



Agenda

CITY CLERK'S OFFICE

DATE 3-20-13 TIME 3:45 pm

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**PUBLIC WORKS/CIP & LAND USE
COMMITTEE MEETING
CITY COUNCIL CHAMBERS
MONDAY, MARCH 25, 2013
4:45 P.M.**

1. CALL TO ORDER
2. ROLL CALL
3. APPROVAL OF AGENDA
4. APPROVAL OF CONSENT AGENDA
5. APPROVAL OF MINUTES FROM MARCH 11, 2013 PUBLIC WORKS COMMITTEE MEETING

INFORMATIONAL AGENDA (UP TO 15 MINUTES)

6. UPDATE TO SANTA FE ARTS AND DESIGN UNIVERSITY (LISA MARTINEZ)

CONSENT AGENDA (10 MINUTES)

7. REQUEST FOR APPROVAL TO PURCHASE 3M BRAND PAVEMENT MARKING MATERIALS USING STATE PRICE AGREEMENT NO. 90-805-00-04759 IN THE AMOUNT OF \$91,612.50 (RICK DEVINE)

Committee Review:

Finance Committee (Scheduled)

04/01/13

Council (Scheduled)

04/10/13

8. SANTA FE MUNICIPAL AIRPORT

- REQUEST FOR APPROVAL OF SUBMISSION OF A STATE GRANT APPLICATION FOR AIRFIELD PAVEMENT MARKING IN THE AMOUNT OF \$150,000 IN STATE FUNDS WITH A CITY MATCH OF \$16,670
- REQUEST FOR APPROVAL FOR THE AIRPORT MANAGER TO ACCEPT THE GRANT ON BEHALF OF THE CITY WHEN OFFERED (JIM MONTMAN)

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9. SANTA FE TRAILS

- REQUEST FOR APPROVAL OF DEPARTMENT OF TRANSPORTATION FEDERAL TRANSIT ADMINISTRATION GRANT AGREEMENT NO. NM-57-X016-00 SECTION 5421/NEW FREEDOM GRANT IN THE AMOUNT OF \$156,640 (DAVID CHAPMAN)

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10. CIP PROJECT NO. 665 – SANTA FE TRAILS BUS SHELTERS

- REQUEST FOR APPROVAL OF AWARD OF BID NO. 13/11/B AND APPROVAL OF CONTRACT WITH MERIDIAN CONTRACTING, INC. FOR AN AMOUNT OF \$501,390.60 AND A CONTINGENCY AMOUNT OF \$30,083 FOR A TOTAL AMOUNT OF \$531,473.60 (MARY MACDONALD)

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Council (Scheduled)	04/10/13

11. SANTA FE RAILYARD COMMUNITY CORPORATION (SFRCC)

- REQUEST FOR APPROVAL OF AMENDMENT NO. 2 TO AMENDED AND RESTATED LEASE AND MANAGEMENT AGREEMENT – ANNUAL INCREASE IN DEFERRALS AND REVISIONS TO MAINTENANCE MAPS FOR RAILYARD DEVELOPMENT WITH THE SANTA FE RAILYARD COMMUNITY CORPORATION (BOB SIQUEIROS)

Committee Review:

Finance Committee (Approved)	03/18/13
Council (Scheduled)	03/27/13

12. SANTA FE RAILYARD COMMUNITY CORPORATION (SFRCC)

- REQUEST FOR APPROVAL OF AMENDMENT NO. 5 TO THE PROFESSIONAL SERVICES AGREEMENT BETWEEN THE CITY OF SANTA FE AND THE SANTA FE RAILYARD COMMUNITY CORPORATION FOR THE FOLLOWING ITEMS:
 - FUNDING FOR THE DEMOLITION OF THE MEXICO LINDO BUILDING, BACA RAILYARD DEVELOPMENT (CIP FUNDS) IN THE AMOUNT OF \$36,400
 - FUNDING FOR THE STAGE, SOUND AND DIGITAL OUTDOOR MOVIE PROJECTION PACKAGE RENTAL FOR FISCAL YEAR 2013/2014 IN THE AMOUNT OF \$49,500
 - REQUEST FOR APPROVAL OF A BUDGET ADJUSTMENT REQUEST – SANTA FE RAILYARD PROJECT FUND (BOB SIQUEIROS)

Committee Review:

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Council (Scheduled)	03/27/13

13. REQUEST FOR CONCEPT APPROVAL OF LEASE AGREEMENT OF AERIAL RIGHTS FOR USE OF A PROPOSED UPPER DECK ON A PROPOSED PORTAL CONTAINING APPROXIMATELY 267 SQUARE FEET ALONG THE SOUTHERLY BOUNDARY OF 60 E. SAN FRANCISCO STREET (WATER STREET FRONTAGE) TO PROVIDE OUTDOOR FOOD AND BEVERAGE SERVICE, BY 60 E. SAN FRANCISCO STREET LTD. CO DBA SANTA FE ARCADE (EDWARD VIGIL)

Committee Review:

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Council (Scheduled)	04/10/13

14. REQUEST FOR APPROVAL OF AMENDMENT NO. 2 TO LEASE AGREEMENT WITHIN BURRO ALLEY TO ALLOW FOR ADJUSTMENT TO LEASE PREMISES AND TO ALLOW FOR SALE AND CONSUMPTION OF ALCOHOLIC BEVERAGES WITHIN LEASE PREMISES BY MAJED HAMDOUNI DBA BURRO ALLEY CAFÉ AT 207 W. SAN FRANCISCO ST. (EDWARD VIGIL)

Committee Review:

Finance Committee (Scheduled)	04/01/13
Council (Scheduled)	04/10/13

15. REQUEST FOR APPROVAL OF A RESOLUTION RELATING TO THE PRACTICE OF HUMAN TRAFFICKING; ENDORSING, SUPPORTING AND JOINING THE EFFORTS OF THE NEW MEXICO ATTORNEY GENERAL'S OFFICE AND THE LIFE LINK IN ESTABLISHING A HOTLINE TO FACILITATE SUPPORT FOR VICTIMS OF HUMAN TRAFFICKING; AND AUTHORIZING THE DESIGNATION OF FUNDING FOR CREATION AND PLACEMENT OF SIGNS WITHIN THE CITY OF SANTA FE TO INFORM THE PUBLIC OF THE HOTLINE **(MAYOR COSS) (CAROL HORWITZ)**

Committee Review:

Finance Committee (Scheduled)
Council (Scheduled)

04/01/13
04/10/13

16. REQUEST FOR APPROVAL OF A RESOLUTION AMENDING THE *PROCEDURES FOR APPEAL UNDER SANTA FE CITY CODE SECTION 14-3.17* TO ALLOW MEMBERS OF LAND USE BOARDS FROM WHICH AN APPEAL HAS BEEN TAKEN TO TESTIFY IN RESPONSE TO QUESTIONS FROM MEMBERS OF THE GOVERNING BODY **(COUNCILOR BUSHEE) (KELLEY BRENNAN)**

Committee Review:

Finance Committee (Scheduled)
Council (Scheduled)

04/01/13
04/10/13

17. REQUEST FOR APPROVAL OF A RESOLUTION RELATING TO THE HEALTH, SAFETY AND WELFARE OF THE RESIDENTS OF SANTA FE; DIRECTING TRAFFIC ENGINEERING STAFF TO PERFORM AN INSPECTION OF CROSSWALKS AND TRAFFIC SIGNALS AT INTERSECTIONS THROUGHOUT THE CITY TO ENSURE THAT THERE IS ADEQUATE TIME AND A SUFFICIENT NUMBER OF CROSSWALKS FOR PEDESTRIANS TO CROSS; COLLABORATE WITH THE NEW MEXICO DEPARTMENT OF TRANSPORTATION ("NMDOT") TO ENSURE THAT SIGNAGE ON ROADS WITH THE MUNICIPAL BOUNDARIES OF SANTA FE ARE IN COMPLIANCE WITH THE MANUAL ON UNIFORM TRAFFIC CONTROL DEVICES ("MUTCD") AND CLEARLY VISIBLE TO MOTORISTS, PEDESTRIANS, AND BICYCLISTS AND TO ENSURE THAT TRAFFIC SIGNALS AT INTERSECTIONS ON ROADS WITHIN THE MUNICIPAL BOUNDARIES OF THE CITY PROVIDE A SUFFICIENT AMOUNT OF TIME FOR A VEHICLE TO CLEAR THE INTERSECTION **(COUNCILOR TRUJILLO, MAYOR COSS, COUNCILORS CALVERT, WURZBURGER, RIVERA, DIMAS, IVES, BUSHEE AND DOMINGUEZ) (JOHN ROMERO)**

