



CITY CLERK'S OFFICE  
**Agenda** DATE 12/6/07 TIME 9:50am  
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**PUBLIC WORKS/CIP & LAND USE COMMITTEE  
MEETING  
CITY COUNCIL CHAMBERS  
MONDAY, DECEMBER 10, 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 26, 2007, PUBLIC WORKS COMMITTEE MEETING

**INFORMATIONAL AGENDA**

6. UPDATE TO THE PARKING DIVISION RAILYARD PLANS AND SURROUNDING AREA PARKING ISSUES (**BILL HON**)
7. UPDATE ON THE GREENING OF SANTA FE: IMPLEMENTATION OF THE 2030 CHALLENGE AND THE US CONFERENCE OF MAYOR'S AGREEMENT ON CLIMATE CHANGE (**KATHERINE MORTIMER**)
  - REQUEST FOR APPROVAL OF A RESOLUTION DIRECTING THE CITY'S GREEN TEAM TO REVIEW THE ENERGY ORDINANCE RECENTLY INTRODUCED BY THE CITY OF SANTA BARBARA, CALIFORNIA AND TO USE IT AS A GUIDE TO ATTAIN SIMILAR OR BETTER STANDARDS (**COUNCILOR BUSHEE**) (**KATHERINE MORTIMER**)
8. UPDATE TO THE LAND USE DEPARTMENT (**JACK HIATT**)

**CONSENT AGENDA**

9. CIP PROJECT #684 – SANTA FE CIVIC CENTER
  - REQUEST FOR APPROVAL OF AMENDMENT NO. 3 TO PROFESSIONAL SERVICES AGREEMENT WITH MUSEUM OF NEW MEXICO IN THE AMOUNT OF \$685,034 (**MARTIN VALDEZ**)
10. REQUEST FOR APPROVAL OF ARCHAEOLOGICAL FUNDING TO ARCHIVE ARTIFACTS WITH THE MUSEUM OF NEW MEXICO IN THE AMOUNT NOT TO EXCEED \$3,000 (**CHIP LILIENTHAL**)

11. CIP PROJECT #211 – POLICE DEPARTMENT - RENOVATION
  - REQUEST FOR APPROVAL OF AWARD BID # '08/13/B AND AGREEMENT WITH SAMCON, INC. IN THE AMOUNT OF \$1,478,140.75 INCLUSIVE OF GROSS RECEIPTS TAX (**CHIP LILIENTHAL**)
12. CIP PROJECT #408A – FRANKLIN MILES PARK CONCESSION BUILDING
  - REQUEST FOR APPROVAL OF AWARD OF BID # '08/14/B AND CONTRACT WITH WEIL CONSTRUCTION, INC. IN THE AMOUNT OF \$445,950 INCLUSIVE OF NMGR T (**MARY MACDONALD**)
13. CIP PROJECT #691 – TRANSIT FACILITY EXPANSION
  - REQUEST FOR APPROVAL OF CHANGE ORDER #2 WITH ESA CONSTRUCTION, INC. IN THE AMOUNT OF \$47,957.56 (**MARY MACDONALD**)
14. CIP PROJECT #534A – RUGBY FIELDS PHASE II – DESIGN SERVICES
  - REQUEST FOR APPROVAL OF THE PROFESSIONAL SERVICES AGREEMENT AMENDMENT NO. 2 WITH MORRIS SURVEYING ENGINEERING L.L.C IN THE AMOUNT OF \$34,072.86 (**MARY MACDONALD**)
15. 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 \$31,862.05 INCLUSIVE OF NMGR T (**DAVID CHAPMAN**)
16. REQUEST FOR APPROVAL OF A PROFESSIONAL SERVICES AGREEMENT TO PLAN, DESIGN AND CONSTRUCT THE DEVELOPMENT OF A BOTANICAL GARDEN ON CITY OWNED LAND LEASED TO THE SANTA FE BOTANICAL GARDEN (**ROBERT SIQUEIROS**)
17. REQUEST FOR APPROVAL OF A CAPITAL COOPERATIVE AGREEMENT WITH THE NEW MEXICO DEPARTMENT OF TRANSPORTATION FOR 2007 LEGISLATIVE APPROPRIATIONS IN THE AMOUNT OF
  - \$75,000 FOR ROAD IMPROVEMENTS ON AIRPORT ROAD FROM CERRILLOS ROAD TO NM 599;
  - \$20,000 FOR ROAD IMPROVEMENTS AT THE INTERSECTION OF ZIA AND RODEO ROAD (**DESIRAE LUJAN**)
  - REQUEST FOR APPROVAL OF A RESOLUTION IN SUPPORT OF A CAPITAL COOPERATIVE AGREEMENT FOR 2007 LEGISLATIVE APPROPRIATIONS FOR TRANSPORTATION PROJECTS IN THE CITY OF SANTA FE (**COUNCILOR TRUJILLO**) (**DESIRAE LUJAN**)
18. REQUEST FOR APPROVAL OF CHANGE ORDER NO. 1 WITH ARIZONA BUS SALES CORP. FOR THE PURCHASE OF SIX (6) 32 FT. LOW FLOOR CNG-POWERED TRANSIT BUSES IN THE AMOUNT OF \$99,762 (**JON BULTHUIS**)
19. CIP PROJECT #429B – FRENCHY'S PARK RENOVATIONS
  - REQUEST FOR APPROVAL OF AWARD OF BID # '08/08/B AND AGREEMENT WITH SEQUOIA LANDSCAPING, INC. IN THE AMOUNT OF \$158,184.37 INCLUSIVE OF NMGR T (**BEN GURULE**)

