



# Agenda

DATE 1/30/14 TIME 2:44pm

PREPARED BY Jessica Sandoval

APPROVED BY [Signature]

## ECONOMIC DEVELOPMENT REVIEW SUB-COMMITTEE

Monday, February 3, 2014

10:00 am

Box Car Room

500 Market Street, Suite 200

### I. PROCEDURES

- A. Roll Call
- B. Approval of minutes – October 31, 2013
- C. Approval of Agenda

### II. UNFINISHED BUSINESS (none)

### III. NEW BUSINESS

- A. A RESOLUTION RELATING TO CONSTRUCTION APPRENTICESHIP PROGRAMS; ESTABLISHING AN APPRENTICESHIP DEVELOPMENT TASK FORCE TO CREATE AN APPRENTICESHIP DEVELOPMENT PLAN FOR THE CITY OF SANTA FE THAT WILL BENEFIT SANTA FE COUNTY RESIDENTS AND THE SANTA FE CONSTRUCTION INDUSTRY. (Councilor Wurzburger and Bushee) (Kate Noble)
- B. Arts + Creativity Center Project (Kate Noble)
  - i. A RESOLUTION DIRECTING STAFF TO WORK TO SUPPORT DEVELOPMENT OF THE SANTA FE "ARTS + CREATIVITY CENTER" AS AN ECONOMIC DEVELOPMENT PROJECT TO PROVIDE AFFORDABLE LIVE, WORK, CREATION, PERFORMANCE, SALES SPACE FOR ARTISTS AND CREATIVE BUSINESSES IN SANTA FE AND TO STRENGTHEN SANTA FE'S ECONOMY. (Councilors Wurzburger, Rivera, Ives, Mayor Coss and Councilor Calvert)
  - ii. Professional Services Agreement with Creative Santa Fe for implementation of the Arts + Creativity Center Project (Kate Noble)
- C. A RESOLUTION DIRECTING STAFF TO CREATE AND ESTABLISH AN ANNUAL AWARD TO RECOGNIZE AND HONOR THE ACCOMPLISHMENTS AND CONTRIBUTIONS OF AN OUTSTANDING WOMAN-OWNED BUSINESS LOCATED IN SANTA FE. (Councilors Wurzburger and Bushee) (Kate Noble)
- D. Approval of Letter for AgeNation (Kate Noble)
- E. CIP High Speed Internet Project (Sean Moody)
  - i. Request for approval of Telecommunications Services Agreement - Cyber Mesa Computer Systems Inc.
  - ii. Request for approval of Memorandum of Understanding – State of New Mexico Department of Information Technology

- F. A RESOLUTION SUPPORTING THE CONTINUATION OF THE COMMUNITY DEVELOPMENT PROCESS TO REVITALIZE CENTRAL SANTA FE AND OUTLINING THE NEXT STEPS OF THE REMIKE PROJECT. (Councilor Wurzburger) (Kate Noble)
- G. A RESOLUTION SUPPORTING EFFORTS TO RETAIN YOUNGER TALENT AND INVIGORATE SANTA FE'S NIGHTTIME ECONOMY AND CREATING A TASK FORCE TO MAKE ACTION RECOMMENDATIONS TO THE GOVERNING BODY. (Councilor Wurzburger) (Kate Noble)

IV. INFORMATIONAL ITEMS

A. Professional Services Agreement with the Regional Development Corporation for granting and support services for a contribution to the Venture Acceleration Fund for Santa Fe companies (Kate Noble)

V. ITEMS FROM THE COMMITTEE

VI. ITEMS FROM STAFF

VII. NEXT MEETING DATE - **Meet as needed**

VIII. 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.

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**ECONOMIC DEVELOPMENT REVIEW**  
**SUBCOMMITTEE MEETING**  
**February 3, 2014**

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<b>b. Approval of Minutes:         October 31, 2013</b>	Approved	2
<b>c. Approval of Agenda:</b>	Approved	3
<b>II. UNFINISHED BUSINESS</b>	None	3
<b>III. NEW BUSINESS</b>		
<b>a. A RESOLUTION RELATING TO CONSTRUCTION         APPRENTICESHIP PROGRAMS; ESTABLISHING AN         APPRENTICESHIP DEVELOPMENT TASK FORCE TO CREATE AN         APPRENTICESHIP DEVELOPMENT PLAN FOR THE CITY OF         SANTA FE THAT WILL BENEFIT SANTA FE COUNTY RESIDENTS         AND THE SANTA FE CONSTRUCTION INDUSTRY</b>	Approved	3-4
<b>b. ARTS + CREATIVITY CENTER PROJECT</b>		
<b>i. A RESOLUTION DIRECTING STAFF TO WORK TO SUPPORT             DEVELOPMENT OF THE SANTA FE "ARTS + CREATIVITY             CENTER" AS AN ECONOMIC DEVELOPMENT PROJECT TO             PROVIDE AFFORDABLE LIVE, WORK, CREATION,             PERFORMANCE, SALES SPACE FOR ARTISTS AND CREATIVE             BUSINESSES IN SANTA FE AND TO STRENGTHEN SANTA FE'S             ECONOMY</b>	Approved	4-6
<b>ii. Professional Services Agreement with Creative Santa Fe for             implementation of the Arts + Creativity Center Project</b>	Approved	6
<b>c. A RESOLUTION DIRECTING STAFF TO CREATE AND ESTABLISH         AN ANNUAL AWARD TO RECOGNIZE AND HONOR THE         ACCOMPLISHMENTS AND CONTRIBUTIONS OF AN         OUTSTANDING WOMAN-OWNED BUSINESS LOCATED IN SANTA         FE</b>	Approved	6-7
<b>d. Approval of Letter for AgeNation</b>	Approved	7-8