Committee Review:

Public Safety (Scheduled)
Finance Committee (Scheduled)
Council (Scheduled)

03/19/13
04/01/13
04/10/13

18. REQUEST FOR APPROVAL OF AN ORDINANCE RELATING TO CITY OF SANTA FE SPORTS FIELDS; CREATING A DISTINCTION BETWEEN MRC SPORTS FIELDS AND OTHER CITY OF SANTA FE SPORTS FIELDS; AMENDING ARTICLE 23-7 SFCC 1987 TO SEPARATE REQUIREMENTS FOR MRC SPORTS FIELDS AND OTHER CITY SPORTS FIELDS AND MAKING SUCH OTHER CHANGES AS ARE NECESSARY; CREATING A NEW SECTION 23-4.12 SFCC 1987 TO ESTABLISH REGULATIONS, FEES AND RATES FOR CITY SPORTS FIELDS, OTHER THAN MRC SPORTS FIELDS, INCLUDING A REDUCED FEE FOR YOUTH LEAGUES AND SCHOOLS; AND CREATING A NEW SECTION 23-4.13 SFCC 1987 TO ESTABLISH A VOLUNTARY SPORTS FIELD MAINTENANCE FUND **(COUNCILOR DOMINGUEZ) (ISAAC PINO)**

Committee Review:

Parks & Open Space Advisory Commission (Approved)	02/19/13
Finance Committee (Scheduled)	04/01/13
Council (Request to publish)	04/10/13
Council (Public hearing)	05/08/13

DISCUSSION AGENDA (UP TO 30 MINUTES)

19. REQUEST FOR DISCUSSION AND DIRECTION TO STAFF REGARDING THE PUBLIC WORKS LLC INFORMATION (ISAAC PINO)

20. MATTERS FROM STAFF (5 MINUTES)

21. MATTERS FROM THE COMMITTEE (5 MINUTES)

22. MATTERS FROM THE CHAIR (5 MINUTES)

23. NEXT MEETING: MONDAY, APRIL 8, 2013

24. ADJOURN

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

**SUMMARY INDEX FOR
PUBLIC WORKS/CIP & LAND USE COMMITTEE
March 25, 2013**

ITEM	ACTION	PAGE
1. Call to Order	Convened at 4:45 p.m.	1
2. Roll Call	Quorum Present	1
3. Approval of Agenda	Approved as presented	1
4. Approval of Consent Agenda	Approved as amended	1-2
5. Approval of Minutes March 11, 2013	Approved as presented	2
INFORMATIONAL AGENDA		
6. Santa Fé Arts & Design University	Withdrawn	2
CONSENT AGENDA LISTING	Listed	2-4
CONSENT DISCUSSION AGENDA		
12. Railyard PSA Amendments	Approved with conditions	4-6
13. 60 E. San Francisco Remodel	Approved with staff directions	6-7
16. Appeal Procedures Ordinance	Disapproved	7-8
18. Sports Field Code Amendment	Postponed for public meeting	8-11
DISCUSSION AGENDA		
19. Public Works LLC Information	Approved staff direction	11
20. Matters from Staff	None	11
21. Matters from the Committee	Discussion	11
22. Matters from the Chair	Comments	12
23. Next Meeting	Set for April 8, 2013	12
24. Adjournment	Adjourned at 6:00 p.m.	12

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

MONDAY, MARCH 25, 2013

1. CALL TO ORDER

A regular meeting of the Public Works/CIP & Land Use Committee was called to order on the above date by Chair Rebecca Wurzburger at approximately 4:45 p.m. in City Council Chambers, City Hall, 200 Lincoln, Santa Fé, New Mexico.

2. ROLL CALL

Roll Call indicated the presence of a quorum as follows:

MEMBERS PRESENT:

Councilor Rebecca Wurzburger, Chair
Councilor Christopher Calvert
Councilor Chair Wurzburger Ives
Councilor Christopher Rivera
Councilor Ronald S. Trujillo

MEMBERS ABSENT:

STAFF PRESENT:

Ike Pino, Public Works Director
Bobbi Mossman, Public Works Staff

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

3. APPROVAL OF AGENDA

Mr. Pino said the University representatives could not be here so #6 should be postponed indefinitely.

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

4. APPROVAL OF CONSENT AGENDA

Councilor Calvert asked to discuss agenda items 13, 16 and 18

Councilor Rivera asked to discuss agenda item 12.

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

5. APPROVAL OF MINUTES FROM MARCH 11, 2013 PUBLIC WORKS COMMITTEE MEETING

Councilor Calvert moved to approve the minutes from March 11, 2013 as presented. Councilor Trujillo seconded the motion and it passed by unanimous voice vote.

INFORMATIONAL AGENDA

6. UPDATE ON SANTA FÉ ARTS AND DESIGN UNIVERSITY (LISA MARTÍNEZ)

This matter was postponed indefinitely under Approval of the Agenda.

CONSENT AGENDA

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ATTORNEY GENERAL'S OFFICE AND THE LIFE LINK IN ESTABLISHING A HOTLINE TO FACILITATE SUPPORT FOR VICTIMS OF HUMAN TRAFFICKING; AND AUTHORIZING THE DESIGNATION OF FUNDING FOR CREATION AND PLACEMENT OF SIGNS WITHIN THE CITY OF SANTA FÉ TO INFORM THE PUBLIC OF THE HOTLINE (MAYOR COSS) (CAROL HORWITZ)

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Committee Review:

Public Safety (Scheduled)

03/19/13

Finance Committee (Scheduled)

04/01/13

Council (Scheduled)

04/10/13

CONSENT AGENDA ITEMS DISCUSSED

12. SANTA FÉ RAILYARD COMMUNITY CORPORATION (SFRCC)

- **REQUEST FOR APPROVAL OF AMENDMENT NO. 5 TO THE PROFESSIONAL SERVICES AGREEMENT BETWEEN THE CITY OF SANTA FÉ AND THE SANTA FÉ RAILYARD COMMUNITY CORPORATION FOR THE FOLLOWING ITEMS:**
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Committee Review:

Finance Committee (Approved)

03/18/13

Council (Scheduled)

03/27/13

Councilor Rivera asked how much the City spent on the sound system, etc. last year.

Mr. Siqueiros thought it was \$12,000 year to date and expected to use the rest for the remainder of the year.

Councilor Rivera asked if they requested another \$50,000 for this year. Mr. Siqueiros agreed.

Councilor Rivera wondered at what point does it made more sense to use the City's own stage and sound system after spending about \$100,000 for last two years.

Chair Wurzburger thought they could speak to that now.

Mr. Siqueiros said he did look at it pretty intensely two years ago and they were worried about having staff to install and tear down and store the equipment at each of the events. There were many more events - almost weekly in the summer. He said he could do a comparison.

Councilor Rivera thought that would be good idea to look at.

Chair Wurzburger noted that Sandra Brice was present.

Councilor Trujillo recalled he got a resolution passed a few years ago about movies in the Park (Railyard) and the object was for the City to own its own equipment and the movies could move around the City. He didn't know where that resolution went to. Maybe he could resurrect that resolution.

Ms. Brice clarified that only about \$25,000 would be allocated to stage and sound set up. So it was far less than the total. Stage was about \$10-12000 per year for rental. The Railyard Park Stewards looked at what other cities did and it was quite costly and she was concerned about the flexibility if they had it all set up because they used the park in a variety of ways. Santa Fé A-V owned the digital movie equipment and was another half of the package. The costs included the crew.

Councilor Rivera wasn't thinking of a permanent stage.

Ms. Brice said they had a stage and it takes four men to put it up in about a day.

Councilor Rivera asked if the committee could get the information back in time to make a decision.

Mr. Siqueiros said it was to go to Council this Wednesday.

Councilor Rivera didn't want to hold it up but wanted to know the costs for purchase of that equipment.

Councilor Calvert suggested the Committee could move this on to Council and could apply the money to that if it was feasible.

Chair Wurzburger noted it would only lose two weeks.

Councilor Rivera moved to approve the request with direction to staff to research buying the equipment. Councilor Calvert seconded the motion and it passed by unanimous voice vote.

13. REQUEST FOR CONCEPT APPROVAL OF LEASE AGREEMENT OF AERIAL RIGHTS FOR USE OF A PROPOSED UPPER DECK ON A PROPOSED PORTAL CONTAINING APPROXIMATELY 267 SQUARE FEET ALONG THE SOUTHERLY BOUNDARY OF 60 E. SAN FRANCISCO STREET (WATER STREET FRONTAGE) TO PROVIDE OUTDOOR FOOD AND BEVERAGE SERVICE, BY 60 E. SAN FRANCISCO STREET LTD. CO D.B.A. SANTA FÉ ARCADE (EDWARD VIGIL)

Committee Review:

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04/10/2013

Mr. Ed Vigil presented the request.