20. SANTA FE FARMERS MARKET INSTITUTE

- REQUEST FOR APPROVAL OF THE ECONOMIC DEVELOPMENT PROJECT PARTICIPATION AGREEMENT **(FRANK ROMERO)**

21. SANTA FE SOUTHERN RAILWAY

- REQUEST FOR APPROVAL OF THE PROFESSIONAL SERVICES AGREEMENT AMENDMENT NO. 1 FOR RAIL LINE UPGRADE AND REALIGNMENT WORK IN THE AMOUNT OF \$88,762 **(FRANK ROMERO)**

**DISCUSSION AGENDA**

22. SANTA FE RAILYARD COMMUNITY CORPORATION

- REQUEST FOR APPROVAL OF PROFESSIONAL SERVICES AGREEMENT AMENDMENT NO. 11 FOR NORTH RAILYARD INFRASTRUCTURE IMPROVEMENTS IN THE AMOUNT OF \$465,613 **(FRANK ROMERO)**

23. NEW MEXICO DEPARTMENT OF TRANSPORTATION COOPERATIVE AGREEMENT

- REQUEST FOR APPROVAL OF THE SECOND AMENDMENT FOR THE SANTA FE RAILYARD BIKEWAYS AND WALKWAYS PROJECT **(FRANK ROMERO)**

24. VERBAL UPDATE ON THE OFFICE OF AFFORDABLE HOUSING PROGRAM

- REQUEST FOR APPROVAL OF AN AGREEMENT WITH THE SANTA FE COMMUNITY HOUSING TRUST (SFCHT) IN THE AMOUNT OF \$40,000 TO SUPPORT HOUSING INNOVATION
- REQUEST FOR APPROVAL OF AN AGREEMENT WITH HOMEWISE AND THE SANTA FE COMMUNITY HOUSING TRUST FOR HOUSING RELATED SERVICES IN THE AMOUNT OF \$272,275.49
- REQUEST FOR APPROVAL OF A \$100,000 ALLOCATION FROM THE HOUSING TRUST FUND TO SUPPORT A CONTRACT WITH HOMEWISE TO ESTABLISH AN EMPLOYEE HOUSING ASSISTANCE PROGRAM
- REQUEST FOR APPROVAL OF A RESOLUTION ENDORSING THE CONCEPTS INCLUDED IN THE "PLAN TO END HOMELESSNESS IN FIVE YEARS" PRESENTED BY THE MAYOR'S BLUE RIBBON PANEL TO END HOMELESSNESS **(COUNCILORS ORTIZ, BUSHEE, WURZBURGER AND DOMINGUEZ) (KATHY MCCORMICK)**

25. REQUEST FOR APPROVAL OF AN EMERGENCY ORDINANCE CREATING A NEW SECTION 14-\_\_\_ SFCC 1987 TO PROHIBIT OUTDOOR NIGHT TIME CONSTRUCTION THAT IS IN, NEAR OR ADJACENT TO RESIDENTIAL NEIGHBORHOODS **(COUNCILOR ORTIZ)**

26. REQUEST FOR APPROVAL OF A RESOLUTION ESTABLISHING A RESTRICTED CASH ACCOUNT AND RELATED LIABILITY ACCOUNT FOR THE SANTA E WASTEWATER MANAGEMENT CLOSURE AND POST-CLOSURE FUND TO PROVIDE FUNDS FOR FUTURE CLOSURE, POST CLOSURE, PHASE I AND PHASE II AND/OR CORRECTIVE ACTION COSTS **(COUNCILORS TRUJILLO, CHAVEZ, DOMINGUEZ AND CALVERT) (BRYAN ROMERO)**

27. MATTERS FROM STAFF

28. MATTERS FROM THE COMMITTEE

29. NEXT MEETING: MONDAY, JANUARY 7, 2008

30. 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**  
**December 10, 2007**

