the efficient use or improvement of existing infrastructure; and whether the project will contribute to the improvement of existing public infrastructure and services.*

There will be no impact on the school system since the proposed project does not generate children of school age that attend Santa Fe's public schools. The City committed to providing police and fire protection and solid waste pick up when it annexed this area as part of the County as part of the City/County settlement agreement. Water, sewer, electric and gas is available on Rufina Street. A bus route does not currently serve Rufina Street. A van service will be available to pick up veterans and bring them to and from the clinic. Typically the assisted care projects have their own transportation for the residents as an amenity of the development.

- (i) IMPACTS UPON WATER SUPPLY, AVAILABILITY AND CONSERVATION METHODS** *For example: conservation and mitigation measures; efficient use of distribution lines and resources; effect of construction or use of the project on water quality and supplies.*

Any water use that is needed to serve this project will have to be offset by the purchase of water conservation credits or the purchase and transfer of water rights to the City. For mixed use projects the owner is allowed to purchase up to 7.5 acre for the City water conservation program. A water budget has not been prepared for the development but it is assumed that the project will consume less than 7.5 acre feet. Since all buildings within the project will be new buildings it will be possible to include the latest water conserving technologies. A storm water pollution plan will be prepared describing the measures taken to manage rain water and protect the quality of the water leaving the site and methods for limiting the deposit of silt and mud from leaving the boundaries of the property.

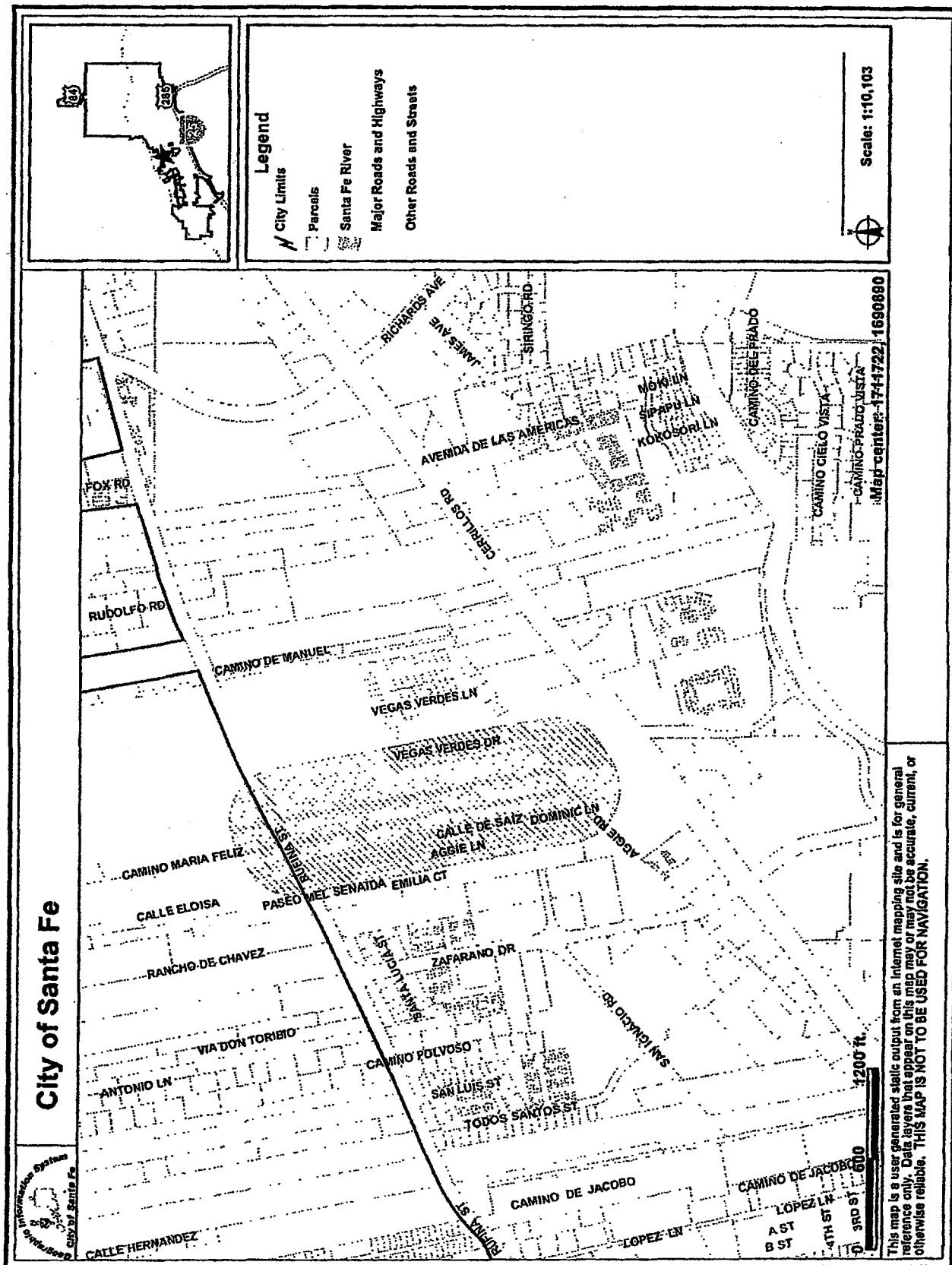
- (j) EFFECT ON THE OPPORTUNITIES FOR COMMUNITY INTEGRATION AND SOCIAL BALANCE THROUGH MIXED LAND USE, PEDESTRIAN ORIENTED DESIGN, AND LINKAGES AMONG NEIGHBORHOODS AND RECREATIONAL ACTIVITY AND EMPLOYMENT CENTERS** *For example: how the project improves opportunities for community integration and balance through mixed land uses, neighborhood centers and/or pedestrian-oriented design.*