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<b>e. CIP High Speed Internet Project</b>		
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<b>ii. Request for approval of Memorandum of Understanding – State of New Mexico Department of Information Technology</b>		
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<b>f. A RESOLUTION SUPPORTING THE CONTINUATION OF THE COMMUNITY DEVELOPMENT PROCESS TO REVITALIZE CENTRAL SANTA FE AND OUTLINING THE NEXT STEPS OF THE REMIKE PROJECT</b>		
	<b>Approved</b>	<b>9-10</b>
<b>g. A RESOLUTION SUPPORTING EFFORTS TO RETAIN YOUNGER TALENT AND INVIGORATE SANTA FE’S NIGHTIME ECONOMY AND CREATING A TASK FORCE TO MAKE ACTION RECOMMENDATIONS TO THE GOVERNING BODY</b>		
	<b>Approved</b>	<b>10</b>
<b>IV. INFORMATIONAL ITEMS</b>		
<b>a. Professional Services Agreement with the Regional Development Corporation for granting and support services for a contribution to the Venture Acceleration Fund for Santa Fe companies</b>		
		<b>10-11</b>
<b>V.</b>	<b>ITEMS FROM THE COMMITTEE</b>	<b>11</b>
<b>VI.</b>	<b>ITEMS FROM STAFF</b>	<b>None</b>
		<b>11</b>
<b>VII.</b>	<b>NEXT MEETING DATE: Meet as needed</b>	<b>11</b>
<b>VIII.</b>	<b>ADJOURNMENT</b>	<b>Adjourned at 11:30 a.m.</b>
		<b>12</b>

**MINUTES OF THE**  
**CITY OF SANTA FE**  
**ECONOMIC DEVELOPMENT REVIEW SUBCOMMITTEE**  
**MEETING**

**February 3, 2014**

**I. PROCEDURES**

A meeting of the City of Santa Fe Economic Development Review Subcommittee was called to order by Simon Brackley, Chair on this date at 10:05 a.m. in the Box Car Room, 500 Market Street, Suite 200, Santa Fe, New Mexico.

**A. ROLL CALL**

Roll Call indicated the presence of a quorum for conducting official business; as follows:

**MEMBERS PRESENT:**

Simon Brackley, Chair  
Alan Austin  
Kathy Keith

**STAFF PRESENT:**

Ross Chaney, City Economic Development Division  
Kate Noble, Acting Director, Housing and Economic Development Division  
Sean Moody, Project Administrator, City Economic Development Division

**OTHERS PRESENT:**

Daniel Chacon, *New Mexican* reporter  
Jo Ann G. Valdez, Stenographer

NOTE: All items in the Subcommittee packets for all agenda items are incorporated herewith by reference as Exhibit "A". The original packet is on file at the City Clerk's Office.

**B. APPROVAL OF MINUTES: October 31, 2013**

Ms. Keith moved to approve the Minutes of the October 31, 2013 meeting. Mr. Brackley seconded the motion. The motion passed unanimously by voice vote.

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## C. APPROVAL OF AGENDA

Mr. Austin moved to approve the agenda as published. Ms. Keith seconded the motion. The motion passed unanimously by voice vote.

## II. UNFINISHED BUSINESS

There was no unfinished business.

## III. NEW BUSINESS

### A. A RESOLUTION RELATING TO CONSTRUCTION APPRENTICESHIP PROGRAMS; ESTABLISHING AN APPRENTICESHIP DEVELOPMENT TASK FORCE TO CREATE AN APPRENTICESHIP DEVELOPMENT PLAN FOR THE CITY OF SANTA FE THAT WILL BENEFIT SANTA FE COUNTY RESIDENTS AND THE SANTA FE CONSTRUCTION INDUSTRY

Mr. Brackley said he looked over this over the weekend and his feeling is that the City of Santa Fe is not an educational institution but the Santa Fe Community College is, and it is the primary workforce development institution in our community. He feels that this issue should be spearheaded and led by the Santa Fe Community College and their input into current apprenticeship programs and capacity to add existing programs and coordination with others, like the Santa Fe Area Homebuilders Association and other groups, are absolutely critical to this.

Mr. Brackley said he would hate to see the City embark on efforts that are already happening at the Community College. He recommended that the first step would be to get a report from the Community College and that might come from the Acting President of the Community College who is very familiar with apprenticeships, trades, construction, alternative energy and the green programs that have been initiated and supported by the City, the Chamber of Commerce and this Committee in the past. He recommended that the Community College report this to this Committee or the Business and Quality of Life Committee and then move forward from there.

Mr. Austin asked what the genesis was for this idea.

Ms. Noble said this actually came out of all of the discussion around the Community Workforce Agreements and an important part of the Agreements was to ask the unions to do workforce training for the construction trades in particular.

Mr. Austin said it makes sense to him that the parties named under *Membership* would want to collaborate to figure out what is happening and what isn't, and the Community College would be part of that effort. He asked Ms. Keith if the Community College is already working with the other entities.

Ms. Keith said the Community College has reached out to the unions and they have construction trade programs that they just set up in Albuquerque, in joining forces to bring some of those programs here. She said especially as we have a demand for unionized workforce, there needs to be some place for people locally to obtain training, making sure that there is a union-certified curriculum and instructor, and they can use the Community College facilities for that.

Mr. Austin asked if the idea or notion behind this is that there are not enough people trained to be apprenticeships at this point.