<b><u>ITEM</u></b>	<b><u>ACTION TAKEN</u></b>	<b><u>PAGE(S)</u></b>
2. Roll Call	Quorum Present .....	1
3. Approval of Agenda	Approved as amended .....	1-2
4. Approval of Consent Agenda	Approved as amended .....	2
5. Approval of Minutes – Nov 26, 2007	Approved as submitted .....	2
<b>INFORMATIONAL AGENDA</b>		
6. Update Railyard Parking Plans	Update presented & discussed .....	2-4
7. Update on Greening of Santa Fe	Approved with amendments .....	4-5
8. Land Use Dept. Update	Discussion .....	5-6
25. Nighttime Construction Prohibition Ordinance	Discussion & Withdrawn .....	6-8
<b>CONSENT AGENDA LISTING</b>	Listed .....	8-10
<b>DISCUSSION AGENDA</b>		
22. Railyard Infrastructure Amendment	Approved .....	10
23. Railyard Bikeways Project Amendment	Approved .....	10-11
24. Affordable Housing Program Requests	3 approved, 1 postponed .....	11-16
26. Wastewater Closure Fund	Approved .....	16
27. Matters from Staff	Not considered .....	16
28. Matters from the Committee	Discussion .....	16
29. Next Meeting	Set for January 7, 2007 .....	17
30. Adjourn	.....	17

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

**MONDAY, DECEMBER 10, 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

**MEMBERS ABSENT:**

Councilor Ronald S. Trujillo excused

**OTHER COUNCILORS PRESENT:**

**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 were incorporated herewith by reference. The original Committee packet is on file in the Public Works Department.**

**3. APPROVAL OF AGENDA**

Mr. Romero requested that item #12 be postponed to the next meeting.

**Councilor Calvert moved for approval of the agenda as amended. Councilor Ortiz 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 (except #12 which was postponed). Councilor Dominguez seconded the motion and it passed by unanimous voice vote.**

#### **5. APPROVAL OF MINUTES FROM NOVEMBER 26, 2007, PUBLIC WORKS COMMITTEE MEETING**

**Councilor Ortiz moved to approve the November 26, 2007 minutes as submitted. Councilor Calvert seconded the motion and it passed by unanimous voice vote.**

#### **INFORMATIONAL AGENDA**

#### **6. UPDATE TO THE PARKING DIVISION RAILYARD PLANS AND SURROUNDING AREA PARKING ISSUES (BILL HON)**

Mr. Bill Hon presented the update. He said the rationale for charging parking fees at the Railyard was outlined in his written memo. The consultants, in error, thought the City was financing the structure through fees for parking.

Chair Bushee asked if Parking was providing shuttles.

Mr. Hon said they were. He explained it was a shuttle from Railyard to downtown and motorcycle parking but the bike racks were under Transit. He said they would have areas for bikes in the garage.

Councilor Calvert asked if he was working closely with Jon Bulthuis.

Mr. Hon agreed. He noted there were concerns regarding users of Railyard parking and they had several resolutions to bring forward. Like Farmer's Market, Santa Fe Clay. He said they had several permit programs such as a Farmers Mkt permit on a monthly basis. The steady users could buy a permit for a minimal fee.

Chair Bushee asked about special events.

Mr. Hon said they had programs that would give the first hour free and they could do that during special functions. He also mentioned vendor validation and others. He said those would all be brought through the committees to the Governing Body.

Chair Bushee asked if they would open by Spring

Mr. Hon said that was right. We would begin the process in January, starting with the Parking Advisory Committee.

Councilor Dominguez asked how many spaces would be there.

Mr. Hon said 404 underground and 500+ surface with 20 motorcycle spaces underground.

Councilor Dominguez asked how up to date the projected revenues in packet were.

Mr. Hon said they were as accurate as possible. He briefly explained how they arrived at the calculations, based on Sandoval Garage with surface spaces based on metered on-street revenues downtown. All of them were based on current revenues.

Mr. Hon explained the parking patterns. He said the users at the Railyard would set a pattern right away but some of the other facilities being built would change that. There were several different kinds of users.

Councilor Calvert said he received a complaint about not enforcing residential parking permits in adjacent neighborhood.

Mr. Hon said he got the email and spoke with the officers and they have been enforcing there.

He said they also gave residents a chance to come pick up permits. What has been happening was that officers were not going consistently so he met with them and asked them to increase the enforcement. It would create a little problem because he found three vehicles that had no permit and two for parking the wrong way. He said the neighborhood covered seven different city blocks.

Chair Bushee asked if Juanita Street was included.