Councilor Calvert had a question that was answered in the schedule.

Councilor Calvert moved to approve the request subject to the HDRB approval.

Chair Wurzburger noted that between Finance and Council Public Works could hear it then for final voting.

Mr. O'Reilly said this matter did go to HDRB at their last meeting and was postponed to tomorrow. They had issues with the design proposed by the applicant and the Land Use Department had some issues with the amount of sidewalk that would be lost if approved.

Chair Wurzburger said HDRB's job was different from this Committee's job. Let's focus on our job. She asked if the Committee needed to hear it again rather than Council.

Mr. O'Reilly said this would have to come back for final recommendation and then to Council for final approval. This was just conceptual.

Councilor Calvert said it would be nice to have a better drawing of it. He knew this was a draft but the one page was hard to read on reconfiguration. He didn't think he read about the sidewalk in the packet.

Mr. O'Reilly said the applicant proposed to change the roof space into a deck space and wouldn't need to go beyond HDRB approval. But he wanted to build out over the city sidewalk with seating above. That would require a lease from the City like at the Marble Brewery. There was also zoning approval as well as HDRB.

Councilor Calvert thought zoning was administrative.

Mr. O'Reilly agreed and the ability to do it was in question. This was a chicken and two egg process.

They wanted a concept of the air space lease.

Councilor Calvert moved for approval of the concept like Marble Brewery but with direction to get the other statements. Councilor Trujillo seconded the motion.

Councilor Ives noted in the memo that it referred to conditions in the lease agreement like those on the upper deck on north side. He asked what those conditions were.

Mr. Vigil said under Section 2, the use of premises were limited to food and beverage service and limits on lighting.

Councilor Ives understood the proposed initial term was five years. He asked about costs of the improvements.

Mr. Vigil wasn't sure but they would be substantial.

Councilor Ives suggested the City had the right to remove those at end of lease.

Mr. Vigil agreed but it was only 267 sq. ft.

Councilor Ives said he would benefit from zoning and HDRB input with the understanding this was concept approval and coming back. He also would like to look at the lease for the north side if it was a touch point for this discussion.

Mr. Vigil agreed to provide that to him.

Chair Wurzbarger said the concept was to look at the fact that it used air space. Sitting upstairs looking across at the plaza was a very good idea. The HDRB was hopefully making the decision based on their purview. Since it was conceptual plan the Committee must look at it from that perspective.

The motion passed by unanimous voice vote.

16. REQUEST FOR APPROVAL OF A RESOLUTION AMENDING THE *PROCEDURES FOR APPEAL UNDER SANTA FÉ CITY CODE SECTION 14-3.17* TO ALLOW MEMBERS OF LAND USE BOARDS FROM WHICH AN APPEAL Had BEEN TAKEN TO TESTIFY IN RESPONSE TO QUESTIONS FROM MEMBERS OF THE GOVERNING BODY (COUNCILOR BUSHEE) (KELLEY BRENNAN)

Committee Review:

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04.01/2013

Council (Scheduled)

04/10/2013

Councilor Calvert understood that the sponsor would like it to be this way but the City Attorney's opinion was that this was not proper.

Ms. Brennan said the opinion of the City Attorney had not changed in this regard.

Councilor Ives said in the context of matters before district courts when it gets appealed upward there were parties of interest and perhaps some feeling that there should be opportunity for an advocate to step in on behalf of that entity. He had troubles with the person of that entity and guidance from the City Attorney's office. He asked what the alternatives were. If there was a split vote in the Commission he wondered if they would have a representative of each side.

Ms. Brennan believed Council could not legislate it away. There was at least the appearance of partiality on the part of the Board or Commission. It could come because the committee trusted the board more or less. Most cases have advocates on both sides, especially with the HDRB. And there were organizations like OSFA that could speak and there were planning groups that take an interest and could show up. Sometimes staff might not make a full throat presentation of it to Council. She thought there were opportunities for boards to get their impressions across and an opportunity to explain their decision.

Councilor Ives agreed that was first and foremost the way to explain their position on the decision. An advocate was a helpful thing that the issues were fully heard and vetted to Council. So whereas it might not be good to have a member of the body then someone else could be able to stand up for that body. So it was an imperfect circumstance that he would like to find a way to do better.

Councilor Calvert thought there were two opportunities. One was by the findings and conclusions and also by the minutes so the boards and commissions needed to review them and reflect on what they did. He didn't support this

Councilor Calvert moved to disapprove the request. Councilor Rivera seconded the motion and it passed by majority voice vote with all voting in favor except Councilor Ives who abstained.

18. REQUEST FOR APPROVAL OF AN ORDINANCE RELATING TO CITY OF SANTA FÉ SPORTS FIELDS; CREATING A DISTINCTION BETWEEN MRC SPORTS FIELDS AND OTHER CITY OF SANTA FÉ SPORTS FIELDS; AMENDING ARTICLE 23-7 SFCC 1987 TO SEPARATE REQUIREMENTS FOR MRC SPORTS FIELDS AND OTHER CITY SPORTS FIELDS AND MAKING SUCH OTHER CHANGES AS were NECESSARY; CREATING A NEW SECTION 23-4.12 SFCC 1987 TO ESTABLISH REGULATIONS, FEES AND RATES FOR CITY SPORTS FIELDS, OTHER THAN MRC SPORTS FIELDS, INCLUDING A REDUCED FEE FOR YOUTH LEAGUES AND SCHOOLS; AND CREATING A NEW SECTION 23-4.13 SFCC 1987 TO ESTABLISH A VOLUNTARY SPORTS FIELD MAINTENANCE FUND (COUNCILOR DOMINGUEZ) (ISAAC PINO)

Committee Review:

Parks & Open Space Advisory Commission (Approved)	02/19/13
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Ms. Byers provided a handout [attached as an exhibit].

Ms. Byers explained that she put the wrong information in the packet that went to POSAC and briefly explained the MRC \$25 fee. POSAC approved amendments to the bill which were listed.

She met with Councilor Dominguez and Mr. Pino and city staff. There were several amendments to the proposed ordinance. This bill separated out MRC because of debt service that required certain levels of payment. There was a very detailed impact report on page 13 and several tables. The first table showed collections in past years to date and how those were used for cleaning and maintenance. \$8,250 were collected in league and user fees. She quoted the fees requirement that the City had not been charging in the past. The \$8,250 with the new fee structure would go up to \$26,000.

She said Councilor Dominguez also wanted to show in Table A the costs for the five fields used by youth leagues and compared it to how much it cost to water these fields (over \$1 million). He proposed a voluntary additional amount on water bills.

Chair Wurzbarger asked, since the handout was so different from packet, if the Committee could discuss it or if they needed to postpone it.

Ms. Byers clarified there was no notice problem since it would go to other committees.

Chair Wurzbarger said they had not had the chance to look at it either.

Councilor Trujillo said this all went back to the City not doing its job. They had an ordinance enacted in 2006 that set fees and league fees and for some reason they were never implemented. Two years ago he discussed it with staff and then sponsored an ordinance change two years ago.

He was shocked that no league officers were present at this meeting. They were saying he was being bad in making them pay for it. But that wasn't true. What he wanted was to give the kids a safe place to play sports. Councilor Dominguez was suggesting doing away with the fees. But just look at the water costs - \$324,976 for water at Borrego Park alone last year. What The City got in fees didn't put a dent into those expenses. And the City was doing the leagues a favor by taking care of the field. Lots of leagues said it was too hard for them to collect a fee.

His biggest concern was an ordinance passed two years ago that all leagues turn in a financial report and didn't think any of them had been submitted. He asked Mr. Pino who was in compliance.

Mr. Pino said the memo went out in the fall and in January all the leagues except YAFL had submitted them. He was told that YAFL was contacted twice after that.

Councilor Calvert concluded that because the City hadn't taken care of the ordinance enforcement it was now a problem. He asked if it was \$12/person.

Councilor Trujillo agreed but there were some families who had their kids in multiple sports leagues. They were separate organizations. \$12 was not a steep price considering the facilities they were using. He had mentioned to Councilor Dominguez that the City was trying to build SWAN Park in his district and there

would be sports at that park. They would have the same issues.

So he was not in favor of this ordinance. Leagues didn't want to go out there and clean the park. In the New Mexican it was reported they were willing to pay more but that wasn't said at the public meetings. It was too bad Councilor Dominguez couldn't be here for the discussion.

