



# Agenda

CITY CLERK'S OFFICE

DATE 11-19-07 TIME 1:50

SERVED BY Bobbi Morgan

RECEIVED BY Amelia Callan

**PUBLIC WORKS/CIP & LAND USE COMMITTEE  
MEETING  
CITY COUNCIL CHAMBERS  
MONDAY, NOVEMBER 26, 2007  
5:15 P.M.**

1. CALL TO ORDER
2. ROLL CALL
3. APPROVAL OF AGENDA
4. APPROVAL OF CONSENT AGENDA
5. APPROVAL OF MINUTES FROM NOVEMBER 13, 2007, PUBLIC WORKS COMMITTEE MEETING

**PUBLIC HEARING**

6. REQUEST FOR APPROVAL OF A RESOLUTION DIRECTING STAFF TO EXPLORE OPTIONS TO PROTECT THE JUANITA STREET NEIGHBORHOOD FROM INAPPROPRIATE DEVELOPMENT (COUNCILORS BUSHEE, CALVERT, DOMINGUEZ, TRUJILLO, WURZBURGER AND MAYOR COSS) (JACK HIATT/KATHY MCCORMICK)

**INFORMATIONAL AGENDA**

7. UPDATE TO THE LAND USE DEPARTMENT (JACK HIATT)

**CONSENT AGENDA**

8. PORTABLE TOILET RENTAL SERVICE FOR PARKS CITY-WIDE
  - REQUEST FOR APPROVAL OF BID NO. 06/51/B WITH WASTE MANAGEMENT OF NEW MEXICO INC. IN THE AMOUNT OF \$60,000 (FABIAN CHAVEZ)
9. TRAFFIC SIGNAL LED BULB AND HEAD RETROFIT PROJECT
  - REQUEST FOR APPROVAL OF AWARD OF RFB 08/12/B AND CONTRACT WITH MCDADDE WOODCOCK INC. OF ALBUQUERQUE IN THE AMOUNT OF \$523,021.15 INCLUSIVE OF NMGR (RICK DEVINE)
10. CIP PROJECT #691 – TRANSIT FACILITY EXPANSION
  - REQUEST FOR APPROVAL TO PURCHASE OFFICE FURNISHINGS VIA GSA CONTRACT NO. GS-28F-0016N WITH CREATIVE INTERIORS IN THE AMOUNT OF \$91,087.95 (MARY MACDONALD)

11. CIP PROJECT #431 – EL RIO ROAD TRAIL IMPROVEMENT PROJECT
  - REQUEST FOR APPROVAL OF A CONSTRUCTION CHANGE ORDER NO. 2 TO THE CONTRACT WITH CONCRETE ROSE IN THE AMOUNT OF \$30,354.53 INCLUSIVE OF NMGR (DAVID CHAPMAN)
12. SCHOOL CROSSING GUARD PROGRAM
  - REQUEST FOR APPROVAL OF CONTRACT BETWEEN THE CITY OF SANTA FE AND THE SANTA FE PUBLIC SCHOOLS FOR ADMINISTERING THE PROGRAM AND REIMBURSING COSTS FOR THE FISCAL YEAR OF 2007-2008 (MIKE LANDAVAZO)
13. SANTA FE MUNICIPAL AIRPORT
  - REQUEST FOR APPROVAL OF THE NEW MEXICO ARMY NATIONAL GUARD'S (NMGRT) REQUEST TO LOCATE A TEMPORARY AIRCRAFT SHELTER ON THEIR LEASE PROPERTY (JIM MONTMAN)
14. SANTA FE RIDEFINDERS CONTRACT FOR FY 07/08
  - REQUEST FOR APPROVAL OF SANTA FE TRAILS'S FY 07/08 MEMORANDUM OF AGREEMENT WITH THE NEW MEXICO STATE DEPARTMENT OF TRANSPORTATION (NMDOT) FOR THE RIDEFINDERS PROGRAM (JON BULTHIUS)

#### **DISCUSSION AGENDA**

15. SANTA FE RAILYARD COMMUNITY CORPORATION (SFRCC)
  - REQUEST FOR APPROVAL OF AMENDMENT NO. 5 TO THE CITY OF SANTA FE RAILYARD LEASE AND MANAGEMENT AGREEMENT TO EXTEND THE COMPLETION DATE OF THE RAILYARD PARKING GARAGE TO MARCH 31, 2008,
  - CLARIFY THE STATUS OF EXISTING SUBLEASE UPON TERMINATION OR EXPIRATION OF THE LEASE AND MANAGEMENT AGREEMENT,
  - REVISES THE DEFINITION OF THE LEASEHOLD PREMISES TO RECOGNIZE THE HIKE/BIKE TRAIL IN THE BACA STREET AREA, AND WIDENING THE ALAMEDA IN THE NORTH RAILYARD, AND
  - ADDRESSES THE METHODOLOGY TO ALLOW THE CITY TO REMOVE AFFORDABLE HOUSING UNITS FROM THE LEASEHOLD PREMISES (FRANK ROMERO)
16. SANTA FE RAILYARD COMMUNITY CORPORATION (SFRCC)
  - REQUEST FOR APPROVAL OF THE CITY RAILYARD LEASE AND MANAGEMENT AGREEMENT AMENDMENT NO. 6 TO ACKNOWLEDGE SALE – LEASEBACK OF IMPROVEMENTS ON PARCEL M-1, M-2, M-3, M-4 AND G (FRANK ROMERO)
17. REQUEST FOR APPROVAL OF A RESOLUTION DIRECTING STAFF TO WORK WITH THE SANTA FE PUBLIC SCHOOL DISTRICT STAFF TO DEVELOP A CITY PROCESS IN WHICH APPLICANTS FOR LAND DEVELOPMENT PROJECTS WOULD BE REQUIRED TO MEET WITH THE SANTA FE PUBLIC SCHOOLS TO ASSESS AND MITIGATE THE IMPACTS OF THE DEVELOPMENT PROJECT ON THE SANTA FE PUBLIC SCHOOLS (COUNCILOR DOMINGUEZ) (JACK HIATT)
18. REQUEST FOR APPROVAL OF A RESOLUTION ESTABLISHING AN APPLICATION FEE FOR ARTISTS/ARTISANS WHO APPLY FOR A LICENSE UNDER THE SANTA FE PLAZA PARK ARTIST/ARTISAN PROGRAM (COUNCILOR CHAVEZ) (SEVASTIAN GURULE)