Mr. Hon said it was not. He said he had a petition from Penny Baker who lived there as a request to investigate no parking on that street. He explained that his only authority was for permit parking but those petitioners felt that was not the answer. He said he forwarded their request to the Traffic Division to see if they needed to eliminate parking there. He noted that a few years ago there was a fire on Juanita Street and the fire truck had to fight it from St. Francis.

Chair Bushee asked when that might happen.

Mr. Hon said he could meet with John Romero this week to see how quickly they could decide. It would create some problems for residents there. He said they would enforce there more consistently. The businesses at Railyard would get more intense.

Chair Bushee asked if there would be parking fees at the Lofts.

Mr. Hon said no, that it would be unregulated there.

Chair Bushee asked if there were only a couple of years of debt service remaining.



Mr. Hon pointed it out and explained it. He said the 1/16 GRT would not kick in until after Railyard debt was repaid. He pointed out some deep losses there with the heaviest in 2009-2010. He said that included shuttle service. Those were inflated from a proposal by All Aboard America. He said they wanted to err on the side of caution.

Chair Bushee said she didn't want parking to be a discouragement for people coming to events.

Chair Bushee asked if he would give a rundown on Sweeney parking soon.

Mr. Hon said he would, including how to put people in there.

He said the shuttle would continue to run throughout and would tie in to the railyard. He said they also got a proposal from Art Van Go for concierge shuttle service on a 6-month trial basis.

**7. UPDATE ON THE GREENING OF SANTA FE: IMPLEMENTATION OF THE 2030 CHALLENGE AND THE US CONFERENCE OF MAYOR'S AGREEMENT ON CLIMATE CHANGE (KATHERINE MORTIMER)**

- **REQUEST FOR APPROVAL OF A RESOLUTION DIRECTING THE CITY'S GREEN TEAM TO REVIEW THE ENERGY ORDINANCE RECENTLY INTRODUCED BY THE CITY OF SANTA BARBARA, CALIFORNIA AND TO USE IT AS A GUIDE TO ATTAIN SIMILAR OR BETTER STANDARDS (COUNCILOR BUSHEE) (KATHERINE MORTIMER)**

Ms. Mortimer presented this update and showed the new logo. (Turtle). She said the 2030 Challenge focused on buildings and Conference of Mayors. The two big efforts were the Build Green Santa Fe, (revising the New Mexico plan for Santa Fe use). Santa Fe differs from Albuquerque on this with more heating days and fewer cooling days. She said she had a draft and was red lining it now and would take through committees early next year. She said the local plan would exclude nuclear energy.

She said the big thing was creating a greenhouse gases inventory. She went through the sources of greenhouse gases. She noted that pumping water as a huge energy demand. Buckman would add a third more load to Santa Fe energy use. Another source was methane for greenhouse gas. It was more potent than carbon emissions.

She said they were looking at ad education services including workforce training, education of developers, etc. The next steps were public outreach, adoption of a plan, and implementation of the plan. Also to identify what would facilitate programs later on.

Ms. Mortimer explained that the 2030 challenge had time line goals. They were working with the building community to get them going green and part had to do with what materials were available. Their immediate goal was a 30% reduction.

Chair Bushee asked if it was voluntary.

Ms. Mortimer said it was mandatory.

She said they met with people from Boulder. They came up with same goal Santa Fe did and they also decided to make it a requirement for buildings under 5000 sq ft and above would have to be 75% efficient.

Councilor Calvert said they had seen the plan for Sustainable and asked when they would see the implementation.

Ms. Mortimer said as soon as they set the baseline. She said she would focus on it over Christmas but didn't know how long it would take.

Councilor Calvert said there were things they already knew they could do and shouldn't hold them up for the baseline.

**Councilor Ortiz moved to approve the request with the amendments by staff in the packet. Councilor Calvert seconded the motion and it passed by unanimous voice vote.**

**Councilor Ortiz moved to amend the agenda to move up #25 to be heard after #8. Councilor Calvert seconded the motion and it passed by unanimous voice vote.**

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

Mr. Hiatt said they finished interviews for the remaining three planning positions and intended to make offers by the end of the week; first for the neighborhood planner position.

Chair Bushee thought there were two neighborhood planners.

Mr. Hiatt said there was only one.

Regarding how to deal with the Juanita Street issue, he said they scheduled an ENN on Jan 8 for all three resolutions including rezoning and the ordinance.

Chair Bushee noted that the only one requiring ENN was the rezoning ordinance. Mr. Hiatt agreed.

He said he got the list of requests for development on Juanita Street today and would have it in the packet for the first January meeting.

Chair Bushee requested some venues for getting the information and asked for the order of hearings.

Mr. Frank Katz said he didn't know the order for them. He clarified that in rezoning, when the City contemplated rezoning, it was in the director's prerogative to not approve those.