Mr. Brackley said the more this Committee can do to train Santa Feans to be ready to take the jobs that we are creating, the better.

Mr. Brackley asked if the Committee is comfortable in forming a task force before they get the report from the Community College.

Mr. Austin said it seems like a consortium of these entities would want to report.

**Mr. Austin moved to approve the resolution relating to construction apprenticeship programs with a strong recommendation that the Santa Fe Community College take the lead in terms of reviewing existing capacity (of programs and people), the forecasting and the demand. Ms. Keith seconded the motion. The motion passed unanimously by voice vote.**

## **B. ARTS + CREATIVITY CENTER PROJECT**

- i. A RESOLUTION DIRECTING STAFF TO WORK TO SUPPORT DEVELOPMENT OF THE SANTA FE “ARTS + CREATIVITY CENTER” AS AN ECONOMIC DEVELOPMENT PROJECT TO PROVIDE AFFORDABLE LIVE, WORK, CREATION, PERFORMANCE, SALES SPACE FOR ARTISTS AND CREATIVE BUSINESSES IN SANTA FE AND TO STRENGTHEN SANTA FE’S ECONOMY**

Mr. Brackley said this is the next step of the Creative Santa Fe Program. He asked Ms. Noble to give the Committee a little background on this.

Ms. Noble said sure, as the Memo outlines this has been part of discussions in economic development circles for at least a decade – the idea of an affordable co-located live/work space for artists/creative professionals. Creative Santa Fe has recently re-invigorated the discussion through their partnership with the national non-profit Artspace.

Ms. Noble mentioned that Artspace did a market survey in 2013 and the City of Santa Fe’s Economic Development Division sponsored the survey for \$5,000. She said Artspace has managed dozens of these development projects and believe they have approximately 30 projects throughout the country. The results of the survey included 623

total responses that were recently presented to the community and 49% of the individual respondents earn incomes at or below the area median income. According to Artspace, the survey results indicate that Santa Fe could support a development of as many as 85 new, affordable live-work units.

Ms. Noble noted that Artspace brings a wealth of experience in tax credit projects which target creative professionals and include affordable live, work, studio, performance, retail and other types of space.

Creative Santa Fe, in partnership with Artspace, is ready to move to the next stage of development which includes site selection and site control. The accompanying resolution directs staff to support the project and allocates \$50,000 to this next phase of development. As part of the contract, Creative Santa Fe will raise \$100,000 in matching funds, thus leveraging the City's investment at a 2:1 ratio. Staff has drafted the contract to move in conjunction with the resolution.

Mr. Brackley said the City has already invested \$5,000 in the survey.

Ms. Noble said there was an initial investment of either \$3,000 or \$3,500 for the first phase of the project.

Mr. Austin asked where the \$50,000 would come from.

Ms. Noble said the plan at this stage is to have \$25,000 from the Office of Affordable Housing and \$25,000 from Economic Development, depending on the availability of funds.

Mr. Austin asked if there is an obligation in the contract that they raise \$100,000 before the City will fund the \$50,000.

Ms. Noble referred to page 3 of the contract under *Compensation* that states: *The City shall pay the Contractor twenty-five thousand (\$25,000), inclusive of gross receipts taxes upon completion of items A and B listed in the Scope of Work above including fundraising commitments of at least fifty-thousand (\$50,000) in matching funds.*

Mr. Austin said in earlier discussions, there was discussion that there was not a building in Santa Fe to remodel or fix up for these purposes. He asked if any have been found since.

Ms. Noble said there have been discussions about whether or not 100 N. Guadalupe would be the best building for this but it is about the right size. There are also some things about the location, such as the fact that this is an expensive location.

Mr. Brackley asked if the City can donate land at the Railyard.



Mr. Moody said possibly, the Railyard does own the land.

Ms. Noble said they have looked at the Captain Marble building and it is also expensive and if there can be some adjustments to the rent, etc.

Ms. Keith said there have also been some discussions about whether or not St. Katherine's School would be a possibility but it is tied up in litigation.

Mr. Brackley asked if the \$50,000 would come out of this year's budget.

Ms. Noble said yes.

Mr. Brackley asked if the money is available, and is it going to take from something else. Ms. Noble said yes, it is available.

**Ms. Keith moved to approve the resolution to move forward to the Business and Quality of Life Committee. Mr. Austin seconded the motion. The motion passed unanimously by voice vote.**

- i. Professional Services Agreement with Creative Santa Fe for implementation of the Arts + Creativity Center Project**

**Mr. Austin moved to approve the Professional Services Agreement with Creative Santa Fe for implementation of the Arts + Creativity Center Project. Ms. Keith seconded the motion. The motion passed unanimously by voice vote.**

**B. A RESOLUTION DIRECTING STAFF TO CREATE AND ESTABLISH AN ANNUAL AWARD TO RECOGNIZE AND HONOR THE ACCOMPLISHMENTS AND CONTRIBUTIONS OF AN OUTSTANDING WOMAN-OWNED BUSINESS LOCATED IN SANTA FE**

Mr. Brackley said he read this and immediately thought of the Business Professional Women of Santa Fe, a long-standing and respected organization that does a number of different recognition programs, including Professional Woman of the Year; Careerist of the Year and a Business Woman of the Year award. He expressed concerns about this duplicating a program that is working successfully through a separate non-profit. He said they may also have trouble getting nominations and may dilute the impact of the existing recognitions.

Mr. Austin asked if this would be a City award, and what award does the City give now in this category.

Ms. Noble said yes.