19. REQUEST FOR APPROVAL OF A RESOLUTION DIRECTING STAFF TO WORK WITH CREATIVE SANTA FE, A CITY FUNDED NOT-FOR-PROFIT ORGANIZATION, TO FURTHER DEVELOP THE PLAN TO ESTABLISH A RAIL YARD ARTS/CREATIVITY COMPLEX **(COUNCILORS BUSHEE, ORTIZ, DOMINGUEZ AND TRUJILLO)**  
**(SABRINA PRATT)**
20. REQUEST FOR APPROVAL OF A RESOLUTION DIRECTING STAFF TO PROCEED WITH NEGOTIATIONS TO PURCHASE 14 ACRES OF LAND ADJACENT TO THE SILER ROAD YARD AND DEVELOP A FINANCING PLAN FOR THE PURCHASE **(MAYOR COSS AND COUNCILORS CHAVEZ, WURZBURGER, CALVERT AND TRUJILLO)** **(MIKE LUJAN)**
21. REQUEST FOR APPROVAL OF AN ORDINANCE AMENDING CHAPTER 14 SFCC 1987 REGARDING THE POWERS AND DUTIES OF THE BUSINESS CAPITAL DISTRICT DESIGN REVIEW COMMITTEE AND THE PLANNING COMMISSION TO MINIMIZE OVERLAPPING JURISDICTION IN THE BUSINESS CAPITAL DISTRICT AND MAKING SUCH OTHER RELATED CHANGES AS ARE NECESSARY **(COUNCILOR HELDMEYER)**  
**(DAN ESQUIBEL)**
22. REQUEST FOR APPROVAL OF A RESOLUTION DIRECTING STAFF TO MAP GPS COORDINATES ONTO THE CITY'S RECREATIONAL LAND MAPS **(COUNCILOR HELDMEYER)** **(DENISE VIGIL)**
23. MATTERS FROM STAFF
24. MATTERS FROM THE COMMITTEE
25. NEXT MEETING: MONDAY, DECEMBER 10, 2007
26. ADJOURN

An interpreter for the hearing impaired is available through the City Clerk's Office upon 5 days notice.

**SUMMARY OF ACTION**  
**CITY OF SANTA FE**  
**PUBLIC WORKS/CIP & LAND USE COMMITTEE**  
**November 26, 2007**

<b><i>ITEM</i></b>	<b><i>ACTION TAKEN</i></b>	<b><i>PAGE(S)</i></b>
2. Roll Call	Quorum Present .....	1
3. Approval of Agenda	Approved as amended .....	1-2
4. Approval of Consent Agenda	Approved as published .....	2
5. Approval of Minutes – Nov 13, 2007	Approved as submitted .....	2
PUBLIC HEARINGS		
6. Protection for Juanita Street	Approved as amended .....	2-8
INFORMATIONAL AGENDA		
7. Update on Land Use Dept.	Report presented .....	8-9
CONSENT AGENDA LISTING	Listed .....	9-10
DISCUSSION AGENDA		
15. Railyard Lease Amendment	Approved .....	10-11
16. Railyard Lease Amendment	Approved .....	11
17. Schools in Development Plans	Approved .....	11-12
18. Artist Licenses on Plaza	Not Approved .....	12-13
19. Creative Santa Fe Funding	Approved .....	13-14
20. Land Purchase at Siler Road Yard	Approved .....	14-15
21. BCD Powers and Authority	Approved .....	15
22. Coordination of Maps	Approved .....	15
23. Matters from Staff	None .....	15-16

24 Matters from the Committee	None .....	16
25. Next Meeting	Set for December 10, 2007 .....	16
26. Adjourn	.....	16

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

**MONDAY, NOVEMBER 26, 2007**

**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 Patti Bushee at approximately 5:15 p.m. in City Council Chambers, City Hall, 200 Lincoln, Santa Fe, New Mexico

**2. ROLL CALL**

Roll Call indicated the presence of a quorum as follows:

**MEMBER PRESENT:**

Councilor Patti J. Bushee, Chair  
Councilor Christopher Calvert  
Councilor Carmichael Dominguez  
Councilor Matthew E. Ortiz  
Councilor Ronald S. Trujillo

**MEMBERS ABSENT:**

**OTHER COUNCILORS PRESENT:**

Councilor Karen Heldmeyer

**OTHERS PRESENT:**

Mr. Robert Romero, Public Works Director  
Ms. Bobbi Mossman, Public Works Staff  
Mr. Carl Boaz, Stenographer

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

**3. APPROVAL OF AGENDA**

Mr. Romero requested that the Committee remove #11 from the agenda because it was not ready.