Chair Bushee asked if that was in a memo. Mr. Katz agreed.

Chair Bushee said she would like to see it.

Mr. Hiatt said he would put copies in the boxes tomorrow. If the fee increases went through, the increased revenues would go to PLUD to get up to reasonable performance stands including training, computers, etc.

Chair Bushee noted they used to have the CID Advisory Committee and there was the matter of enforcement.

Councilor Calvert asked which would come first: fees or acceptable service.

Mr. Hiatt said they were increasing fees in order to provide better service. He said their staff was at capacity now and the inspection time lag would grow during vacation times here at the end of the year.

**25. REQUEST FOR APPROVAL OF AN EMERGENCY ORDINANCE CREATING A NEW SECTION 14-SFCC 1987 TO PROHIBIT OUTDOOR NIGHT TIME CONSTRUCTION THAT IS IN, NEAR OR ADJACENT TO RESIDENTIAL NEIGHBORHOODS (COUNCILOR ORTÍZ)**

Councilor Ortiz said when he did this, he didn't have benefit of staff so it was stylized as a change to Chapter 14 but was told there was a provision in Chapter 10 on noise that was stricter and enforceable. He asked if it would cover the scope of the Railrunner project.

Mr. Katz said it would within the City in residential or commercial districts and included the right of way to the center line but it might not apply to industrial districts.

Councilor Ortiz said it was from 9 p.m. to 7 a.m. and asked what the penalties were now. He explained that he had put in \$100 for every 5 minutes. But the City only had a maximum of \$500 allowed.

Mr. Katz said it was \$200 for the first offense and \$500 each thereafter.

Councilor Ortiz said the City had the authority now to apply it within the City limits and asked how the City could enforce it. He offered to be deputized for his side of town.

Mr. Hiatt said he was unsure it would meet the decibel level.

Councilor Ortiz explained this was a universal prohibition for construction regardless of decibels.

Mr. Katz agreed it was not dependent on decibel level but it looked like where the Railrunner crossed under I-25 was all zoned industrial and those did have a decibel level.

Councilor Ortiz asked if they could amend that ordinance. Mr. Katz agreed.

Mr. Hiatt said the City Manager approved those exceptions. He said he would communicate with DOT tomorrow.

Councilor Ortiz said he got an email on DOT letterhead that Galisteo was going to be indefinitely closed.

Mr. Hiatt said he could not offer anything on it.

Councilor Ortiz said if the noise ordinance was enforceable he wanted to see them cited.

Mr. Hiatt said he was commissioned and could do so.

Mr. Patricio Guerrerortíz said he didn't have a specific comment except those regarding applicability of the ordinance. He said they used traffic congestion and safety as factors in scheduling but could adjust to the City's constraints within the limits of their ability to do so.

Chair Bushee asked how long they expected to be in that neighborhood.

Mr. Guerrerortíz said it would probably be a couple of weeks but he could not be accurate.

Councilor Ortiz said that constituents who went to the State Police were referred to the contractor who said they just started ten percent of the work along the curve.

He said he was getting those same calls from Las Estancias residents. What he was looking for was cooperation and some kind of responsiveness. With a similar kind of care that DOT had complied with other ordinances of the City.

Mr. Guerrerortíz said they were making their attempts to comply and was sorry he felt they were not responding. He said they were trying to centralize everything and would have a neighborhood meeting on Monday. The Councilors were welcome to come. The regular meetings were every Friday at the construction office.

He said the next public meeting would be Monday at the Genoveva Chávez Community Center at 7 p.m. to give the neighborhood a chance to address concerns.

Chair Bushee asked what they had done so far in mitigating these problems.

Mr. Guerrerortíz said they redirected the lights away from homes and reduced the level of backup alarms on the trucks. We have contributed sensors to neighbors in the neighborhood to measure the level of noise.

Councilor Ortiz said he would withdraw his moratorium but there were questions regarding the noise ordinance and questions about its applicability. It was an outright prohibition on construction. He asked if it applied to the City as well. He asked if they needed an exception for health safety and welfare and a reexamination of the ordinance, as explained by the City Attorney.

Mr. Katz said he was concerned that it was not in residential or commercial but an industrial zone.

Councilor Calvert said it appeared there was a residential zone right close by and going to the edge of industrial at residential would not make sense.

Mr. Katz said it actually was quite a way from the residential area.

Councilor Ortiz said the pumice plant area was industrial but right across the tracks was residential. He asked if this construction was going on for a year.

Mr. Guerrerortiz said the train would be here in December 2008 but construction wouldn't take a year. Most of work in city limits was just replacing the rails. There might be a couple of places where it was to be realigned closer to St. Francis. He said they would be testing those lines by Sept of this coming year.