Mr. Brackley said the "Small Business of the Year" award, and the City partners

with the Chamber of Commerce in the “Family Friendly Business of the Year” award.

Mr. Austin thinks there would be a bigger “universe” of businesses you could consider.

The Committee discussed ways that women could be nominated for the award. Ms. Noble said the nominations worked best when interns used to go out and interview and call the businesses-people actually “on the ground” recruiting individuals/people for the awards. She said perhaps there could be a team of three interns that would be given instructions for categories and nominees.

Mr. Brackley asked what the definition of a “woman-owned” business is. He asked what if it is a different structure, like a married couple.

Mr. Austin said the selection criteria are listed on page 2 of the resolution. It states: *“The selection criteria for the Santa Fe Woman-Owned Business of the Year Award shall be in conjunction with the Small Business of the Year and Family Friendly Business of the Year and include, without limitation, the following:*

- *The business is located within the county of Santa Fe;*
- *At least 51% of the business is owned by a woman; etc.*

Ms. Keith said Mr. Brackley makes a really good point and she would like to advance the resolution with a strong recommendation that they coordinate with the Business Professional Woman organization to see if they can find the same collaboration that they have with the Chamber of Commerce.

**Ms. Keith moved to approve the resolution directing staff to create and establish an annual award to recognize and honor the accomplishments and contributions of an outstanding woman-owned business located in Santa Fe, with a strong recommendation that they coordinate with the Business Professional Woman organization to see if they can find the same collaboration that they have with the Chamber of Commerce. Mr. Austin seconded the motion. The motion passed unanimously by voice vote.**

### **C. Approval of Letter for AgeNation**

Ms. Noble said the Mayor asked that this Committee consider this before he signed the letter.

AgeNation is requesting economic development funding via the City of Santa Fe application process to build the “AgeNation Life Learning Center”. The Center is going to be located within the City of Santa Fe and will provide educational, cultural and community-based programs, classes and activities design to inform, inspire and engage Santa Fe residents and visitors who are in the second half of life. In addition, the Center

would also provide venue and classroom space for other public and private community related organizations that contribute to the “well being of the community and most especially to that segment of the population that currently comprised 62% of the total population”.

In the letter, the Mayor indicates that this letter to AgeNation is a non-binding letter of interest only designed to advance the AgeNation’s request for economic development funding via the Santa Fe application process, so that the City can receive and review a full proposal and more fully evaluate the merits of this project.

Ms. Noble said as she understands this, there is a new financial instrument being used for developments, wherein a city, as a co-signor to a loan, co-signs against its bonding capacity. She said if this project were to move forward it would need much closer scrutiny, as to how this would work.

Mr. Brackley asked if this would be a living space.

Ms. Noble said yes, it would be a housing development that would include studio space, performance space and community space; and would be for people on the second half of life. The idea is to respond to an aging demographic.

Ms. Noble said it would be privately-financed and therefore they need this letter to move to the next stage with the lender. She noted that the letter has been reviewed by legal and finance.

**Mr. Austin moved to approve the Letter for AgeNation. Ms. Keith seconded the motion. The motion passed unanimously by voice vote.**

**E. CIP High Speed Internet Project**

**i. Request for approval of Telecommunications Services Agreement-  
Cyber Mesa Computer Systems Inc.**

Mr. Brackley said the Committee is pretty familiar with the project, therefore, Mr. Moody can just provide an update.

Mr. Moody said at the last meeting, this Committee reviewed and approved the contract with Cyber Mesa, which at that point was \$132,000 and that was to operate the system only. Since then, they have completed the second agreement with the State of New Mexico. The attached Telecommunications Services Agreement and associated Memorandum of Understanding are to implement the CIP High Speed Internet Project. The “turn-key” agreement is for \$882,100 and replaces a previous draft which had been reviewed by several committees but not executed, which excluded construction services and equipment. The agreement currently proposed reimburses the vendor of the purchase of such services and equipment. The MOU provides for a mutual exchange between the City of Santa Fe and the State of New Mexico for the use of each other’s fiber optic

infrastructure. The exchange is referenced in the Telecommunications Services Agreement.

On November 30, 2011 the City Council approved a \$22 million gross receipts tax-financed CIP bond issue dedicating \$1 million to improve broadband speed, availability and pricing. To accomplish this goal, locally owned telephone and Internet provider Cyber Mesa Computer Systems Incorporated has been selected to design, procure and operate a fiber optic link between the central telephone exchange building and an existing commercial point of presence two miles away where long distance carriers are connected to the World Wide Web. Under the proposed agreement the vendor will design, procure and operate two miles of buried fiber optic cable, the co-location facility and all equipment necessary to provide comprehensive open-access wholesale telecommunications services to all qualified carriers and providers.

**Mr. Austin moved to approve the Telecommunications Services Agreement with Cyber Mesa Computer Systems Inc. Ms. Keith seconded the motion. The motion passed unanimously by voice vote.**

**ii. Request for approval of Memorandum of Understanding – State of New Mexico Department of Information Technology**

**Ms. Keith moved to forward the Memorandum of Understanding with the State of New Mexico of Information Technology, with a positive recommendation, to the Business and Quality of Life Committee. Mr. Austin seconded the motion. The motion passed unanimously by voice vote.**

**F. A RESOLUTION SUPPORTING THE CONTINUATION OF THE COMMUNITY DEVELOPMENT PROCESS TO REVITALIZE CENTRAL SANTA FE AND OUTLINING THE NEXT STEPS OF THE REMIKE PROJECT**

Ms. Noble referred to number 4 of the resolution that calls for a traffic study noting that they are scoping the costs of this, and estimates show that this is from \$25,000 to \$50,000.