This project will include both residential and commercial uses. Social balance is achieved by offering medical services to America's military personnel. Both the clinic, the medical offices and the assisted living facility offer the opportunity for employment. Sidewalks will provide the resource for residents of the assisted care facility to walk within the development and to access commercial uses along Cerrillos Road and hopefully for those residents who are veterans to walk to the VA clinic. An emergency access will be constructed at the south end of the site creating walkable access to Aggie Road and to Cerrillos Road from Aggie Road.

(k) EFFECT ON SANTA FE'S URBAN FORM For example: how are policies of the existing City General Plan being met? Does the project promote a compact urban form through appropriate infill development? Discuss the project's effect on intra-city travel and between employment and residential centers.

This issue was resolved when the City took the initiative to annex the portion of the Southwest Sector generally described as the area between Cerrillos Road and Rufina Street. The purpose of this annexation was to implement the annexation of land within the City's defined urban boundary. This area was the first phase of the City program to annex all the land with the urban boundary.

(l) ADDITIONAL COMMENTS (optional)



This map is a user generated static output from an internet mapping site and is for general reference only. Data layers that appear on this map may or may not be accurate, current, or otherwise reliable. THIS MAP IS NOT TO BE USED FOR NAVIGATION.

Pacheco-Rufina Adjainers

UPC #	Physical Address	Assessed Property Owner	Property Owner Mailing Address
1-050-096-199-374	2730 Calle De Salz	Dick & Lillian Salz	2889 Calle De Salz
1-050-096-211-235	Santa Fe, NM 87501	C/O Richard III Co-Trustees	Santa Fe, NM 87507
	3064 Aggie Lane		202 Aggie Road
	Santa Fe, NM 87501	Thomas Vigil	Santa Fe, NM 87501
1-050-096-195-385		Bruno & Magdalene Levarlo	PO Box 8338
	Unassigned		Santa Fe, NM 87504
1-050-096-206-294	2938 Dominic Lane	Eddie Scarafioti Family Trust	PO Box 442
	Santa Fe, NM 87505		Durango CO, 81302
1-050-096-217-250	3040 Aggie Lane	Raymond Goldman	HC 72 Box 193
	Santa Fe, NM 87505	Cookson OK, 74427	Santa Fe, NM 87502
1-050-097-187-338	2753 Aggie Lane	Anthony Rivera	PO Box 570847
	Santa Fe, NM 87505		Tarzana CA, 91357
1-050-096-225-210	3787 Cerrillos Road	Thomas Fiorina	2201 Sirlingo Road
			Santa Fe, NM 87501
1-050-096-265-263	1360 Vegas Verdes Dr Unit A	Los Dos Commerce Center	680 Callecita Jicarilla
	Santa Fe, NM 87501	C/O Duffy	Santa Fe, NM 87505
1-050-096-265-256	1360 Vegas Verdes Dr. Unit B	Los Dos Commerce Center	1360 Vegas Verde #8
	Santa Fe, NM 87501	C/O Duffy	Santa Fe, NM 87507