**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 moved for approval of the Consent Agenda as published. Councilor Dominguez seconded the motion and it passed by unanimous voice vote.**

#### **5. APPROVAL OF MINUTES FROM NOVEMBER 13, 2007, PUBLIC WORKS COMMITTEE MEETING**

**Councilor Trujillo moved to approve the minutes as submitted. Councilor Dominguez seconded and it passed by unanimous voice vote.**

#### **PUBLIC HEARING**

#### **6. REQUEST FOR APPROVAL OF A RESOLUTION DIRECTING STAFF TO EXPLORE OPTIONS TO PROTECT THE JUANITA STREET NEIGHBORHOOD FROM INAPPROPRIATE DEVELOPMENT (COUNCILORS BUSHEE, CALVERT, DOMINGUEZ, TRUJILLO, WURZBURGER AND MAYOR COSS) (JACK HIATT/KATHY MCCORMICK)**

Neither Mr. Hiatt nor Ms. McCormick were present at this time. Chair Bushee decided to proceed directly to the public comments.

Chair Bushee noted that Councilor Ortiz also signed on to this resolution. He was one of the first ones.

Mr. Hiatt returned to the room in order to hear the public comment.

#### **Public Comments**

Mr. Ruben Vasquez, 814 W. Manhattan Avenue, thanked the Committee for the chance to speak. He said he had a list of petitions signed by homeowners and current residents on Manhattan, Juanita, and Adolfo Street who requested that the resolution be passed to protect their neighborhood and their rights as homeowners and have developments conform with the neighborhood character. He said they felt the resolution 2001-55 could help them now rather than later.

He said currently, the neighbors didn't have any say on what was going on there and the construction of a 4-story building did affect them. He was also concerned about parking and overnight guests. It was the city's responsibility in planning. He felt if the building went in there it would have a domino effect. They just wanted to preserve the current characteristics.

Ms. Karen Walker, 205 Delgado, said the resolution said "direct staff to protect Juanita Street." She said most of the old neighborhoods had been zoned RM-1. She urged the Council to immediately change the zoning to "as built densities." She said they also made the regular mistake of inviting out of state

consultants. She explained that when these neighborhoods were built, they were less density so changing it to as built would protect the density.

Secondly she asked them to look at the 2002 bundle of ordinances that changed minimum lot sizes and lot coverages because it wasn't until that happened that the developers realized they could come in and build four stories and high density developments in all the RM-1 zones.

She said Conservation Districts had been tried. Suby Bowden was the expert in Guadalupe, trying to set them up but one problem was getting 2/3 of neighbors to agree on anything and made that time-consuming.

Ms. Vicky Gage, 533 Juanita Street, said her grandparents bought there in 1939. When her dad married, he moved to Alarid Street next to her great-grandparents at 630 Alarid where he raised five children. She said she was against the 3-story buildings and increased density and the way this neighborhood had been changing over the years. She said this neighborhood had always been a modest one. But because of its proximity to the Railyard, everyone wanted to jump in and put in all the condos.

She said she knew there was a petition going around to have a moratorium on building for six months. But she thought that could drag on for a lot longer. She said she was planning on building a small house in the back for her sister to live in - about 1000 sq ft. She didn't want to be caught in a situation where they could not build.

Mr. Lawrence Monita, 609 Calle de Mantos, said he grew up on Juanita Street. He apologized for his hat, saying his chemo-therapy messed up his hair. He said he came here recently out of desperation that the developer next to him disregarded the conditions the Planning Commission had imposed on him. He said he wrote a letter to the City Manager about how staff were sometimes not aware of the Board of Adjustment decisions or the Council. When Mayor Coss took over, he proposed firing all planners and now Lawrence thought he should do it.

He said he pointed out to the Board of Adjustment how Juanita Street couldn't stand any more development but Dan Esquibel told him the City was forced to allow it because of what a clerk did, telling the developers they could go ahead.

He said he was glad the Council was going to address the issues with staff. They need to be in conformance with what the Committee believed in and stand by what you decide.

Ms. Jennifer Kokard, 842 W Manhattan said her views were published in the Sunday New Mexican Opinion Section. She said she and her husband had only lived here two years. They liked the charm and ambiance of the neighborhood but it was disappearing.

Mr. Rick Martínez, presented petitions to Ms. Mossman. He said the petitions meant a lot. It was an existing neighborhood with existing single floor homes, some over hundred years old and they had an existing resolution from 2002. He asked the Committee to consider putting their names on it. He added that they had an existing General Plan. He urged the Committee to go back to it and put in neighborhood preservation. They talk about Affordable Housing but the big condominiums didn't provide it.



Ms. Nicole DeJurenev, 201 Alamo Drive, and said she was here to support the neighborhood. She said she had problems in her neighborhood too and they were not listened to or understood. These developments were ruining neighborhoods and ruining people's lives. It was the quality for those who lived here that was important. They wanted to be consulted. They wanted the City to adhere to the Code. They wanted vigilance. They didn't want the whole downtown being constructed at the same time.

She said she was here to protect all the neighborhoods from this three-story construction that ignored setbacks and other requirements. She urged the Committee to be respectful of those who lived here and voted for them.