Mr. Austin asked if the study will include all of St. Michael's Drive.

Ms. Noble said they have looked at St. Francis to Cerrillos and that's one of the factors. She said they still need to understand what they would use the traffic study for, and then draft the scope of work.

Mr. Austin asked where the Draft Overlay District stands.

Ms. Noble said the Draft Overlay District has moved a long way in internal discussions and the design guidelines were drafted by the Long Range Planning Division.

She said three UNM students are currently working on their professional projects (thesis) with them and these should be completed this spring.

Mr. Brackley said relaxing the zoning requirements would be one of the most single things that would help stimulate the businesses in that area.

**Ms. Keith moved to forward the resolution supporting the continuation of the community development process to revitalize central Santa Fe and outlining the next steps of the Remike Project to the Business and Quality of Life Committee with a recommendation of support. Mr. Austin seconded the motion with the disclosure that his company owns property in this area.**

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

**G. A RESOLUTION SUPPORTING EFFORTS TO RETAIN YOUNGER TALENT AND INVIGORATE SANTA FE'S NIGHTTIME ECONOMY AND CREATING A TASK FORCE TO MAKE ACTION RECOMMENDATIONS TO THE GOVERNING BODY**

Mr. Brackley said the Committee could talk about this for a large amount of time because this is a complicated issue. Before the Committee is a resolution supporting efforts to retain younger talent and invigorate Santa Fe's nighttime economy, and a proposal to create a task force to make action recommendations to the Governing Body. He said there are a various groups working on this, some of which have been working on this for 3-4 years. He emphasized on not duplicating the existing efforts.

Ms. Keith thinks this should be "private-sector led" and the City should put a box around what they can do something about, and what the City cannot do something about. She questioned where it would be appropriate for the government to be involved or not to be involved. However, the City does have to do with the zoning and traffic issues.

**Ms. Keith moved to forward the resolution (supporting efforts to retain younger talent and invigorate Santa Fe's nighttime economy and create a task force to make action recommendations to the Governing Body) to the Business and Quality of Life Committee. Mr. Austin seconded the motion. The motion passed unanimously by voice vote.**

**IV. INFORMATIONAL ITEMS**

**A. Professional Services Agreement with the Regional Development Corporation for granting and supporting services for a contribution to the Venture Acceleration Fund for Santa Fe Companies**

Ms. Keith disclosed that she is the Executive Director of the Regional Development Corporation and they manage the Northern New Mexico Venture Accelerator Fund, which

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was primarily started by Los Alamos National Laboratory, but communities around northern New Mexico have started to contribute towards the fund as well. This is a revolving fund that basically provides funding for regional start-up businesses to develop a product or service. The administrative costs of the Fund are totally covered by Los Alamos National Laboratory as a contribution to economic development in the region. Ms. Keith said this basically talks about putting more money in the Fund so they can have more money to distribute to entrepreneurs.

The City Economic Development Division has identified the need for start-up funding as a critical gap in the business development landscape. The Venture Acceleration Fund is one of the only business development tools which assists in this area; particularly for businesses which are not candidates for traditional venture capital investment.

Mr. Chaney noted that there is a cover letter that describes in a little more detail the companies that have been funded. To date, 39 innovative companies have been awarded up to \$100,000 each, in order to support business development needs such as proof-of-concept, prototyping, product engineering, customer acquisition, and market validation.

Mr. Austin asked if this is for a year.

Mr. Chaney said for this coming spring.

Mr. Austin asked why this is an informational item.

Ms. Noble said because it is a \$30,000 Professional Services Agreement and they don't need approval for that level of contract. However, they wanted the Committee to know about it.

Mr. Austin thinks this is a good idea and a good use of the City's money.

Mr. Brackley said this seems to be working pretty well and we should continue to move it forward.

## **V. ITEMS FROM THE COMMITTEE**

Today was Allan Austin's last meeting. Mr. Brackley thanked Mr. Austin for his service to the Committee. He said he appreciated Mr. Austin's wisdom and experience.

## **VI. ITEMS FROM STAFF**

There were no items from staff.

## **VII. NEXT MEETING DATE: Meet as needed**

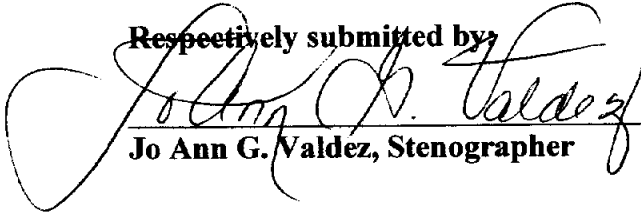
**VIII. ADJOURNMENT**

There being no further business to come before the Economic Development Review Subcommittee, the meeting was adjourned at 11:30 a.m.