Councilor Calvert was a little puzzled by POSAC's action who agreed to approve it but only with lots of amendments. Obviously the fees had little impact but the City had to charge something so the organizations would be serious about their use of the facilities. Without a fee there would be a free for all out there. The City charged a league fee but he was not sure why they had to pay something on top of that. That was more complicated than it needed to be. He wasn't sure what Councilor Dominguez was proposing now was significant enough.

Councilor Trujillo said it was a \$25 fee for the entire league. It was just paid by the league. Ms. Byers agreed.

Councilor Calvert felt that wasn't worth doing the paperwork for it.

Councilor Rivera said as a past coach and past board member it was frustrating that the city painted the field and when the grass grew it had to be painted again. He thought a per team fee would be appropriate but the per player fee created a burden on the leagues and the individuals. It got costly for kids who were in several leagues. It also cut into individual scholarships.

Councilor Ives understood that the MRC was in a different circumstance. He asked what the amount of the debt service was at this time.

Ms. Byers wasn't sure but it didn't touch the debt service. However, the City was required by the bond ordinance to charge fees.

Mr. Pino said they were putting it together on the budget right now.

Councilor Rivera added there were only certain sports that could be played at MRC and for those who loved to play those sports the fees would be different at MRC than what was charged in the City.

Councilor Trujillo thought that might be where they should look at league fees. He figured the room would be packed with people here. He wanted to reach out to the leagues and postpone it tonight for a public meeting next time so they could hear what the leagues really wanted.

Councilor Trujillo moved to postpone this request for a public meeting at the next Public Works Committee meeting. Councilor Calvert seconded the motion and it passed by unanimous voice vote.

Chair Wurzbarger thought they should have it toward end of the meeting as 5:30 might be too early to get the public here. The Committee had general agreement.

Councilor Calvert asked the committee to work with the sponsor on modification when it comes back for more consensus. It was too complicated right now.

Councilor Ives asked what fees were charged at the Marty Sanchez Golf Course for students.

Mr. Gurulé wasn't sure what was charged to them.

DISCUSSION AGENDA

19. REQUEST FOR DISCUSSION AND DIRECTION TO STAFF REGARDING THE PUBLIC WORKS LLC INFORMATION (ISAAC PINO)

Chair Wurzbarger reminded the Committee it was at a previous meeting to do a study for cost savings across the board. She was curious if they could develop some direction to staff. If they were to use an RFP, they would have to say they were looking for someone to do it "under these conditions." She asked for any opinions.

Councilor Ives thought the way the proposal came seemed to be a win-win circumstance and with assurance it would pay for itself. It obviously needed careful coordination with someone looking over your shoulder but if it could make the use of public dollars more efficient and without savings it wouldn't cost the City anything.

Councilor Ives moved to direct staff to explore how to pursue the idea including a possible RFP. Councilor Calvert seconded the motion.

Councilor Calvert asked if certain departments could be moved to the head of the line.

Chair Wurzbarger understood it would be exemplary rather than prescriptively done.

The motion passed by unanimous voice vote.

20. MATTERS FROM STAFF

There were no matters from staff.

21. MATTERS FROM THE COMMITTEE

Councilor Rivera thanked the crews that cut the Chamisas on Valentine's Road with special thanks to Ben Gurulé.

Councilor Trujillo asked if the parks now had water.

Mr. Pino said that was starting soon.

22. MATTERS FROM THE CHAIR

Chair Wurzburger wanted to have the cost information for Alameda sidewalks and down to the river and when it would be finished. This project caused her to question if they needed sidewalks on both sides. She was curious it and looking across the river, she regretted that she couldn't recall where they were going to fix that side. She asked if there was such a plan.

Mr. Pino didn't know and asked if she was talking about the Plaza del Rio.

Chair Wurzburger said was talking about Alameda all the way to Calle Cabra. They already did Delgado.

Mr. Pino asked if her preference might be on the south bank.

Chair Wurzburger clarified that she just wanted to know what the plan was there. She questioned if they needed a sidewalk on both sides of the river.

Chair Wurzburger announced she could not do the Thursday trip this week.

Ms. Mossman said they were going to the airport on Thursday. She asked the members to let her know if they could go or they would we would reschedule it for a week later.

23. NEXT MEETING: APRIL 8, 2013

24. ADJOURNMENT

Having completed the agenda and with no further business to come before the Public Works Committee, the meeting was adjourned at 6:00 p.m.

Approved by:


Rebecca Wurzburger, Chair

Submitted by:


Carl Boaz, Stenographer

City of Santa Fe, New Mexico

LEGISLATIVE SUMMARY

BILL NO. 2013-__

Sports Field Use by Leagues and Schools

SPONSOR(S): Dominguez

SUMMARY: Article 23-7 SFCC 1987 relates to the MRC user fees and rates for the golf course and for sports fields at the MRC as well as other sports fields throughout the city.

A working draft of the proposed ordinance amendments was reviewed by the Parks and Open Space Advisory Commission ("POSAC") at their February 19, 2013 meeting. The working draft included amendments to the youth league fees for sports fields, other than the MRC, to require a \$25.00 permit fee and a \$5.00 per team fee for each youth league, plus each league would have been required to volunteer for two volunteer clean-up days per season.

After hearing public comments, POSAC approved the working draft of the proposed ordinance amendments with the following amendments:

- The volunteer requirements of the ordinance be removed; and
- The fees remain the same as what is currently being paid or a modest increase in such fees

Currently, the proposed ordinance amendments include:

- Amending article 23-7 to distinguish between MRC sports fields and other city sports fields
- Amending the submittal requirements for all leagues that request to use MRC sports fields and other city sports fields
- Creating a new section 23-4.12 SFCC 1987 to establish regulations, fees and rates for city sports fields, other than MRC sports fields
- Provides that youth leagues and schools who use sports fields, other than the MRC, pay a \$25 permit fee and mandates that representatives from each league or school send representatives of the league or school to an annual clean-up day(s) sponsored by the City
- Creating a new section 23-4.13 SFCC 1987 to establish a voluntary sports field maintenance fund.

PREPARED BY: Melissa D. Byers, Legislative Liaison

FISCAL IMPACT: Yes

DATE: March 20, 2013

ATTACHMENTS: Bill
Draft FIR
Minutes – 2/19/13 POSAC

Exhibit

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INTRODUCED BY:

AN ORDINANCE

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

Article 23-7 MUNICIPAL [~~GOLF-COURSE RATES~~] RECREATION COMPLEX (MRC).

23-7.1 Short Title.

1 This section may be cited as the "[~~Municipal Recreation Complex and City Sports Fields User~~] MRC
2 Regulations, Fees and Rates Ordinance."

3 **Section 3. Section 23-7.2 SFCC 1987 (being Ord. #1996-32, §1) is amended to**
4 **read:**

5 **23-7.2 Purpose.**

6 The purpose of this section is [~~adopted~~] to establish municipal rate classes to which golf course fees
7 and MRC sports fields [~~user~~] fees will apply.

8 **Section 4. Section 23-7.3 SFCC 1987 (being Ord. #1996-32, §1, as amended) is**
9 **amended to read:**

10 **23-7.3 Municipal Recreation Complex [~~and City Sports Fields~~] User Fees and**
11 **Rates.**

12 [A. ~~—The following is the Municipal Recreation Complex and City Sports Fields to which~~
13 ~~the greens fees and field user fees will apply~~] The MRC Regulations, Fees and Rates Ordinance shall
14 apply to the following:

15 [(1)]A. City of Santa Fe Municipal Golf Course, Santa Fe, New Mexico, 18 hole, 7415 yards,
16 Par 72,275 acres.

17 [(2)]B. City of Santa Fe Municipal Golf Course, Santa Fe, New Mexico, 9 hole, 3000 yards,
18 Par 28, 50 acres.

19 [(3)]C. City of Santa Fe Municipal Sports Fields at the Municipal Recreation Complex,
20 Santa Fe, New Mexico, which include:

21 (1) the MRC Soccer Fields

22 (2) the MRC Rugby Fields

23 (3) the three MRC Baseball Fields

24 (4) the MRC BMX Fields

25 (5) any other sports fields funded by the MRC bonds.