Councilor Calvert asked if they could do daytime work where there were no roads.

Mr. Guerrerortiz said they were doing nighttime work not because of project time limits or schedule constraints but during the day would have more trouble there. He said he lived where he heard the engine brake every day and felt it was part of living in the City.

Councilor Ortiz appreciated the State being present at this meeting. He said he was going to look to enforce what they could enforce. There had to be another way to do it - in a responsive way. But he knew constituents had not been getting sleep.

Mr. Guerrerortiz said they would have a hot line.

**Councilor Ortiz withdrew item # 25.**

## **CONSENT AGENDA**

### **9. CIP PROJECT #684 – SANTA FE CIVIC CENTER**

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**DISCUSSION AGENDA**

**22. SANTA FE RAILYARD COMMUNITY CORPORATION**

- **REQUEST FOR APPROVAL OF PROFESSIONAL SERVICES AGREEMENT AMENDMENT NO. 11 FOR NORTH RAILYARD INFRASTRUCTURE IMPROVEMENTS IN THE AMOUNT OF \$465,613 (FRANK ROMERO)**

Mr. Romero presented this request.

**Councilor Ortíz moved to approve the request. Councilor Dominguez seconded the motion and it passed by unanimous voice vote. Councilor Calvert was out of the room for the vote.**

Councilor Calvert returned to the bench and said he had questions about this item.

**Councilor Ortíz moved to reconsider the previous motion. Councilor Calvert seconded the motion and it passed by unanimous voice vote.**

Councilor Calvert noted that items 4 and 5 talked about things done not to specifications. He asked what City department did that. He felt that with #5, it seemed the contractor made a mistake there. He was concerned about paying them more money for a mistake they made.

Mr. Romero explained that there was a claim on the table by the City to the contractor.

Councilor Calvert said he wanted to make sure they were not paying twice here and not paying for extra expense for other people's errors. Mr. Romero agreed.

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

**23. NEW MEXICO DEPARTMENT OF TRANSPORTATION COOPERATIVE AGREEMENT**

- **REQUEST FOR APPROVAL OF THE SECOND AMENDMENT FOR THE SANTA FE RAILYARD BIKEWAYS AND WALKWAYS PROJECT (FRANK ROMERO)**

Mr. Romero said the DOT advised that the City's share was not included in the Amendment #1. This just added the City's share through other resources.

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

**24. VERBAL UPDATE ON THE OFFICE OF AFFORDABLE HOUSING PROGRAM**

- **REQUEST FOR APPROVAL OF AN AGREEMENT WITH THE SANTA FE COMMUNITY HOUSING TRUST (SFCHT) IN THE AMOUNT OF \$40,000 TO SUPPORT HOUSING INNOVATION**
- **REQUEST FOR APPROVAL OF AN AGREEMENT WITH HOMEWISE AND THE SANTA FE COMMUNITY HOUSING TRUST FOR HOUSING RELATED SERVICES IN THE AMOUNT OF \$272,275.49**
- **REQUEST FOR APPROVAL OF A \$100,000 ALLOCATION FROM THE HOUSING TRUST FUND TO SUPPORT A CONTRACT WITH HOMEWISE TO ESTABLISH AN EMPLOYEE HOUSING ASSISTANCE PROGRAM**
- **REQUEST FOR APPROVAL OF A RESOLUTION ENDORSING THE CONCEPTS INCLUDED IN THE "PLAN TO END HOMELESSNESS IN FIVE YEARS" PRESENTED BY THE MAYOR'S BLUE RIBBON PANEL TO END HOMELESSNESS (COUNCILORS ORTÍZ, BUSHEE, WURZBURGER AND DOMINGUEZ) (KATHY MCCORMICK)**

Chair Bushee said she asked Ms. McCormick to come back. It seemed like an overview would be good, to explain, if money was left, how it would be spent.

Ms. McCormick handed out a status report with bullet points and reviewed them.

She said Ms. Lee Depietro was starting tomorrow. Ron Pacheco was leaving to work for the County. It would be a loss. She also had two staff out on maternity leave.

She reported they had been able to get lot from the Enterprise Foundation especially for putting on the roundtables. They provided \$50,000 for other projects they were working on. She listed some of the things they were providing. They provided administrative support for the roundtable, which meets every other month to stay on top of the projects such as rental housing here.

She said the Trust Fund Status was shown on page 2. close to a million dollars to allocate to Affordable Housing projects. She explained how they got money into the Trust Fund.

Chair Bushee asked about the money from the First National Bank project.

Ms. McCormick explained that it was just approved on concept and she need to get back with Mr. Sommer about it.

She said the revised guidelines just came out in October for the State and now the City had to change



its guidelines to comply with the State.