1-050-096-252-354	1299 Vegas Verdes Dr. Sp 019	David Barton Trustee	2442 Cerrillos Road # 157
	Santa Fe, NM 87501	Santa Fe Affordable Housing	Santa Fe, NM 87505
1-050-096-267-267	1360 Vegas Verdes	Los Dos Commercer Center	1360 Vegas Verde #8
	Santa Fe, NM 87501	C/O Duffy	Santa Fe, NM 87507
1-050-096-261-273	1299 Vegas Verdes #1	Tiburico & Margarita Garcia	Same as Physical Address
	Santa Fe, NM 87507		
1-050-096-270-283	1299 Vegas Verdes Dr	Frances & Edwina Garcia	Same as Physical Address
	Santa Fe, NM 87501		
1-050-096-270-950	1299 Vegas Verdes Dr. Sp 061	Bronson Sr. & Cecilia Duran	2439 Vereda de Encanto
	Santa Fe, NM 8751		Santa Fe, NM 87505
1-050-096-267-240	3695 Cerrillos Road	Shaughnessy OPCON Corp	Tax Dept #7283 PO Box 117508
	Santa Fe, NM 87501	C/O Red Roof Inns, Inc	Carrollton Tx, 75011

1-050-096-230-269	0 Aggie LN Santa Fe, NM 87501	Michael & Mary Gonzales	3255 Nizhoni Dr. Santa Fe, NM 87505
1-050-096-258-300	1299 Vegas Verdes Dr. Sp 007 Santa Fe, NM 87501	Alfred & Barbara Padilla	PO Box 133 Santa Fe, NM 87504
1-050-096-260-277	1299 Vegas Verdes Dr. Sp 02 Santa Fe, NM 87501	Gloria Zamora C/O Helen Zamora	108 Vigil Lane Santa Fe, NM 87501
1-050-096-259-291	1299 Vegas Verdes Dr. SP 005 Santa Fe, NM 87501	Demecia Roybal C/O Neighborhood Housing	1570 Pacheco St. STE A-1 Santa Fe, NM 87505
1-050-096-260-281	1299 Vegas Verdes Dr. Sp 003 Santa Fe, NM 87507	Sophie & Irene Ortega C/O Dora Blanco	Same as Physical Address
1-050-096-196-276	3017 Paseo Mel Senalda Santa Fe, NM 87501	Tessie Montano	PO Box 284 Corona, NM 88318
1-050-096-260-286	1299 Vegas Verde Dr. #4 Santa Fe, NM 87507	Veronica & Jesus Flores	Same as Physical Address
1-050-096-287-287	1299 Vegas Verdes Dr. Sp 058 Santa Fe, NM 87507	Jerry & Margaret Montano	2952 Calle Vera Cruz Santa Fe, NM 87505
1-050-096-258-296	1299 Vegas Verdes Dr. #6 Santa Fe, NM 87501	Sadie Quintana	Same as Physical
1-050-096-252-245 Santa Fe, NM 87505	1378 Vegas Verdes Dr Unit 8	Dennis & Kathie Duffy	Same as Physical
1-050-096-165-450	0 Paseo Mel Senalda Santa Fe, NM 87505	Jerry & Helen Gallegos	1700 Camino Dos Antonios Box 5 Santa Fe, NM 87507
1-050-096-183-402	0 Aggie Road Santa Fe, NM 87505	Dennis & Kathleen	200 Aggie Road Santa Fe, NM 87505
1-050-096-265-248	1360 Vegas Verdes Dr Unit C Santa Fe, NM 87501	C&F Ventures-LLC	71441 Stags Leap Ct. Niles, MI 49120
1-050-096-274-284	1299 Vegas Verdes Dr. #59 Santa Fe, NM 87501	Rosalina Lavato	Same as Physical Address
1-050-096-188-386	2816 Aggie Lane Santa Fe, NM 87501	Patricia Scarafioti	2816 Dominic Ln Santa Fe, NM 87507
1-050-096-262-238	1372 Vegas Verdes Dr. Santa Fe, NM 87501	Maestas Family Trust Nick Maestas	1031 Valerie Circle Santa Fe, NM 87505
1-050-096-255-233	1380 Vegas Verdes Dr Santa Fe, NM 87501	Sally Thayer Revocable Living Trust	1382 Vegas Verdes Dr. Santa Fe, NM 87507