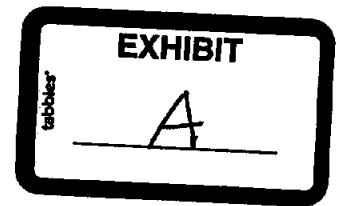


**Simon Brackley, Chair**

**Respectively submitted by:**



**Jo Ann G. Valdez, Stenographer**



# **Economic Development Review Sub-Committee Meeting**

**February 3, 2014**





CITY CLERK'S OFFICE  
**Agenda** DATE 1/30/14 TIME 2:44p  
PREPARED BY Jessica Sandoval  
APPROVED BY [Signature]

**ECONOMIC DEVELOPMENT REVIEW SUB-COMMITTEE**

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**Box Car Room**

**500 Market Street, Suite 200**

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V. ITEMS FROM THE COMMITTEE

VI. ITEMS FROM STAFF

VII. NEXT MEETING DATE - **Meet as needed**

VIII. 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.

# Minutes

## Economic Development Review Subcommittee Meeting INDEX

<b>Cover Page</b>		<b>1</b>
<b>PROCEDURES</b> <b>Call to Order and</b> <b>Roll Call</b>	<p>The meeting was called to order at 3:45 pm by Mr. Simon Brackley, Chair. The roll call list reflects that the Economic Development Review Subcommittee did not have a quorum.</p> <p>The City Attorney explained that under the Open Meetings Act this subcommittee cannot take any action without a quorum but the sub-committee can have discussion and make recommendations. Discussion of the agenda items is allowed with a recommendation.</p>	<b>2</b>
<b>Approval of Agenda</b>	No staff changes to the Agenda.	<b>3</b>
<b>Approval of Minutes</b>	No Minutes	<b>3</b>
<b>Reports</b>	None	<b>3</b>
<b>Unfinished Business</b>	None	<b>3</b>
<b>New Business</b> <b>REQUEST FOR</b> <b>APPROVAL OF AN</b> <b>ORDINANCE</b> <b>RELATING TO THE</b> <b>CITY OF SANTA FE</b> <b>ECONOMIC</b> <b>DEVELOPMENT</b> <b>PLAN ORDINANCE,</b> <b>ARTICLE 11-11 SFCC</b> <b>1987; AMENDING</b> <b>ORDINANCE NO.</b> <b>2013-2 FOR THE</b> <b>PURPOSE OF</b> <b>APPROVING AND</b> <b>ADOPTING A</b> <b>SECOND AMENDED</b> <b>LOCAL ECONOMIC</b> <b>DEVELOPMENT</b> <b>PROJECT</b> <b>PARTICIPATION</b> <b>AGREEMENT</b> <b>BETWEEN THE CITY</b> <b>OF SANTA FE AND</b>	<p>Ms. Keith recommended that the Economic Development Review Subcommittee direct staff to pass this on to EQL with a favorable recommendation. The Chair was in agreement.</p>	<b>3-6</b>

**Economic Development Review Subcommittee Meeting  
INDEX**

<b>RODEO PROPERTY, INC. FOR AN INDOOR MULTIPURPOSE FACILITY, A LOCAL ECONOMIC DEVELOPMENT PROJECT. (Mayor Coss) (Fabian Trujillo)</b>		
<b>Informational Items</b>	None	6
<b>Items from the Committee</b>	None	6
<b>Items from Staff</b>	None	6
<b>Next Meeting Date</b>	As needed	6
<b>Adjournment</b>	Adjourned at 4:45 pm	6

CITY OF SANTA FE

**ECONOMIC DEVELOPMENT REVIEW  
SUBCOMMITTEE MEETING**

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**MINUTES**

  
**Fran Lucero, Stenographer**

**10/31/2013**

**Draft Until Approved**

**ECONOMIC DEVELOPMENT REVIEW SUB-COMMITTEE**  
**Thursday, October 31, 2013**  
**3:30 pm – 4:15 pm**  
**Market Station**  
**500 Market Street, Suite 200, Santa Fe, NM**

**MINUTES**

**I. PROCEDURES**

The meeting was called to order at 3:45 pm by Mr. Simon Brackley, Chair. The roll call list reflects that the Economic Development Review Subcommittee did not have a quorum.

The City Attorney explained that under the Open Meetings Act this sub-committee cannot take any action without a quorum but the sub-committee can have discussion and make recommendations. Discussion of the agenda items is allowed with a recommendation.

The Chair announced that Mr. Fidel Gutierrez from this committee has sent in his letter of resignation. The Chair received a call from Los Alamos National Bank and they would like to provide another representative to sit on the Economic Development Review Sub-Committee. Mr. Trujillo recommended that Los Alamos National Bank send the name of their recommendation and they would discuss with the Mayor.

**II. ROLL CALL**

**Present:**

Simon Brackley, Chair  
Kathy Keith

**Not Present:**

Stephen Guerin  
Fidel Gutierrez  
Stephanie Spong

**Staff Present**

Judy Amer, City Attorney  
Fabian Trujillo, City of Santa Fe

**Others Present**

Vince Daniels, Rodeo Properties Inc.  
John A. Padilla, SMPC Architects  
Pilar Faulkner, Legislative and Governmental Liaison  
David Copher, President, Rodeo Properties Inc.  
Fran Lucero, Stenographer

**III. APPROVAL OF MINUTES**

None

**IV. APPROVAL OF AGENDA**

No changes from staff.

**V. REPORTS**

**VI. UNFINISHED BUSINESS**

None

**VII. NEW BUSINESS**

- A. REQUEST FOR APPROVAL OF AN ORDINANCE RELATING TO THE CITY OF SANTA FE ECONOMIC DEVELOPMENT PLAN ORDINANCE, ARTICLE 11-11 SFCC 1987; AMENDING ORDINANCE NO. 2013-2 FOR THE PURPOSE OF APPROVING AND ADOPTING A SECOND AMENDED LOCAL ECONOMIC DEVELOPMENT PROJECT PARTICIPATION AGREEMENT BETWEEN THE CITY OF SANTA FE AND RODEO PROPERTY, INC. FOR AN INDOOR MULTIPURPOSE FACILITY, A LOCAL ECONOMIC DEVELOPMENT PROJECT. (Mayor Coss) (Fabian Trujillo)

Mr. Fabian Trujillo introduced the members of the Rodeo (reflected in Others Present).