Ms. Rosemary Menard, 534 Alarid Street, said she spent several hours last weekend taking petitions around to her neighbors. She shared the questions her neighbors were asking: What is going on in this City's government? Why did the City not act on the 2001 Resolution to down zone this long established neighborhood to conform to its existing moderate density? She said she told them she didn't know and still didn't.

She said what she would like to convey to the Committee was first, how much anger she encountered; the disgust and frustration she heard, and worse, the cynicism, rolled eyes, and more explicit comments she would not pass along.

She said many, in her neighborhood believed that city hall was in the hip pocket of the developers. Whatever the reason for this failure to enact the proper zoning, it was unconscionable. Because of it, these neighbors next to the three-story construction have had their property and their lives seriously compromised as they lost their privacy and sunlight and it would be unlikely that anyone but another developer would want to buy their property when they become ready to sell.

She said the Council needed to have a moratorium on any further 3-story buildings in this neighborhood. Equally as urgent, City staff needed to codify Resolution 2001-55 to rezone the neighborhood west of the Railyard to a designation appropriate to the existing one-story homes.

She noted that almost of all the homes there have been there 80 years and some more than a hundred. She said the City didn't need any more studies. She said, beginning with the 1980s, Beverly Spears study recommended the down zoning of that neighborhood as well as others. They didn't need any more foot dragging or lost resolutions. She said this neighborhood was under siege. She said they felt like they needed a forty- foot wall, with cannons, and a moat. But realistically, they needed the government to codify these existing densities to afford protection from the exploitation and greed of unscrupulous developers.

Ms. Maude Gillaclausen, 205 Williams Street, said she had not lived there for a hundred years but had lived there for 45 years. She said that for 2 years they had been crying in the Callecita neighborhood from the 3-story buildings and were being destroyed. She pointed out the big brown spot on the map and that was our city where all the RM-1 zoning was located. She urged the Councilors to please not exploit the possibilities. Please help because they were going down the drain.

Ms. Margaret Mildenkay, 509 Sunset Street, said they bought their 60 year old adobe six years ago and a couple of years ago had it renovated and added. She said they now had a 4-unit condo that just went up next door and another 5- unit condo across the street. She said they wouldn't mind so much if they were owned by people who lived there but they were all out of state people who come in and rented out their places by the night sometimes. She said they would like their Councilors to enact this approved 2001 resolution.

Ms. Jennifer Johnson, 605 Sunset Street, said she had questions about Juanita Street and other places they were happening. She said they had another split lot variance in their neighborhood. She said there was discussion. She said they have had three 3-story units and another five unit properties, all where single-family homes had previously been and all the developers know they must stay under the five units per lot so they didn't kick in the affordable housing requirements or the traffic impact study requirement.

At a certain point, the City would have to decide when traffic impacts should kick in.

She said that most of them were not occupied by a resident. The one across from her was owned by a man in Arizona and had never been to Santa Fe. She said he had two properties, two casitas and properties were managed by at Two Casitas.com. She said each unit was renting for \$350 per night. Most stay a couple of days. A lot of them park large RVs there. She said the City should also take out tandem parking. Some of the Airport shuttles were diesels they keep running for long periods waiting for the people to come and go. She added that these were very small streets. How could the traffic impact study get going and get implemented. Maybe it needed to be a requirement.

Mr. Scott Lineham and he wanted to thank Chair Bushee for returning his calls. He said he was at the epicenter, 824 W. Manhattan, right next to his hundred year old adobe home. He said he didn't know how they got a zero lot line or a third story which they had.

He said he did know that he bought a hovel of a hundred year old adobe structure and with his own hands remediated it, built it, plastered, it, fixed it. And at this point, "the phallus" had degraded his property value. He said he never got a variance which apparently they did. He never got notification which apparently others did and it was very hurtful. He said he came from Houston and left there because it was a place that did things like that.

He said he was in a position now, speaking before the Council which he had never imagined doing. His property value has gone down literally and he was having to negotiate with an individual that had a third story where there wasn't supposed to be one. To take a chain saw to it would put him in jail so he would not but wanted to. He said it had totally changed the character of the neighborhood. Totally manipulating and destroying those wonderful old words "walk the plaza."

He said he left city skyscrapers to come to a town that didn't have any but now found himself with one right next door.

He asked the Councilors and staff if they even cared.

Chair Bushee said everybody here had signed on the resolution and were looking for a solution.

Mr. Raymond Herrera, 379 Hillside, said it really hurt to be here tonight, having been in these neighborhoods for the last 30 years. This never should have happened. The Resolution in 2001 should have been updated. Someone screwed up and should take responsibility for it. He said he got involved after reading the article and came to Council to petition for a moratorium. The one that was passed did work.

He thought these people were owed a moratorium or at least to stop stamping building permits. It was horrible what they were doing. It was changing the whole character and it would creep across St. Francis Drive.

He said he started the ENN process because of what they went through several years ago. The developers and builders were trying to do away with it. He hoped the Council and Planning Commission would put more emphasis on the ENN and support these neighbors. Let's see if they could help them and set a precedent for all future developments. Let's take care of it now.

Mr. Mark Galassi, 527 Alarid, said the speakers have laid a good foundation. He said he was going to do an interview tomorrow and would put the full force of creativity into stopping this.

There were no other speakers from the public regarding this item.

Chair Bushee asked about the one next door to 824½ and the zero lot line variance.