- ~~[(a) — Municipal Recreation Complex~~
- ~~(b) — Ragle Park~~
- ~~(c) — Franklin Miles Park~~
- ~~(d) — Wood Gormley School (soccer field)~~
- ~~(e) — Sweeney School (soccer field)~~
- ~~(f) — Fort Marey Park~~
- ~~(g) — Salvador Perez Park~~
- ~~(h) — Larragoite Park~~
- ~~(i) — Monica Lucero Park~~
- ~~(j) — Ashbaugh Park~~
- ~~(k) — Herb Martinez Park~~
- ~~(l) — Villa Linda Park~~
- ~~(m) — Patrick Smith Park]~~

Section 5. Section 23-7.4 SFCC 1987 (being Ord. #1996-32, §1, as amended) is amended to read:

23-7.4 Green Fees, [City] MRC Sports Fields User Fees and Other Rates.

A. *Golf Course Green Fees with Players Club Card.**

(1) Non-senior rates:

(a) 18 hole rate:

- (i) Weekend rate \$25.00**
- (ii) Weekday rate \$23.00**
- (iii) Afternoon** rate (weekday) \$17.00**
- (iv) Afternoon** rate (weekend) \$19.00**
- (v) Junior rate (under 18) \$10.00**

(b) 9-hole rate:

1	(i)	Weekend rate	\$16.00
2	(ii)	Weekday rate	\$14.00
3	(iii)	Junior rate (under 18)	\$ 8.00
4	(c)	The "great 28" 9 hole course:	
5	(i)	Weekend rate	\$14.00
6	(ii)	Weekday rate	\$12.00
7	(iii)	Junior rate (under 18)	\$ 6.00
8	(2)	Senior rate (60 and older):	
9	(a)	18 hole rate:	
10	(i)	Weekend rate (cart included)	\$27.00
11	(ii)	Weekday rate (cart included)	\$25.00
12	(iii)	Walking rate	\$20.00
13	(b)	9 hole rate:	
14	(i)	Weekend rate (cart included)	\$18.00
15	(ii)	Weekday rate (cart included)	\$16.00
16	(iii)	Walking rate	\$15.00
17	(3)	Volume discount:	
18	(a)	5 rounds	\$110.00
19	(b)	10 rounds	\$210.00
20	(c)	20 rounds	\$400.00
21	(d)	30 rounds	\$570.00
22	B.	<i>Golf Course Green Fees Without Players Club Card*:</i>	
23	(1)	Non-senior rates:	
24	(a)	18 hole rate:	
25	(i)	Weekend rate	\$31.00

1	(ii)	Weekday rate	\$29.00
2	(iii)	Afternoon** rate (weekday)	\$20.00
3	(iv)	Afternoon** rate (weekend)	\$22.00
4	(v)	Junior rate (under 18)	\$12.00
5	(b)	9 hole rate:	
6	(i)	Weekend rate	\$22.00
7	(ii)	Weekday rate	\$20.00
8	(iii)	Junior rate (under 18)	\$ 9.00
9	(c)	The "great 28" 9 hole course:	
10	(i)	Weekend rate	\$16.00
11	(ii)	Weekday rate	\$14.00
12	(iii)	Junior rate (under 18)	\$ 8.00
13	(2)	Senior rate (60 and older):	
14	(a)	18 hole rate:	
15	(i)	Weekend rate (cart included)	\$29.00
16	(ii)	Weekday rate (cart included)	\$27.00
17	(iii)	Walking rate	\$22.00
18	(b)	9 hole rate:	
19	(i)	Weekend rate (cart included)	\$20.00
20	(ii)	Weekday rate (cart included)	\$18.00
21	(iii)	Walking rate	\$16.00
22	(3)	Volume discount:	
23	(a)	5 rounds	\$140.00
24	(b)	10 rounds	\$270.00
25	(c)	20 rounds	\$520.00

1 (d) 30 rounds \$750.00

2 C. *Golf Course Tournament Fees:*

3 (1) Weekend rate \$60.00

4 (2) Weekday rate \$55.00

5 (3) Non-peak (Tuesday, Wednesday or Thursday) \$45.00

6 *Players Club Card may be purchased for one hundred twenty-five dollars (\$125.00) and
7 [are] is valid for one (1) year from issuance. The city manager may upon review by the city finance
8 director authorize in writing a temporary reduction in the price for the club card for the purpose of
9 public promotion. Such promotion shall be advertised in a local daily newspaper.

10 **Afternoon rate is charged for play approximately four and one-half (4.5) hours before
11 sunset. Actual hours are posted monthly and are seasonal.

12 D. In order to maximize revenues, be competitive with area golf courses and respond to
13 market conditions, the city manager may upon review by the city finance director authorize in writing
14 an increase or decrease of twenty-five percent (25%) to the rates described in paragraphs A. through
15 C. above. Such rate change shall be published in a local daily newspaper. Such rate change shall
16 apply to the general public and shall not be available to a particular group or individual. The city
17 manager may also occasionally authorize special short term promotional rates.

18 E. Gross receipts tax shall be paid on all greens fees set forth in paragraphs A. through
19 C. above. The sum of the rate and gross receipts tax shall be rounded to the next highest quarter.

20 F. Juniors under the age of eighteen (18) and associated with a high school golf team or
21 a golf program will be allowed to hit two (2) large buckets of range balls each after 3:30 p.m. free of
22 charge while participating in a scheduled season.

23 G. Once each fiscal year, the city may sponsor a benefit tournament to support children
24 and youth recreation programs at the Genoveva Chavez Community Center and the MRC. The
25 applicable tournament rates will not be paid from the tournament revenues, but will be incorporated

1 into the annual MRC rate analysis and proposed rate structure to cover the tournament fees that would
2 have been applicable.

3 H. Other rates for services, rentals, concessions, merchandise sales, and other fees or
4 rates related to the MRC may be established by the MRC director as determined to be fair and
5 reasonable. The MRC rates shall be comparable with the rates and fees charged for similar services
6 and products at other municipal parks, fields and facilities which are set by the parks and recreation
7 director.

8 I. *MRC [~~and Municipal Park~~] Sports Fields:*

9 (1) Youth league, including a school, means a non-profit entity that organizes
10 and runs programs for youth up to the age of 18 years old for any sport or recreation activity.
11 Youth league and school fees assessed by the city for use of the MRC sports fields shall be:
12 [Annual fifteen dollars (\$15.00) fee for youth team/league participants, ten (10) years or
13 older, allowing for unlimited participation for one (1) year in all leagues. Annual ten dollars
14 (\$10.00) fee for youth team/league participants, under the age of ten (10), allowing for
15 unlimited participation for one (1) year in all leagues.]

16 (a) An annual fifteen dollar (\$15.00) fee for each youth participant, ten
17 years old and above, which shall allow for unlimited participation for one (1) year in
18 all youth leagues.

19 (b) An annual ten dollar (\$10.00) fee for each youth participant, less
20 than ten (10) years old, which shall allow for unlimited participation for one (1) year
21 in all youth leagues.

22 (2) [Sports field use] Adult leagues mean non-profit entities that organize and
23 run programs for adults over the age of 18 years old for any sport or recreation activity. Adult
24 league fees assessed by the city for use of the MRC sports fields shall be:

25 [(a) All adult teams participating in league events are to pay a one

1 ~~hundred dollar (\$100) fee for yearly field maintenance/utilities plus twenty-five~~
2 ~~dollars (\$25.00) per player necessary to field a team according to their individual~~
3 ~~league plus twenty-five dollars (\$25.00) for one (1) alternate player.]~~

4 (a) One hundred dollar (\$100) fee per team, per year, for field
5 maintenance/utilities, plus twenty-five dollar (\$25.00) fee per player, per year,
6 necessary to field a team according to each individual league and twenty-five dollar
7 (\$25.00) fee for one (1) alternate player per team.

8 (b) Seventy-five dollars (\$75.00) per field per day.

9 (c) ~~[Lighting will be thirty]~~ Thirty dollars (\$30.00) per hour for lighting,
10 per field, as needed.

11 (3) An annual twenty-five dollar (\$25.00) fee shall be assessed by the city for
12 each adult participant. Such fee shall allow for unlimited non-league participation at the
13 MRC for one (1) year.

14 ~~[(d)](4)~~ All concessions ~~[will]~~ shall be provided through the city.

15 ~~[(e)](5) [Municipal sports park fields, exclusive of the MRC, will be prioritized for~~
16 ~~youth leagues with adult league use scheduled as available.]~~ MRC sports fields ~~[will]~~ shall be
17 prioritized for adult leagues with youth league use scheduled pursuant to paragraph ~~[(f)] (6)~~
18 below.

19 ~~[(f)](6) [In the event that]~~ When other ~~[municipal]~~ city sports ~~[park]~~ city fields are
20 unavailable to accommodate youth leagues or youth tournaments, on a particular day,
21 weekend or week, and the MRC fields are not scheduled for use for that particular day,
22 weekend or week ~~[pursuant to paragraph I. above],~~ then the MRC fields may be made
23 available to provide a field for such event at a pro-rated MRC fee.