She said they were working toward a summit in late February or early March for funding priorities. They would invite a broader cross section of the city to address the issues in the needs assessment.

Chair Bushee asked if they were reviewing the ordinance.

Ms. McCormick said no because they just got the public input on changes to the ordinances. She said they would provide information to the public on it.

Chair Bushee asked when developers delayed the build out of affordable housing units, what could the City do about it.

Ms. McCormick asked if she was suggesting a county-city summit address that.

Chair Bushee said she didn't want to leave anything off the table. The last summit they had was when Joseph Montoya was around. She said the infill amendment was tied to affordable housing and she wondered how well the City had done.

Ms. McCormick said the third page showed the projects in the database and from it, they would produce a report card on affordable housing effects. So they would provide program information.

She said the other aspect was an audit of Santa Fe Community Housing Trust and Homewise that would meet the CDBG protocols. It would be a program and financial audit. The program audit would show how many were served and that the liens were correctly recorded.

She said when Margie got back from leave in February, she would continue with the RFP for it. The program audit would examine the files for everything being covered.

Chair Bushee said they needed just overall performance.

Councilor Dominguez asked what the market had done to those affordable houses in stock. He said he understood there was a real issue with down payments; that they qualified but lending institutions were not lending the money.

Ms. McCormick clarified that some non-AH homes were being priced where the AH levels were. And that meant developers had to lower their prices for those AH homes. She was also hearing that they didn't have trouble moving the units but didn't have enough product available. At 150% of FMI, there were not many homes available. She agreed that lenders were very careful these days with whom they chose to lend money.

Councilor Dominguez didn't think they would see the end of this problem for a while and they needed to know how that was affecting the program.

Ms. McCormick said they didn't have much land available now and there was a tremendous slowdown

in the market. It had needed to adjust for about 5 years and it created more opportunity for people to buy product. She didn't see that as a bad thing.

She said she worked with the Railyard on affordable housing in the Railyard and was continuing to work on providing housing for police and teachers.

Councilor Ortiz said he heard people were on a list to get an AH unit who said the developers would not have them available until the market units were sold. So what incentive was there for them to get those built.

Ms. McCormick said a developer had to come up and show staff the map to prove they were distributed throughout. The ordinance said they had to build them in proportion to market units but they didn't have leverage to get them to build those AH units. She said they needed the income from the market rate units to be able to build the AH units. She didn't know legally of a way to compel them to build those. She said Homewise and the Trust monitored those activities for the City.

She said Tierra Contenta had slowed down but was continuing to build and sell.

Chair Bushee asked when she would bring the guidelines for spending that fund.

Ms. McCormick said this was not as pressing for them as some other things that were more pressing.

Chair Bushee asked about the Homeless Plan.

Ms. McCormick said Hank Hughes was working on it actively.

Mr. Hughes said the first one would be six months from now.

Ms. McCormick said the RFP would be issued in April.

Chair Bushee said they needed it soon because it was a hindrance when the City had to go out and ask the voters for money when it didn't have plans.

Ms. McCormick was confident that it would come together. She said they were talking with groups about it and using concrete numbers rather than anecdotal information. She said they would have the RFP out in February and it would take six weeks for the process.

She said the next item was the RFP for Santa Fe Homes Program to provide administrative services, including down payment assistance, counseling, etc. and also to provide housing innovation.

Councilor Ortiz asked if this was the first year they had supported this. Ms. McCormick agreed.

Councilor Ortiz asked if they got funds from State on solar retrofits.

Ms. McCormick said it was a direct credit program.

Councilor Ortiz related how a constituent who qualified financially did not get any help and heard the staff tell him they did not do that. (From Santa Fe Comm Housing Trust). It struck him as wrong and inappropriate. He added that the RFP had very little to actually help people out of their financial difficulties.

The Committee discussed the conflict between counseling and assisting rather than administrative services in the RFP.

Councilor Ortiz said the owners get the unit on the basis of money allocated. They needed to get the same service on the back end. The City did not want them to endure foreclosure.

Chair Bushee said she was looking forward to the program audit before they gave more money to it.

Ms. McCormick was surprised to hear what Councilor Ortiz said about the client not getting helped.

Councilor Ortiz asked if they could postpone until they got the audit.

Ms. McCormick said she then would not have administrative services. She explained that the contract had expired on September 30<sup>th</sup> and the services were being provided under the hope that the contracts would be approved by the City to continue through June 30, 2008.

The Committee wanted to know the people were being helped before approving more contracts.

Ms. McCormick said the reports were submitted quarterly through CDBG.

Councilor Ortiz said his client would not be included in it.

Ms. McCormick suggested they could get those items in this contract.