Mr. Hiatt said Ms. Yolanda Cortez, the Building Permit Director, found a zero lot line affidavit was signed by the next door neighbor on July 21, 2006. He said he would check on this gentleman's issue tomorrow.

He said it didn't take a crowd to know there was an issue. He said he walked the neighborhood and particularly the condo going up on west of St. Francis at Juanita. He said it wouldn't take a rocket scientist to realize it was inconsistent with the neighborhood. He said he didn't realize there were two others going up and now knew there were at least three problem properties for that neighborhood.

Regarding Resolution 2001-55, he said this Council had been adamant that all resolutions were followed up by staff and he didn't realize 2001-55 was outstanding until Rick Martínez brought it to his attention. They were trying to make sense out of it. He said he met with GIS to plot the neighborhoods. They were focusing on those outside Historic Districts and working on the solution,

He felt the most intriguing solution was Karen Walker's as built density zoning.

Chair Bushee asked how soon they could enforce the 2001-55 resolution.

Mr. Hiatt said he agreed with whoever said they did not have time for a plan. Between Ms. Price and himself, they could write something and didn't need another study.

Chair Bushee said almost the entire Council had signed on to do something. Callecita had suffered

from condos springing up over night and at least three speakers tonight were realtors.

Ms. Price said if they were just looking at Juanita Street area, staff had to determine the area boundaries and come up with appropriate zoning, have the Planning Council review it, then a Council review, a public hearing. She said a straight zoning would take about three months.

Ms. Price said this would be a separate ordinance.

Mr. Hiatt said they were at the stage where they were hiring three more planners by January 1 but Ms. Price was getting a package together for added contractual services that they identified from last year's budget. They could put contractual money together on the table. He said they would need more bodies on the ground to map it and it would take several months to get through.

Councilor Calvert asked if 2001-55 needed to go further. It was already enacted so they could immediately act. He said he understood the process of down zoning and there were references in the resolution on boundaries.

The other thing on the moratorium was that he thought there might be an emergency action for legislation instead of waiting months. He thought this would qualify under those provisions because the 2001 resolution should already be implemented.

Chair Bushee asked the City Manager to have an attorney present for Public Works meetings.

She thought they had to have public hearings to do a moratorium.

Councilor Calvert thought if they made the moratorium specifically to this area, it should work.

Mr. Buller said no one was prepared to address it tonight. He agreed to pass it to City Attorney in the morning.

Councilor Ortiz remembered there were a couple of options they could pursue. If they directed staff to implement and take action to pursue a moratorium. He was aware of two projects that did have a public hearing and the City ended up paying because of the action they took. He said he didn't want the City to have to pay for lawyers, etc.

He suggested if they passed the new resolution, they should include a provision for a legal review and avoid a windfall for developers. What was being requested might end up costing the taxpayers for legal costs.

Councilor Calvert said the resolution before the Committee mentioned the other options and they would take longer but they were not mutually exclusive. The analysis could be going on in parallel. He thought enacting the old resolution provided the most immediate relief.

Chair Bushee said, in looking at the map, the Guadalupe District was being slammed. It was not much better up Artist's Road. She didn't think they could tackle it with the Conservation District now. The previous argument was over density. She noted that the development of the Railyard had spurred some of

this. It was unfortunate and she couldn't offer relief to the neighbor next to the 3-story development.

Ms. McCormick said she was working with Mr. Hiatt on it and following his lead. She said they had looked at all the RM zones and were working on what would be the best zoning - the as-built zoning.

Chair Bushee asked if he had staff for that.

Mr. Hiatt said he didn't want to raise expectations. With the folks they had and everything going on, he didn't know but really liked the contract idea.

He reminded the Committee that they asked him two weeks ago for the inventory of permits but he didn't have it done yet. He added that people were on vacation now because they had to send them on vacation. They were at half staff right now. They needed bodies.

Chair Bushee asked if he could give a plan with staff and contracts. Mr. Hiatt agreed.

Councilor Calvert noted in the resolution they had about a month ago, they came to the conclusion that the RM districts not in historic districts were the problem areas so that was the target.

**Councilor Calvert moved for approval of the current resolution.**

Chair Bushee asked if he wanted to amend it for the districts.

**Councilor Calvert agreed and amended it to include all the RM zones in districts around downtown that were not in historic districts.**

**Councilor Ortiz seconded the motion.**

Chair Bushee asked if it included a moratorium.

**Councilor Ortiz offered a friendly amendment to study the moratorium idea on a parallel track and bring back the options on an emergency basis. The motion passed by unanimous voice vote.**

## **INFORMATIONAL AGENDA**

[two-minute break]

### **7. UPDATE TO THE LAND USE DEPARTMENT (JACK HIATT)**

Mr. Hiatt provided a handout memo to the Committee and summarized what was in it.

Staffing - three vacancies and down from retirement and one out on long term medical. He said he had seen all the applicants and would start interviewing and extend offers next week to have on board by January 1<sup>st</sup>.

Building Codes were headed for Council this week and he was confident they would pass. Then he would start the training.

Chapter 14 Rewrite - he would pass out to Councilors the appeals section. The RFP for consultant would close next week. He hoped to have one by Jan 1<sup>st</sup> and would take up a third of director's time.

Chair Bushee asked if the applicants were experienced people.

Mr. Hiatt said all of them met the minimum that had been lowered to Bachelors degree. Most had experience in government. He also lowered the experience minimum. He said some of them had supervisory experience as well.