24 ~~[(g)] MRC and municipal sports park field user fees and other rates will be~~
25 ~~reviewed on an annual basis.]~~

1 ~~[(3) Annual twenty five dollar (\$25.00) fee for adult participants allowing for~~
2 ~~unlimited non-league participation at the MRC for one (1) year.]~~

3 ~~[(4) Fees collected for the use of municipal sports park fields at the MRC shall be~~
4 ~~deposited into the MRC fund. Fees collected for municipal sports park fields other than the~~
5 ~~MRC shall be deposited into the city's general fund.]~~

6 ~~[(5) All leagues shall submit with their application the following:~~

7 ~~(a) A copy of the league's bylaws or other document demonstrating how~~
8 ~~the league was organized and operates. Such document shall be made~~
9 ~~available to all league participants.~~

10 ~~(b) A current financial statement regarding the league's financial status~~
11 ~~including information regarding participant fees, account balances~~
12 ~~and a budget indicating expenses and revenues.]~~

13 J. Requirements.

14 (1) On an annual basis, beginning in January, each league and school shall
15 submit a letter of request to the city that specifies the:

16 (a) Type of sport;

17 (b) Number of participants and age groups being served;

18 (c) Estimated number of days and hours needed for field use for the
19 season;

20 (d) Mission and goals of the league or school; and

21 (f) A yearly budget, including a general statement of revenue and
22 expenses.

23 (2) Each league and school shall include with the letter of request, the following
24 documents:

25 (a) Statement from the league's or school's auditing company that

1 reflects the status of the most recent financial audit;

2 (b) Code of conduct; and

3 (c) Bylaws or other document demonstrating how the league or school
4 was organized and operates.

5 K. The city shall deposit all fees collected for the use of the MRC Sports Fields as set
6 forth in this Ordinance into the MRC fund.

7 L. MRC user fees and other municipal sports field rates shall be reviewed on an annual
8 basis.

9 **Section 6. A new Section 23-4.12 SFCC 1987 is ordained to read:**

10 **23-4.12 [NEW MATERIAL] City Sports Fields; League and School Fees;**

11 **Requirements.**

12 A. Applicability. This Section shall apply to the following city of Santa Fe sports fields:

13 (1) Alto Park;

14 (2) Ashbaugh Park;

15 (3) Fort Marcy Park (ball field);

16 (4) Franklin Miles Park;

17 (5) Herb Martinez Park;

18 (6) Larragoite Park;

19 (7) Magers Field;

20 (8) Monica Lucero Park;

21 (9) Patrick Smith Park;

22 (10) Ragle Park;

23 (11) Salvador Perez Park;

24 (12) Sweeney School (soccer field);

25 (13) Villa Linda Park; and

1 (14) Wood Gormley School (soccer field).

2 B. League Fees. For use of the city of Santa Fe sports fields identified in paragraph A.,
3 above:

4 (1) Youth league, including a school, means a non-profit entity that organizes
5 and runs programs for youth, up to the age of 18, for any sport or recreation activity.

6 (a) Each youth league and school shall be assessed a twenty-five dollar
7 (\$25.00) permit fee per season, per sport.

8 (b) Each youth league and school shall provide representatives from
9 their respective league and school to participate in an annual sports field clean-up
10 day(s) organized by the city of Santa Fe. The details of the sports field clean-up
11 day(s), including the dates, location and manner of tracking participation by the
12 leagues and schools shall be adopted by separate resolution of the governing body.

13 (2) Adult league means a non-profit entity that organizes and runs programs for
14 adults, over the age of 18, for any sport or recreation activity. Each adult league shall be
15 assessed the following fees, per season:

16 (a) One hundred dollar (\$100) fee per team per year for field
17 maintenance/utilities, plus twenty-five dollar (\$25.00) fee per player per year
18 necessary to field a team according to each individual league and twenty-five dollar
19 (\$25.00) fee for one (1) alternate player per team.

20 (b) Seventy-five dollars (\$75.00) per field per day.

21 (c) Thirty dollars (\$30.00) per hour for lighting, per field, as needed.

22 C. Requirements.

23 (1) On an annual basis, beginning in January, each league and school shall
24 submit a letter of request to the city that specifies the:

25 (a) Type of sport;

- 1 (b) Number of participants and age groups being served;
2 (c) Estimated number of days and hours needed for field use for the
3 season;
4 (d) Mission and goals of the league or school; and
5 (f) A yearly budget, including a general statement of revenue and
6 expenses.
7 (2) Each league and school shall include with the letter of request, the following
8 documents:
9 (a) Statement from the league's or school's auditing company that
10 reflects the status of the most recent financial audit;
11 (b) Code of conduct; and
12 (c) Bylaws or other document demonstrating how the league or school
13 was organized and operates.
14 (4) Each youth league shall provide the parent(s) or guardian(s) of the participant
15 the following documents:
16 (a) Copy of the league or school's letter of request to the city, with
17 supporting documents;
18 (b) Summary of the city's costs to maintain each sports field, which
19 shall be provided by the city to each league and school; and

20 Section 7. A new Section 23-4.13 SFCC 1987 is ordained to read:

21 **23-4.13 [NEW MATERIAL] Voluntary Sports Field Maintenance Fund.**

22 A. Section 23-4.13 SFCC 1987 shall be known as the Voluntary Sports Field
23 Maintenance Fund and is enacted pursuant to the express statutory authority conferred upon
24 municipalities to enact ordinances pursuant to its police power (N.M. Stat. Ann. §3-17-1 B (1978))
25 and pursuant to the city of Santa Fe's powers under its municipal charter, adopted effective March 15,


1 1998, pursuant to the Municipal Charter Act, sections 3-15-1 to 3-15-16 NMSA 1978, and Article 10,
2 § 6 of the Constitution of New Mexico.

3 B. The city of Santa Fe is a charter municipality, empowered to make and enforce all
4 laws concerning municipal affairs, subject to limitations of the city charter and the constitution and
5 laws of the state of New Mexico.

6 C. The city shall create a voluntary contribution program/voluntary check-off provision
7 on its monthly utility billing statements for the residents of Santa Fe to donate money to the city for
8 ongoing maintenance of the city of Santa Fe sports fields.

9 D. The city shall make public on at least an annual basis regular reports of all funds
10 allocated and all expenditures made as a result of the sports field fund.

11 APPROVED AS TO FORM:

12 
13
14 GENO ZAMORA, CITY ATTORNEY

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25 *M/Melissa/Bills 2013/Leagues*

DRAFT

FIR No. _____

**City of Santa Fe
Fiscal Impact Report (FIR)**

This Fiscal Impact Report (FIR) shall be completed for each proposed bill or resolution as to its direct impact upon the City's operating budget and is intended for use by any of the standing committees of and the Governing Body of the City of Santa Fe. Bills or resolutions with no fiscal impact still require a completed FIR. Bills or resolutions with a fiscal impact must be reviewed by the Finance Committee. Bills or resolutions without a fiscal impact generally do not require review by the Finance Committee unless the subject of the bill or resolution is financial in nature.

Section A. General Information

(Check) Bill: X Resolution: _____

(A single FIR may be used for related bills and/or resolutions)

Short Title(s): **CITY OF SANTA FE SPORTS FIELDS; CREATING A DISTINCTION BETWEEN MRC SPORTS FIELDS AND OTHER CITY OF SANTA FE SPORTS FIELDS; REDUCING FEES FOR YOUTH LEAGUES AND SCHOOLS; AND ESTABLISHING A VOLUNTARY SPORTS FIELD MAINTENANCE FUND.**

Sponsor(s): Councilor C. Dominguez

Reviewing Department(s): City Attorney's Office/Finance/Public Works

Person Completing FIR: M.Byers/M.Morgan Date: March 11, 2013 Phone: 955-6518/955-6530

Reviewed by City Attorney: _____ Date: _____
(Signature)

Reviewed by Finance Director: _____ Date: _____
(Signature)

Section B. Summary

Briefly explain the purpose and major provisions of the bill/resolution.

The purposes of the bill include: making a distinction between sports fields at the MRC and other City sports fields; reducing the fees for youth leagues and schools and requiring that each youth league and school provide representatives for a city mandated clean-up day(s); and establishing a voluntary sports field maintenance fund.