1-050-096-269-305	1299 Vegas Verdes Dr. Sp 063 Santa Fe, NM 87501	William Valentine	Same as Physical Address
1-050-069-196-305	2928 Aggie Ln. Santa Fe, NM 87507	Dennis & Kathleen Gonzales	200 A Aggie Road Santa Fe, NM 87505
1-050-096-231-286	0 Calle De Saiz Santa Fe, NM 87505	Eddie & Dominic Scarafioti	2938 Dominic LN. Santa Fe, NM 87505
1-050-096-268-318	1299 Vegas Verdes Dr. Sp066 Santa Fe, NM 87501	Rogelio & Maria Olvera	Same as Physical Address
1-050-096-200-285	3036 Aggie Lane Santa Fe, NM 87507	Gene Gonzales	Same as Physical Address
1-050-096-165-450	2195 Paseo Mel Senaida Santa Fe, NM 87501	Jerry & Helen Gallegos	1700 Camino Dos Antonios Box 5 Santa Fe, NM 87507
1-050-096-211-504	Church Property	Archdioces of SF Catholic Center	4000 St. Josphs Pl NW Albuquerque, NM 87120
1-050-096-268-314	1299 Vegas Verdes Dr. # 65 Santa Fe, NM 87501	Mary Saiz	Same as Physical Address
1-050-096-267-323	1299 Vegas Verdes Dr. # 67 Santa Fe, NM 87501	Elaine Anaya	Same as Physical Address
1-050-096-265-337	1299 Vegas Verdes Dr. Santa Fe, NM 87501	Erasmio & Elifida Estrada	1612 Palomino Ct Santa Fe, NM 87505
1-050-096-253-341	1299 Vegas Verdes Dr # 16 Santa Fe, NM 87501	Manuel Najera	Same as Physical Address
1-050-096-264-352	1299 Vegas Verdes Dr. #73 Santa Fe, NM 87501	Miguel & Magdalena Rodriguez	Same as Physical Address
1-050-096-255-318	1299 Vegas Verdes Dr. #11 Santa Fe, NM 87501	Susie & Danny Payne	Same as Physical Address
1-050-096-254-433	1299 Vegas Verdes Dr. # 14 Santa Fe, NM 87501	Henry & Ana Romero	Same as Physical Address
1-050-096-252-349	1299 Vegas Verdes Dr. # 18 Santa Fe, NM 87501	Gary Hadley	3122 Siring Rondo South Santa Fe, NM 87507
1-050-096-260-360	1299 Vegas Verdes Dr. #21 Santa Fe, NM 87501	Jose & Sofia Sandoval	2127 Old arroyo Chamiso Road Santa Fe, NM 87501
1-050-096-257-309	1299 Vegas Verdes Dr. #9 Santa Fe, NM 87501	Rebecca Chavez	Same as Physical