Chair Bushee asked if they weren't due for review of General Plan.

Mr. Hiatt thought there were amendments from several years ago that didn't get passed.

Chair Bushee thought some of what they were encountering was the map that went with the General Plan and changing the map would be quicker.

Mr. Hiatt finished his report with Technical Review enhancements which they had been working on trying to solve the problems made apparent in the snow storm last January. They learned that they needed to be interacting so the right hand knew what the left hand was doing and that developers were held accountable for their tasks.

He said they had a horrible system for financial guarantees. Most have expired. They were hiring a temp make sure those were tracked. And an incentive for developers to finish the job. They would have a meeting on the infrastructure checklist for developers that was going into effect in January.

Chair Bushee asked if Finance handled that.

Mr. Hiatt said it had always been in PLUD in the hands of one person who got behind and never caught up. He said they now had an alphabetical list of all projects.

Mr. Hiatt briefly explained the ramifications of expired guarantees. He said a portion was held for one year after completion.

## **CONSENT AGENDA LISTING**

### **8. PORTABLE TOILET RENTAL SERVICE FOR PARKS CITY-WIDE**

- **REQUEST FOR APPROVAL OF BID NO. 06/51/B WITH WASTE MANAGEMENT OF NEW MEXICO INC. IN THE AMOUNT OF \$60,000 (FABIAN CHÁVEZ)**

### **9. TRAFFIC SIGNAL LED BULB AND HEAD RETROFIT PROJECT**

- **REQUEST FOR APPROVAL OF AWARD OF RFB 08/12/B AND CONTRACT WITH MCDADE**

**WOODCOCK INC. OF ALBUQUERQUE IN THE AMOUNT OF \$523,021.15 INCLUSIVE OF NMGR (RICK DEVINE)**

**10. CIP PROJECT #691 – TRANSIT FACILITY EXPANSION**

- **REQUEST FOR APPROVAL TO PURCHASE OFFICE FURNISHINGS VIA GSA CONTRACT NO. GS-28F-0016N WITH CREATIVE INTERIORS IN THE AMOUNT OF \$91,087.95 (MARY MACDONALD)**

**11. CIP PROJECT #431 – EL RIO ROAD TRAIL IMPROVEMENT PROJECT**

- **REQUEST FOR APPROVAL OF A CONSTRUCTION CHANGE ORDER NO. 2 TO THE CONTRACT WITH CONCRETE ROSE IN THE AMOUNT OF \$30,354.53 INCLUSIVE OF NMGR (DAVID CHAPMAN)**

**12. SCHOOL CROSSING GUARD PROGRAM**

- **REQUEST FOR APPROVAL OF CONTRACT BETWEEN THE CITY OF SANTA FE AND THE SANTA FE PUBLIC SCHOOLS FOR ADMINISTERING THE PROGRAM AND REIMBURSING COSTS FOR THE FISCAL YEAR OF 2007-2008 (MIKE LANDAVAZO)**

**13. SANTA FE MUNICIPAL AIRPORT**

- **REQUEST FOR APPROVAL OF THE NEW MEXICO ARMY NATIONAL GUARD'S (NMARNG) REQUEST TO LOCATE A TEMPORARY AIRCRAFT SHELTER ON THEIR LEASE PROPERTY (JIM MONTMAN)**

**14. SANTA FE RIDEFINDERS CONTRACT FOR FY 07/08**

- **REQUEST FOR APPROVAL OF SANTA FE TRAILS'S FY 07/08 MEMORANDUM OF AGREEMENT WITH THE NEW MEXICO STATE DEPARTMENT OF TRANSPORTATION (NMDOT) FOR THE RIDEFINDERS PROGRAM (JON BULTHIUS)**

**DISCUSSION AGENDA**

**15. SANTA FE RAILYARD COMMUNITY CORPORATION (SFRCC)**

- **REQUEST FOR APPROVAL OF AMENDMENT NO. 5 TO THE CITY OF SANTA FE RAILYARD LEASE AND MANAGEMENT AGREEMENT TO EXTEND THE COMPLETION DATE OF THE RAILYARD PARKING GARAGE TO MARCH 31, 2008,**
- **CLARIFY THE STATUS OF EXISTING SUBLEASE UPON TERMINATION OR EXPIRATION OF THE LEASE AND MANAGEMENT AGREEMENT,**
- **REVISES THE DEFINITION OF THE LEASEHOLD PREMISES TO RECOGNIZE THE HIKE/BIKE TRAIL IN THE BACA STREET AREA, AND WIDENING THE ALAMEDA IN THE NORTH**

- **RAILYARD, AND  
ADDRESSES THE METHODOLOGY TO ALLOW THE CITY TO REMOVE AFFORDABLE  
HOUSING UNITS FROM THE LEASEHOLD PREMISES (FRANK ROMERO)**

Mr. Richard Czoski presented the request.

**Councilor Ortiz moved for approval of Item 15. Councilor Trujillo seconded the motion.**

Mr. Romero explained that every bullet was included in amendment five. They were not separate.

**The motion passed by unanimous voice vote.**

- 16. SANTA FE RAILYARD COMMUNITY CORPORATION (SFRCC)  
• REQUEST FOR APPROVAL OF THE CITY RAILYARD LEASE AND MANAGEMENT  
AGREEMENT AMENDMENT NO. 6 TO ACKNOWLEDGE SALE – LEASEBACK OF  
IMPROVEMENTS ON PARCEL M-1, M-2, M-3, M-4 AND G (FRANK ROMERO)**

Mr. Richard Czoski presented the request.