Section C. Fiscal Impact

Note: Financial information on this FIR does not directly translate into a City of Santa Fe budget increase. For a budget increase, the following are required:

- a. The item must be on the agenda at the Finance Committee and City Council as a "Request for Approval of a City of Santa Fe Budget Increase" with a definitive funding source (could be same item and same time as bill/resolution)
- b. Detailed budget information must be attached as to fund, business units, and line item, amounts, and explanations (similar to annual requests for budget)
- c. Detailed personnel forms must be attached as to range, salary, and benefit allocation and signed by Human Resource Department for each new position(s) requested (prorated for period to be employed by fiscal year)*

1. Projected Expenditures:

- a. Indicate Fiscal Year(s) affected – usually current fiscal year and following fiscal year (i.e., FY 03/04 and FY 04/05)
- b. Indicate: "A" if current budget and level of staffing will absorb the costs
"N" if new, additional, or increased budget or staffing will be required
- c. Indicate: "R" – if recurring annual costs
"NR" if one-time, non-recurring costs, such as start-up, contract or equipment costs
- d. Attach additional projection schedules if two years does not adequately project revenue and cost patterns
- e. Costs may be netted or shown as an offset if some cost savings are projected (explain in Section 3 Narrative)

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_____ Check here if no fiscal impact

1. **FEES.** The fiscal impact of the proposed ordinance includes a reduction of youth league and school fees for use of City sports fields other than the MRC sports fields.

A. The following table reflects the fees collected from past fiscal years to date which include the following fees: cleaning, park permit, administrative, and sports fields:

- (i) Nine youth leagues, which consist of approximately 136 teams; and
- (ii) 12 schools, which consist of approximately 24 teams

	FY 09/10	FY 10/11	FY 11/12	FY12/13 to Date
Youth Leagues	\$ 4,225	\$3,440	\$4,195	\$2,915
Schools	\$ 6,125	\$5,980	\$4,055	\$2,710
Total	\$10,350	\$9,420	\$8,250	\$5,625

B. The following table reflects approximate youth league fees required by ordinance, based on an average of 13 players per team:

- (i) \$15 per participant 10 years old and above (high); and
- (ii) \$10 per participant, under 10 years old (low)

Approximate No. of Participants for 160 Teams	Approximate High Fees	Approximate Low Fees	Average Per Year
2080	\$31,200	\$20,800	\$26,000

C. The following table reflects the result of the proposed language in the bill for youth leagues and schools to pay \$25 per league or school:

	Fees
Youth Leagues	\$225
Schools	\$300
Total	\$525

2. **CITY EXPENSES.**

A. The following table reflects the estimated fiscal impact for annual maintenance of sports fields, other than the MRC sports fields:

Sports Field	Maintenance Cost Estimate Per Year
Ft. Marcy Ballpark	\$ 70,000
Alto	\$ 62,000
Franklin Miles	\$255,000
Ragle	\$168,000
Salvador Perez	\$ 49,000
	\$604,000

Finance Director: _____

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B. The following table reflects the estimated fiscal impact for annual environmental services provided to City sports fields:

Park	Services	Equipment	Yearly Value
Alto Park	Solid Waste		\$ 3,904.32
Alto Park	Recycling		\$ 465.60
Fort Marcy	Solid Waste		\$ 4,026.12
Fort Marcy	Recycling		\$ 481.80
Franklin Miles Park	Solid Waste		\$ 3,069.36
Franklin Miles Park	Recycling		\$ 465.60
Reagle Park	Solid Waste		\$ 3,916.32
Reagle Park	Solid Waste		\$ 4,512.72
Reagle Park	Recycling		\$ 465.60
Salvador Perez	Solid Waste		\$ 1,174.68
Salvador Perez	Recycling		\$ 460.80
		40 Garbage Recycling Stations	\$ 3,908.92
		20 Recycling Containers	\$ 938.00
Total			\$27,789.84

3. Current Annual Youth Fees and Expenses.

Expenses for City Maintenance and Environmental Services	\$631,789.84
Less Fees Received from Youth Leagues and Schools In FY 11/12	\$ 8,250.00
Cost to City for Sports Fields and Environmental Services	\$623,539.84

4. Estimated Projected Annual Youth Fees and Expenses if Ordinance Amendments are adopted.

Expenses for City Maintenance and Environmental Services	\$631,789.84
Less Fees Received from Youth Leagues and Schools In FY 11/12	\$ 525.00
Cost to City for Sports Fields	\$631,264.84

5. Any funds received through a Voluntary Sports Field Maintenance Fund would help to offset the City's costs.

Finance Director: _____

3. Expenditure/Revenue Narrative:

Explain revenue source(s). Include revenue calculations, grant(s) available, anticipated date of receipt of revenues/grants, etc. Explain expenditures, grant match(s), justify personnel increase(s), detail capital and operating uses, etc. (Attach supplemental page, if necessary.)

The proposed Ordinance amendments:

1. Establish an option for youth leagues and schools to \$25 permit fee, per season, per sport, and participate in an annual City sponsored sports field clean-up day.
 2. Establish a voluntary sports field maintenance fund for residents of Santa Fe to donate money to the City. Such donations would help to pay for ongoing maintenance of City sports fields other than the MRC, through a check off provision on the City's monthly utility billing statements.
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Section D. General Narrative

1. **Conflicts:** Does this proposed bill/resolution duplicate/conflict with/companion to/relate to any City code, approved ordinance or resolution, other adopted policies or proposed legislation? Include details of city adopted laws/ordinance/resolutions and dates. Summarize the relationships, conflicts or overlaps.

The bill amends the Article 23-7 SFCC 1987, MRC Golf Rates so that such Article only applies to the MRC golf course and fields; creates new Sections 23-4.12 to establish regulations, fees and rates for sports fields; and creates a new Section 23-4.13 to establish a Voluntary Sports Field Maintenance Fund which is similar to the Voluntary River Conservations Fund, 25-8 SFCC 1987.

2. **Consequences of Not Enacting This Bill/Resolution:**

Are there consequences of not enacting this bill/resolution? If so, describe.

If the proposed legislation is not adopted, youth leagues would be required to pay fees in accordance with existing City laws .

3. **Technical Issues:**

Are there incorrect citations of law, drafting errors or other problems? Are there any amendments that should be considered? Are there any other alternatives which should be considered? If so, describe.

No

4. **Community Impact:**

Briefly describe the major positive or negative effects the Bill/Resolution might have on the community including, but not limited to, businesses, neighborhoods, families, children and youth, social service providers and other institutions such as schools, churches, etc.

The proposed ordinance amendments will encourages more use of fields in parks by youth leagues and schools and help to promote healthy life style initiatives that the City has implemented over the years. Additionally, by establishing a voluntary sports field fund, the money would be used to offset costs out of the City's general fund for ongoing maintenance of the City's sports fields.

Ms. Hansen moved that the Parks staff and interested citizens or organizations work together to draft an MOU to work on the trails and parks.

Ms. Taylor made a friendly amendment that the motion includes the phrase "to be presented and discussed with the City Manager, the Parks Director, POSAC and the Legal Department."

Mr. Lehm seconded the motion and the motion passed by unanimous voice vote.

Chair Booth asked what options there were for the question of liability at the motocross park.

Ms. Boltrek said the City's insurance company risk consultant assessed the park and would respond within 10 days. She said at that point Travelers Insurance Company would say if they would insure the park and give mandates with regard to the park being managed or for required changes.

Chair Booth asked if an option was to get a rider with other insurance companies. Ms. Boltrek replied the preference is with Travelers, which is one of the largest. Other companies could be looked at but the City would still be bound by Travelers recommendations.

Mr. Coriz said the insurance company doesn't have the criteria to properly assess the parks or motocross; there are no national standards.

The group discussed the process and how other parks are insured. One idea was for the City to lease the land to a nonprofit or a private company.

Ms. Boltrek suggested lobbying the Legislature; several states have recreational immunity. Ms. Amer added that currently there is nothing specific in New Mexico law that allows immunity for recreation or hazardous activities.

Chair Booth said another option discussed was to lease the land to a nonprofit; the question is where the nonprofit would get the money to pay for insurance.

The group discussed the possibility of charging for the facility.

Ms. McDonald suggested the Commission wait for the insurance company recommendation.

- An Ordinance Relating To City Of Santa Fe Sports Fields To Make A Distinction Between MRC Sports Fields And Other City Of Santa Fe Sports Fields; Amending Article 23-7 SFCC 1987 To Separate Requirements For MRC Sports And Other City Sports Fields And Making Such Other Changes As Are Necessary; Creating A New Section 23-4.12 To Establish Regulations, Fees And Rates For City Sports Fields, Other Than MRC Sports Fields; And Establishing A Voluntary Sports Field Maintenance Fund. (Councilor Carmichael Dominguez): Public Discussion And Action Item

Copies of the ordinance were made available to those in attendance. (Exhibit 1)

Chair Booth thanked the sports league members for attending and reminded them she is looking for a representative from their community.