The Committee discussed what should be in the reports that should be included in the contract.

Ms. McCormick suggested she could ask the contractors to come back in January.

Ms. McCormick explained that this was the first year for an RFP - Before that it was a sole source contract. She said they went through all the procedures required.

Councilor Ortiz asked if this was on the Council agenda for Wednesday.

Ms. McCormick said no because it had to go to Finance first.

**Councilor Ortiz moved to postpone this request to the next meeting and asked that the providers be present to answer the questions and to have Ms. McCormick add the data elements being proposed. Councilor Calvert seconded the motion.**

Ms. McCormick said these agencies were not being presently paid for their services.

Chair Bushee asked Ms. McCormick if she had tracked the complaints of these agencies.

Ms. McCormick said she had not tracked them but talked with them when complaints were received. She said they had responded and made changes. She said they met once a month. She felt that as long as there was an intent to pay them, it would be okay.

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

**Councilor Ortiz moved to approve the EAS program contract. Councilor Calvert seconded the motion and it passed by unanimous voice vote.**

Councilor Ortiz said he sponsored the End of Homelessness Resolution. It apparently did not have a FIR and the panel would have to come up with a proposed budget as a next step.

Ms. McCormick said the resolution asked to endorse the concepts in the plan. Then, as part of the housing plan, they would look at those programs and services in the broader concepts of the housing plan.

Councilor Ortiz asked if this would be in the next budget cycle, folded in.

Ms. McCormick said they were more likely to see the City provide affordable winter housing with 20 out of 60 units deeply subsidized and not as part of the housing plan. She said it would not be for this winter because the churches had stepped up for emergency shelter this winter but it was not a permanent solution. They have done some fund raising of \$74,000 for staff.

She said the recommendations would come out of the public process on the needs assessment.

Councilor Ortiz clarified that the fund was first established for EAS for city employees and later expanded.

Ms. McCormick said they made it very clear that employee housing was the top priority.

**Councilor Ortiz moved to approve the EAS request. Councilor Calvert seconded the motion.**

Councilor Dominguez asked if they were going to endorse something and the fiscal impact might be so enormous that it would be hard to endorse.

Councilor Ortiz said that was his concern also but they were not giving implicit endorsements to any of these concepts in the proposal.

Chair Bushee said the Coalition succeeded in bringing this to the Council's awareness. She said it had broken their hearts to see the workforce not living here in Santa Fe.

Ms. McCormick agreed the other issues would not have the priority. She said there were many models that could be used to address homelessness. She was happy to see the community was responding and getting involved as the churches had.

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

**26. REQUEST FOR APPROVAL OF A RESOLUTION ESTABLISHING A RESTRICTED CASH ACCOUNT AND RELATED LIABILITY ACCOUNT FOR THE SANTA E WASTEWATER MANAGEMENT CLOSURE AND POST-CLOSURE FUND TO PROVIDE FUNDS FOR FUTURE CLOSURE, POST CLOSURE, PHASE I AND PHASE II AND/OR CORRECTIVE ACTION COSTS (COUNCILORS TRUJILLO, CHÁVEZ, DOMINGUEZ AND CALVERT) (BRYAN ROMERO)**

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

**27. MATTERS FROM STAFF**

Not considered.

**28. MATTERS FROM THE COMMITTEE**

Councilor Ortiz said if Galisteo was going to be closed indefinitely, what approval process did the State need to go through.

Mr. Romero said they had to go through the Streets Division. He said he would find out.

Councilor Ortiz noted they said they were in constant communications with engineering staff.

Mr. Romero said they had a meeting two weeks ago. He said when they come forward, the City needed to treat it as any other developer.

He added that when they met a month ago and the State said they had concerns on several intersections. They said they were going to evaluate and he had not seen the results.

He said they didn't talk daily but as they got concerns, he would call Chris Blewett.

Chair Bushee said she had a petition signed by over 40 businesses opposing the sign ordinance in the historic district. She said it was not working because the enforcement had been non-existent. A few businesses were continuing to advertise and the rest were being penalized. She said they would be coming here on Wednesday and wanted several things. They have the holiday season and cannot advertise. They haven't been able to find out how to get a permit. One person went to Historic and was told they needed a carved wooden sign. It was not turning out to be a workable ordinance.

She said she made a copy for Mr. Hiatt and one for Mr. Katz. She added that they had an attorney who said it might not even be constitutional.

**29. NEXT MEETING: MONDAY, JANUARY 7, 2008**

**30. ADJOURN**

Having completed the agenda and with no further business to come before the Committee, the meeting was adjourned at approximately 8:15 p.m.

Approved by:

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Patti J. Bushee, Chair

Submitted by:

  
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Carl Boaz, Stenographer