**Councilor Ortiz moved to approve the request. Councilor Dominguez seconded the motion and it passed by unanimous voice vote.**

- 17. REQUEST FOR APPROVAL OF A RESOLUTION DIRECTING STAFF TO WORK WITH THE  
SANTA FE PUBLIC SCHOOL DISTRICT STAFF TO DEVELOP A CITY PROCESS IN WHICH  
APPLICANTS FOR LAND DEVELOPMENT PROJECTS WOULD BE REQUIRED TO MEET WITH  
THE SANTA FE PUBLIC SCHOOLS TO ASSESS AND MITIGATE THE IMPACTS OF THE  
DEVELOPMENT PROJECT ON THE SANTA FE PUBLIC SCHOOLS (COUNCILOR DOMINGUEZ)  
(JACK HIATT)**

**Councilor Trujillo moved to approve the request. Councilor Dominguez seconded the motion.**

Councilor Calvert said this sounded a lot like an impact fee.

Chair Bushee asked if it had already gone to the Planning Commission.

Mr. Romero said it had not.

Chair Bushee said she would like to hear how they felt it would work.

Councilor Ortiz noted that on the south side, they postponed for school input. He asked if they did it for this NW Quadrant.

Councilor Dominguez said this was intended to take advantage of that to avoid those problems or



mistakes.

**Councilor Dominguez moved to approve the request. Councilor Ortiz seconded the motion and it passed by unanimous voice vote.**

**18. REQUEST FOR APPROVAL OF A RESOLUTION ESTABLISHING AN APPLICATION FEE FOR ARTISTS/ARTISANS WHO APPLY FOR A LICENSE UNDER THE SANTA FE PLAZA PARK ARTIST/ARTISAN PROGRAM (COUNCILOR CHÁVEZ) (SEVASTIAN GURULÉ)**

Mr. Gurulé presented the request.

Councilor Ortiz said he remembered it and understood it. They were going to pay for the juried process but now each applicant would pay \$50 for a license.

Mr. Gurulé said- the direction was to identify why they were planning to pay the jury and said it was because they were looking for the highest quality so they needed to recruit highest quality artists. Some of the applicants might not have an opportunity; whether fair or unfair; it was to recruit the very best.

Councilor Bushee said she didn't like the idea, adding that they didn't pay anyone else to jury anything else.

Councilor Ortiz noted this was just the resolution that went with the fee. The rest happened when they considered the plaza resolution.

Ms. Price said they rewrote it because the Committee wanted an explanation on it.

Councilor Ortiz said they should be charging so they could get reimbursement for the time the vendors take up with staff and Councilors.

Councilor Calvert said they also had a license fee.

Councilor Dominguez asked if they would actually pay the fee.

Mr. Gurulé agreed and said there was a space fee. They generated \$23,700 annually and it helped defray the costs of enforcement. He added that the Arts Commission paid a stipend of \$75 for juried services.

**Councilor Dominguez moved to approve the request. Councilor Calvert seconded the motion and it failed to pass on a voice vote with Councilor Calvert, Councilor Dominguez voting yes and with Councilor Trujillo, Chair Bushee and Councilor Ortiz voting no (2 to 3).**

Mr. Gurulé said- it was on consent with Finance - the original, not the draft.

Councilor Ortiz said he didn't see that it went to Finance.

Ms. Price said it did.

**19. REQUEST FOR APPROVAL OF A RESOLUTION DIRECTING STAFF TO WORK WITH CREATIVE SANTA FE, A CITY FUNDED NOT-FOR-PROFIT ORGANIZATION, TO FURTHER DEVELOP THE PLAN TO ESTABLISH A RAIL YARD ARTS/CREATIVITY COMPLEX (COUNCILORS BUSHEE, ORTÍZ, DOMINGUEZ AND TRUJILLO) (SABRINA PRATT)**

Ms. Mary Ann Shaening, Pres of Creative Santa Fe Board presented the request.

Chair Bushee noted that Creative Santa Fe had been in existence for two years. The plan had been for them to pursue, using the Economic Development Plan to develop mechanisms for pursuit of economic development through the arts. It was at least 1/4 of Santa Fe's economy and the consultant was to tell them how to advance that.

Ms. Shaening said this asks that they look at and seek funding through this non-profit with an arts complex at the Railyard - an incubator where artists would get business help to begin and expand operations. She said they had ideas about outdoor pavilions and Councilor Wurzbarger wanted to make sure it was a place not only for career development but also for selling wares. She said they were looking at space on Baca Street, a large building of 11,000 sq ft.

She said Creative Santa Fe was created because of the City's Economic Development strategy after the Angelou and the Beaver studies. The McCune Foundation felt it was important to separate the arts/culture portion. That was where they came up with the data Chair Bushee referred to. So it was developed and the City provided \$50,000 per year for the operation. The rest was derived from membership dues and grants. The mission was about Economic Development in the creative industries.

She said it was time for Creative Santa Fe to take the lead in this Economic Development. Project. They were looking at La Puerta building. The current business plan had Creative Santa Fe taking over that building and raising the money to redevelop it for the purposes related to Economic Development strategy. The building needed some work including heating for it.