Chair Booth asked Melissa Byers from Legal to review the ordinance.

Ms. Byers said the Santa Fe City Code currently distinguishes the MRC and the sports fields. Bonds are sold to pay for the MRC facility and Councilor Dominguez wants MRC separate from fields that are funded by the General Fund.

She said Councilor Dominguez wants to reduce the Youth League fees for fields outside the MRC and proposes a \$25 permit fee per league and a five dollar charge for each team. In addition the leagues would be asked to volunteer two days per season to help clean the park.

Ms. Byers said another piece of the ordinance would establish a donation program to fund maintenance of the sports fields. She said Councilor Dominguez was unable to attend so she would take the Commission's suggestions back to him.

Ms. McDonald said there should be "in lieu of" language so if a league doesn't want to volunteer [to clean the park] there is an option to give the City money for maintenance.

Chair Booth opened the meeting up for public comment at this time.

PUBLIC COMMENT (Revised Agenda Order)

Mr. Paul Grace, president of the Little League, said he met with Councilor Dominguez and Ms. Byers when the resolution was being developed. He said the issue started when the City began to enforce the existing ordinance fees that had never been put into practice for the Youth Leagues.

He understood the MRC ordinance had been created because fees are needed to pay off the bond and the words "and city parks" was added at some point. He said the leagues pointed out at the time that if the fees were put into practice, the leagues couldn't afford to pay them.

Mr. Grace said in the course of discussions, Councilor Dominguez suggested separating the city parks from the MRC.

Mr. Grace said he volunteers with other things and he doesn't have two days to clean the parks. He said trying to find a volunteer for almost anything is tough; to find volunteers to clean up a park is twice as tough.

He said he questioned what "clean up the park" means and whose responsibility it is if someone is hurt. He said 14 parks are listed in the ordinance. He asked if volunteers would be called to clean other parks than what the league uses. He said the end result is he or other officials would end up doing the work.

Mr. Grace said the bottom line is the leagues don't want to go bankrupt because of an increase in the ordinance. He said decreasing the fees is great, but isn't really needed. He said the parks are City parks and are not the responsibility of the kids or the leagues.

Mr. Widder Tidmore on the board for Northern Soccer Youth League said all of their games take place at the Downs of Santa Fe Soccer Complex; with leagues hosting practices at various parks around

town. Mr. Tidmore said he is on his league's committee to maintain their field (the Downs) and has a hard time getting parents/volunteers to help.

He said the chances of getting parents to clean a city park is even less and he would end up doing that. He asked what if he doesn't do an adequate job. He said the ordinance is vague about what "cleaning the park" means. He asked what the actual park boundary is and what has to be done and what the standard is of cleaning. He said the standards are unclear and places an expectation that isn't realistic.

Jess Bransford said he is a police officer in Santa Fe who came to support the motocross track. He said the track is the only place in town to ride and now that it is closed, he drives to Albuquerque, Rio Rancho, Espanola etc., to ride.

Chair Booth thanked Mr. Bransford. She explained he may have missed the previous conversation about looking at the insurance. She said the Commission would move forward with other options and is very supportive of keeping the track open.

Mr. Mike Baker said he is in favor of the track. He said there are a lot of people with motorcycles and ATVs and if they had a place to ride the enforcement for the City/County would be more draconian for violators.

Chair Booth said she is hearing that the fees are not the issue, but the two volunteer days is onerous. She asked if Parks staff had comment about people volunteering to maintain the sports fields.

Mr. Ortiz said Parks drags and lines the fields and picks up trash and mends fences. He said Parks would have to look at what was meant by *maintenance*.

Mr. Grace asked in a park like Franklin Miles, if that means that the Little League who uses the baseball/softball fields would be obligated to clean the skate park portion, the basketball courts, the picnic area, etc. He said there is a lot of uncertainty about the requirement but that is secondary to getting people to volunteer.

Mr. Grace said there might be an imbalance in terms of what one sport/league pays versus another. He said if the per park fee as part of the permit is standardized, that shouldn't be a problem.

Chair Booth asked if the priority for youth sports would go away; is there a resolution that the priority is youth sports first, then adults.

Mr. Grace said in practice, the AABC people were told youth sports is priority for Ragle and Ft. Marcy, but he talked with Tommy Martinez who said it isn't working out like that.

Ms. Hansen suggested the preference could be added to the ordinance.

Chair Booth said the provision to allow citizens to voluntarily contribute to a sports field maintenance fund on the utility bill sounds like a good idea. She said however, the City must distinguish between commercial enterprises like the Santa Fe Fuegos and other sports teams that would benefit.

Chair Booth said her major issue is the equity issue of charging youth etc. at MRC differently than what is charged at other parks.

Mr. Isaac Pino provided an example at Genoveva Chavez Community Center (GCC.) He said there are private swim teams that reserve lanes for practice and for 35 years the Santa Fe swim team was the Santa Fe Seals, though no one knows how they got the designation. He said the designation allowed the Seals to rent lanes for close to nothing.

He said at the same time the Santa Fe Aquatics, another swim team, paid full price and the issue of equity came up. City Council removed the Santa Fe Seals designation and said the Seals would be treated like everyone else and they now pay the same rate.

Mr. Pino said the leagues that generally use the MRC are the Mexican Soccer Leagues etc. and they could make the same case. He said the MRC has to pay the debt service and if fees are lowered it would hurt.

Ms. McDonald said to swim at Salvador Perez costs less than to swim at GCC, so there is precedence for differences when things are constructed at different times and there is a hierarchy of facilities.

Mr. Pino said that was an excellent point. When GCC opened it was an enterprise fund and was to support itself and it isn't any longer. The fees were set to take advantage of the volume of people. He said Salvador Perez and Ft. Marcy, being older, didn't have the same requirements.

Chair Booth said in terms of quality of the facilities, the parks just renovated are in better shape. She noted that the only soccer fields for competitive use are at the MRC.

Ms. Byers said the ordinance states that the same fees charged at the MRC should be charged at all parks. She said she didn't believe that was the case.

Mr. Pino said the City learned about league inequities with charges and permits when Councilor Trujillo asked that the ordinance be enforced.

Ms. McDonald suggested there could be a way to base the fee on the number of players. Mr. Grace explained that the fee for the last couple of years is based on a base permit fee plus x dollars per team and the number of participants is taken into account.

Ms. Byers said she would take what she heard back to Councilor Dominguez and ask if he would like her to make amendments to the ordinance.

Ms. McDonald said the fees should stay the same or a modest increase and the volunteer requirement should either be removed or have an "in lieu of."

Ms. Hansen moved that POSAC recommend to Councilor Dominguez that 1) the volunteer portion of the ordinance be removed and 2) the fees remain the same as what is currently being paid or a modest increase. Ms. Taylor seconded the motion and it passed by unanimous voice vote.

Mr. Pino suggested "what people are paying" should be changed to "what is required in the ordinance."

Ms. Hansen responded that she was clear about stating "what people are paying" because it is different than what is said in the ordinance.

The Commission and attendees discussed the current fees paid by leagues and that what the current ordinance requires is not what is currently paid.

Ms. Taylor said the fees are inequitable.

The group discussed whether the fees were equitable and the services provided were the same.

Mr. Pine said the numbers show about \$57,000 a year collected in revenue and about \$940,000 worth of work. He said this isn't a revenue or profit situation.

Ms. Taylor said the City has an obligation to provide recreational facilities and that will always have to be subsidized. She said her point is that if each team has 10 players and uses the field(s) 50 times, the same fees should be paid by each.

Chair Booth said for the record, it still seems inequitable that children that play at MRC are charged and children who play in all other City parks are not charged. She said the adult teams that play at MRC should not be charged more than adult teams who play in the other parks.

REPORTS

- Bette Booth - Community Gardens

Chair Booth said there was a garden council meeting and a second meeting would be held in April. The minutes of the meeting were available to everyone.

She said the Trail Coordinator position would be discussed at BTAC (Bicycle Trails Advisory Committee) the following day. She planned to attend the meeting to give her personal opinion and encouraged others to do the same.

- Joe Lehm: DeVargas Skate Park

Mr. Lehm said he was involved with a Dosey (?) program and he would talk with BTAC once they have the coordinator position. He said the program could also help at the BMX shop.

He said DeVargas has a June 15 grand opening date. A meeting would be held at his house at 3:30 with Creative Santa Fe and members of the skate park community to talk about the grand opening event. He suggested a group ride through the Rail Yard.

Chair Booth said she contacted ASD and Grindline and has heard back from ASD.