Mr. Trujillo stated: We are here today to amend the Project Participation Agreement and the project ordinance for this project for the second time. We will be adopting and MOU with Santa Fe County because they have received additional money from the State Legislature and Santa Fe County. The amount of that is \$265,000 total, it is \$230,000 from the State and \$35,000 from the county. We will memorialize this or approve so they can utilize these funds. The City of Santa Fe serves as the Fiscal Agent for this project. Previously the Rodeo received \$200,000 — \$100,000 came from the City of Santa Fe, \$81,000 came from the State Legislature and \$19,000 came through Santa Fe County. That was for a feasibility study and that feasibility study has been completed. The monies that you are looking for today are going to be for some engineering documents to finish up the final design package and once that is taken care of they will move forward to seek funding for this project. Because of the States requirements and the City's local Economic Development pact we have to approve this Project Participation Agreement, Project Ordinance and the Memorandum of Understanding. Open for questions.



Mr. Dave Copher

We have been approved for \$231,000 and \$35,000 from Santa Fe County. We had the deliverables in the last package already; we are moving forward to do the same kind of signing with the next monies.

Judy Ahern, City Attorney

That is correct; each Project Participation Agreement has a formal security on their ventures or mortgage, something of that nature. This second amended PPA states that the goals of the first amended PPA were achieved on that mortgage. We will release that mortgage and enter in to another for the \$265,000. Point of reference; when working with Santa Fe County to enter in to the MOU on the \$35,000, it has not been executed yet, I am working with the lawyer at Santa Fe County and we have not received the \$230,000 grant agreement from the state. We will not be able to go to the Finance Committee, Public Works or City Council until that grant is received.

We need to get the grant agreement, we need to get the MOU executed and we need to go to Public Works, Finance and to City Council for a request to publish then it will go to public hearing. Estimated time is about 90 days. Due to the limited scheduling of city council and finance meeting in December the date for approval could be February, 2014.

Pilar Faulkner

Commented that she will be going to the New Mexico Legislature to ask for funding to finish design. She informed the committee that they have done more than a feasibility study, they have done traffic engineering.

John Padilla

Discussed the feasibility study which included very heavy preliminary design. It included a traffic impact analysis. (Handout) Exhibit A – Mr. Padilla provided a description from Exhibit A noting that they have used this information for public meetings they have had. Public meetings have been very well received with the Home Owner Associations and neighbors directly adjacent to the facility. There has been discussion regarding how to mitigate sound, how to handle the odor and dust. The proposed seating is for 5,000, the current seating is 4, 000 at the current facility. It showed a concession area and club seating area. There is also a banquet and Rodeo Hall of Fame. The intent is to use that for events such as receptions, quincieneras and other types of events. There is a full kitchen attached to that facility. This information has been used for our public meetings; they have been well received. One of the public meetings was held at the Rodeo Baptist Church, it was about a 2-hour conversation, it was good dialogue of what we are proposing. We spoke about how we will handle anything from arrival and departure of not only attendees but our Rodeo events or any other events. Right now their experience is open air arena and noise. We were able to express to them how we will mitigate sound, noise and odor pollution and dust which is a big area. In the site plan there is a grey area that shows the hard surface asphalt paving. The overflow parking would be a pervious type paving which allows for the regenerating of the aquifer and it mitigates the issue of

dust. We are not in any preliminary plan with the city. We are not in any preliminary plan development or submittal to the city; we want to be proactive. There have been a total of 4 meetings with the neighborhood and their main concern is traffic. Rodeo Properties has been very proactive on how they will control the traffic for these events. The other thing we have done and the city has spoken in favor of is that the Fire Department will be allowed to come through this improved road to the light directly. Every minute you can improve response time saves a life. Left turn lane on to Rodeo Rd. east will be extended. With traffic coming west, that will be a controlled entry in to the parking lot and we will create a decal lane to allow people to come in and park at the facility.

Vince Daniels

Parking has also been discussed using a shuttle for the Genoveva Center. Mr. Daniels is also talking to the Railrunner regarding the shuttle options. Parking issues are also being addressed so when people are attending the events that they don't park in the neighborhoods.

John Padilla

This will take the Rodeo to Santa Fe to a new level of professionalism as far as controlling traffic in and out, working with the Santa Fe Police Department to make sure there is proper direction.

The Chair asked what the maximum amount of events they would anticipate during the year.

Pilar Faulkner

Two major events is what we are targeting, we really only need to do one to sustain the project. Two would be profit bearing.

John Padilla

We would do smaller events; it is for home time use. The typical count is 3 persons per car per trip. This will become a facility for the community to enjoy events and to introduce new venues. We also want to stress that this will be a disaster relief facility. It is important to emphasize that this will shelter in place our community members as well as other community members in the event of a disaster. This will become a center that we do not have in Northern New Mexico.

The Chair emphasized that there is a great need for a facility that can assist during a disaster.

The City Attorney asked:

1. Are you going to have your own electricity, back-up power?

Mr. Copher said that they are working with the local disaster relief people and Homeland Securities to know what the needs are.

Mr. Padilla said there are ways to address back up energy and all of those specifics will be presented. We will continue to talk to FEMA and Homeland Security.

The Chair reiterated that he wants to assure traffic concerns are reviewed and considered seriously.

Mr. Daniels said that two years ago they stopped charging people \$5 and that eliminated people from parking in the neighborhood.

Mr. Padilla distributed the FAQ Sheet – This is being used in their public meetings and they always refer them back to Rodeo Properties. Many of the questions asked by the Chair are included in the FAQ.