She said in the redevelopment, they would add a 7,000 sq. ft. mezzanine. They would rent half the building to organizations and businesses in arts business and create a business hub, renting offices with shared amenities. The rent would help offset the costs of the rest of the building. About 5-6000 rented out; 7000 new space would be affordable studios starting at about 200/month. The rest would have several E.D. programs like a residency program (not an incubator but like it) with approximately 23 artists each year; workshop classroom space for the business of art. Another was a white box and grey box - multipurpose space for rent on as needed basis for exhibitions, rehearsal space, etc.

Councilor Ortiz said if successful, the proposed plan would be presented to Council for review and asked how soon they could see the details.

Ms. Shaening said in 24 -48 hours because they were close to completion.

Chair Bushee said they had been hoping Creative Santa Fe would be able to latch onto that space. This seemed like a good fit.

Ms. Shaening explained they were seeking more than City funds. There were multiple sources for start up and for operation. The City could choose to lower the lease rate on that building in lieu of providing grants.

Councilor Ortiz said the Council could not do that unilaterally, it depended on the Railyard Corp.

Mr. Czoski said it would have to take the form of a credit to the Railyard's debt to the City.

Councilor Ortiz said one of the reasons it was attractive was the idea that this was a city organization that was charged with coming up with these kinds of plans. At some point they would need to see the plan and compare with other plans if there were any others. It was refreshing that they were going to see that so soon.

**Chair Bushee moved for approval of the resolution. Councilor Dominguez seconded the motion.**

Chair Bushee said many on the Board had a long history of working in the art world. She was confident they would move forward well.

**The motion passed by unanimous voice vote.**

Chair Bushee was hopeful this could come back in two weeks.

Councilor Ortiz recommended they get in touch with Yolanda Green regarding getting on the Finance Committee agenda.

**20. REQUEST FOR APPROVAL OF A RESOLUTION DIRECTING STAFF TO PROCEED WITH NEGOTIATIONS TO PURCHASE 14 ACRES OF LAND ADJACENT TO THE SILER ROAD YARD AND DEVELOP A FINANCING PLAN FOR THE PURCHASE (MAYOR COSS AND COUNCILORS CHÁVEZ, WURZBURGER, CALVERT AND TRUJILLO) (MIKE LUJÁN)**

Mr. Mike Luján presented the request. He said the resolution was to move forward with purchase of the land. Much discussion had taken place in the past. This took out language from resolution regarding the Master Plan. It was to enter in good faith in negotiations with the landowner. Then come back to committees on price, etc.

Councilor Ortiz suggested it should say something before financing plan. It was one thing to resolve to enter good faith negotiations. Not to say develop a financing plan but to say develop financing options in case a purchase was contemplated.

Councilor Trujillo agreed.

**Councilor Trujillo moved to approve the request as amended by adding “to develop financing options in case a purchase was contemplated.” Councilor Calvert seconded the motion and it passed by majority voice vote with all voting yes except Chair Bushee who voted against.**

**21. REQUEST FOR APPROVAL OF AN ORDINANCE AMENDING CHAPTER 14 SFCC 1987 REGARDING THE POWERS AND DUTIES OF THE BUSINESS CAPITAL DISTRICT DESIGN REVIEW COMMITTEE AND THE PLANNING COMMISSION TO MINIMIZE OVERLAPPING JURISDICTION IN THE BUSINESS CAPITAL DISTRICT AND MAKING SUCH OTHER RELATED CHANGES AS ARE NECESSARY (COUNCILOR HELDMEYER) (DAN ESQUIBEL)**

Councilor Ortiz asked if it was approval of notice or approval of ordinance.

Ms. Price said it was introduced. It was just a long time ago. It was last spring or summer time.

Councilor Ortiz asked if it had been published.

Ms. Price said it had not. She said it was traditional that all ordinances go to ‘finance with request to publish and that was in the IFR policy. She added that it was just for development plans in the BCD.

Councilor Ortiz said this would take the authority away from the Planning Commission.

Ms. Price agreed and said originally, the BCD except Railyard was a building permit process but since 1980's has added more review to BCD DRC. So all three bodies look at things at various levels. She explained that there was an overlap and this allowed just BCD and HDRB to review and was only for large projects - 30,000 or above.

Chair Bushee asked if the appeals would be to the Governing Body. Ms. Price agreed.

Chair Bushee asked to see the language on it going to Finance.

**Councilor Calvert moved for approval. Councilor Trujillo seconded the motion and it passed by unanimous voice vote.**

**22. REQUEST FOR APPROVAL OF A RESOLUTION DIRECTING STAFF TO MAP GPS COORDINATES ONTO THE CITY'S RECREATIONAL LAND MAPS (COUNCILOR HELDMEYER) (DENISE VIGIL)**

**Councilor Calvert moved for approval. Councilor Trujillo seconded the motion and it passed by unanimous voice vote.**

**23. MATTERS FROM STAFF**

None.

**24. MATTERS FROM THE COMMITTEE**

None.

**25. NEXT MEETING: MONDAY, DECEMBER 10, 2007**

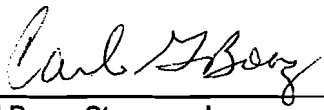
**26. ADJOURN**

Having completed the agenda and with no further business to come before the Committee, the meeting was adjourned at approximately 7:30 p.m.

Approved by:

\_\_\_\_\_  
Patti J. Bushee, Chair

Submitted by:

  
\_\_\_\_\_  
Carl Boaz, Stenographer