1-050-096-214-325	2889 Calle de Saiz Santa Fe, NM 87501	Richard Saiz Jr.	Same as Physical Address
1-050-096-185-298	0 Paseo Mel Senaida Santa Fe, NM 87505	Jose & Tonie Gallegos	PO Box 1542 Santa Fe, NM 87504
1-050-096-254-327	1299 Vegas Verdes Dr #13 Santa Fe, NM 87501	Barbara or Sulema Cavallo C/O Gabriela Garcia	Same as Physical address
1-050-096-266-333	1299 Vegas Verdes Dr. # 69 Santa Fe, NM 87501	Ramon Herrera	Same as Physical Address
1-050-096-253-336	1299 Vegas Verdes Dr. # 15 Santa Fe, NM 87507	Margaret Gonzales C/O Gabriela Garcia	Same as Physical Address
1-050-096-194-330	2922 Aggie Lane Santa Fe, NM 87501	David & Pamela De La O	210 Aggie road Santa Fe, NM 87501
1-050-097-163-493	0 Camino Maria Feliz Santa Fe, NM 87507	Ruben Martinez	108 Las Crucitas St. Santa Fe, NM 87501
1-050-096-193-480	0 Camino Maria Feliz	Guadalupe & Gloria Narvalz	2116 Camino Maria Feliz Santa Fe, NM 87507
1-050-096-255-210	3701 Cerrillos Road Santa Fe, NM 87501	Bruce & Katherine Besser	PO Box 2328 Santa Fe, NM 87501
1-050-096-252-345	1299 Vegas Verdes Dr. # 17 Santa Fe, NM 87501	Larry & Susan Vigil	8 Delaware Lane Santa Fe, NM 87508
1-050-096-264-342	1299 Vegas Verdes Dr#71 Santa Fe, NM 87501	Jesse Gonzales	Same as Physical Address
1-050-096-264-347	1299 Vegas Verdes Dr. #72 Santa Fe, NM 87501	Jennie Duran	Same as Physical Address
1-050-096-189-351	2860 Aggie Lane Santa Fe, NM 87505	Ruben & Marie Gonzales	2509 Sole Vida NW Albuquerque, NM 87120
1-050-096-256-314	1299 Vegas Verde Dr. # 10 Santa Fe, NM 87507	Mary & Richard Aguilar	Same as Physical Address
1-050-096-255-323	1299 Vegas Verdes Dr. # 12 Santa Fe, NM 87501	Diana Sena	Same as Physical Address
1-050-096-179-363	2221 Paseo Mel Senaida Santa Fe, NM 87507	John Gallegos	Same as Physical Address
1-050-096-182-389	2784 Aggie LN Santa Fe, NM 87507	James & Margaret Mendoza	Same as Physical Address

1-050-096-209-329	2829 Calle De Saiz Santa Fe, NM 87507	Carlos Salgado & Sylvia Garcia	Same as Physical Address
1-050-097-258-016	3552 Agua Fria Street Santa Fe, NM 87501	Archdiocese of SF	Rt 6 Box 111 Santa Fe, NM 87501
1-050-096-260-237	1372 Vegas Verdes Drive Unit 5 Santa Fe, NM 87501	Karma Sangmo & Lama Dartse	6333 Casa de Milagros Santa Fe, NM 87507
1-050-097-159-497	0 Calle Eloisa Santa Fe, NM 87505	Anthony Rivera	PO Box 570847 Tarzana CA, 91356
1-050-096-212-331	2885 Calle de Saiz Santa Fe, NM 87501	Richard Saiz	Rt 2 Box 61 Pecos NM, 87552
1-050-096-205-351	2853 Calle de Saiz Santa Fe, NM 87501	Letica Garcia	320 Aggie Road Santa Fe, NM 87501
1-050-096-186-371	2848 Aggie Road Santa Fe, NM 87507	Henry & Lorrie Benavidez	Same as Physical Address

Neighborhood Assoc.

*Villaga of Agua Fria C/O William Mee President

Thank you!

City of Santa Fe
Cashiers Office
Santa Fe, NM 87504
(505)955-4333

03/12/2012 11:52:32 AM
Your cashier was LEONA
B002201112072 T54

Development Review
PACHECO REZONING
11001.431475

Total

Cash

Change

Thank you!

\$30.00

\$30.00

\$30.00

\$0.00

La Luz Health Complex General Plan Amendment and Rezoning

Case #2012-39

Case#2012-40

Compliance with Fire Department Condition of Approval

Prior to commencement of construction for phase II of the La Luz Health Complex the applicant shall agree to maintain Aggie Road, sufficient for emergency access by the Fire Department, from the south end of the subject property to the paved section of Aggie Road measuring an approximate distance of 600 feet. The applicant shall install an automatic gate at the emergency access with an opticon actuator and agree to maintain the gate in an operable condition at all times.

Exhibit "19"