Kathy Keith:

1) I sat through a presentation at SFCC from representatives – Santa Fe County where they discussed traffic on Richards. Have you been involved in those discussions? It was noted that Rodeo Properties has not been contacted.

2) When we talk about getting waste, SFCC has a bio-waste facility and they would be interested in talking to Rodeo Properties.

There is no fiscal impact on the decision that is made today. It is basically restructuring and to add the state money.

Ms. Keith recommended that the Economic Development Review Sub-committee direct staff to pass this on to EQL with a favorable recommendation. The Chair was in agreement.

**VIII. INFORMATIONAL ITEMS**

**IX. ITEMS FROM THE COMMITTEE**

**X. ITEMS FROM STAFF**

**XI. NEXT MEETING DATE - Meet as needed**

**XII. ADJOURN**

There being no further business to come before the Economic Development Review sub-committee, the meeting was adjourned at 4:15 pm.

**Signature Page:**

\_\_\_\_\_  
Mr. Simon Brackley, Chair

  
\_\_\_\_\_  
Fran Lucero, Stenographer

# **New Business**

**CITY OF SANTA FE  
PROFESSIONAL SERVICES AGREEMENT**

**FOR FIBER OPTIC, TELECOMMUNICATIONS SERVICES NETWORK**

THIS AGREEMENT is made and entered into by and between the City of Santa Fe, New Mexico (the "City") and Cyber Mesa Computer Systems Incorporated (the "Contractor" and, together with the City, the "Parties"). The date of this Agreement shall be the date on which it is executed by the City and the Contractor, whichever occurs last.

RECITALS

- A. Whereas, the City Council adopted Resolution 2011-67 authorizing a gross receipts tax revenue bond issue in the amount of Twenty-Two Million Dollars (\$22,000,000), of which One Million Dollars (\$1,000,000) was allocated for broadband infrastructure projects that includes the fiber optic network project described below; and
- B. Whereas, the City desires to develop and install infrastructure for a fiber optic, telecommunications services network (the "Project"), (*CIP High Speed Internet Program Description*), Schedule 1 (*List of Capital Assets & Transferable Assets*) and Schedule 2 (*List of Described Services*) hereto and Schedule 3; and
- C. Whereas, in accordance with Section 18.1.7 of the City Purchasing Manual, this agreement is exempt from the RFP and other competitive procurement requirements as a telecommunications utility and therefore, the City has procured the Contractor to advise the City in the design and installation of the infrastructure for a fiber optic, telecommunications services network and perform the Described Services (as defined below).

NOW THEREFORE, in consideration of the covenants, representations, warranties and mutual agreements hereinafter set forth, and for other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, and intending to be legally bound hereby, the Parties agree as follows:

1. SCOPE OF SERVICES; OWNERSHIP

A. The Contractor shall:

- (1) Within six (6) months after the Effective Date (as defined below), design, procure and install telecommunications facilities to be owned by the City or its qualified transferee, as provided herein, including those listed under the headings "Capital Assets" (the "Capital Assets"), which, together with the "Transferable Assets" (the "Transferable Assets"), shall be necessary and sufficient to deliver the Described Services, and
- (2) operate and maintain the Capital Assets and Transferable Assets and provide wholesale telecommunications services (the "Described Services") which,

together with the Capital Assets and Transferable Assets, constitute the Project) to any qualified telecommunications provider or carrier being served by the Project.

- B. With prior written approval of the City, the Contractor shall enter into agreements with other entities, and subcontractors, on terms and conditions mutually acceptable to the Parties, for Capital Assets Work, related work and related services.
- (1) The Contractor shall ensure the following conditions occur, prior to commencement of work by any subcontractor with respect to any Capital Assets Work: (a) the architect, engineer, contract, subcontractors, plans, specifications and budget for the work shall have been approved by City, (b) the City shall be provided with acceptable performance and payment bonds from the prime contractor for construction contracts over fifty thousand dollars (\$50,000) which insure satisfactory completion of and payment for the work, are in an amount and form and have a surety acceptable to City, and name City as additional payee, and (c) to the extent permitted by applicable Laws, appropriate waivers of mechanics' and materialmen's liens shall have been obtained and/or filed.
  - (2) The Contractor shall certify, at the time of any request for disbursement, that no default exists and no mechanics' or materialmen's liens have been filed against any of the Capital Assets Work and remain undischarged.
  - (3) The Contractor agrees that disbursements shall be made from time to time but not more than once in any thirty (30) day period in an amount not exceeding the cost of the work completed since the last disbursement, (A) upon receipt of (i) satisfactory evidence, which may include architects' or engineers' certificates of the stage of completion, the estimated total cost of completion and performance of the work to date in a good and workmanlike manner in accordance with the contracts, plans and specifications, (ii) waivers of liens, (iii) contractors' and subcontractors' sworn statements as to completed work and the cost thereof for which payment is requested, (iv) other reasonable evidence of cost and payment so that City can verify that the amounts disbursed from time to time are represented by work that is completed, in place and free and clear of mechanics' and materialmen's lien claims and (B) upon completion of an inspection of the work by City or its representative, if requested by City.
  - (4) The Contractor agrees that each request for disbursement shall be accompanied by a certificate of the Contractor and subcontractor, signed by an authorized signatory of the Contractor and subcontractor, describing the work for which payment is requested, stating the cost incurred in connection therewith and accompanied by invoices and other documentation of costs reasonably acceptable to the City, and stating that the Contractor and subcontractor has not previously received payment for such work.