



# Agenda

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**PUBLIC WORKS/CIP & LAND USE COMMITTEE  
MEETING  
CITY COUNCIL CHAMBERS  
MONDAY, JANUARY 7, 2008  
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 DECEMBER 10, 2007, PUBLIC WORKS COMMITTEE MEETING

**CONSENT AGENDA**

6. SANTA FE MUNICIPAL AIRPORT – FENCING
  - REQUEST FOR APPROVAL OF CHANGE ORDER NO. 1 WITH APACHE CONSTRUCTION CO. INC. DBA VALLEY FENCE COMPANY IN THE AMOUNT OF \$19,264.52 INCLUSIVE OF NMGRT
  - REQUEST FOR APPROVAL OF A BUDGET ADJUSTMENT IN THE AMOUNT OF \$12,345.18 (**MARY MACDONALD**)
7. CIP PROJECT #211 – POLICE MAIN FACILITY RENOVATION
  - REQUEST FOR APPROVAL OF AMENDMENT NO. 4 TO THE AGREEMENT BETWEEN OWNER AND ARCHITECT, LLOYD AND ASSOCIATES ARCHITECTS, IN THE AMOUNT OF \$314,607
  - REQUEST FOR APPROVAL OF A BUDGET ADJUSTMENT IN THE AMOUNT OF \$177,000 (**CHIP LILIENTHAL**)
8. REQUEST FOR APPROVAL OF THE 2007 GENERAL FUND PROJECTS APPROPRIATION GRANT 07-L-G-6404 FOR \$20,000 TO CONSTRUCT AN ADDITION FOR THE ZONA DEL SOL YOUTH CENTER IN SANTA FE
  - REQUEST FOR APPROVAL OF BUDGET INCREASE IN THE AMOUNT OF \$20,000 (**DAVID CHAPMAN**)
9. REQUEST FOR APPROVAL OF RFP # '08/19/P AND THE PROFESSIONAL SERVICES AGREEMENTS FOR ON CALL ENGINEERING SERVICES NOT TO EXCEED \$500,000 PER CONTRACT, WITH:
  - WILSON & COMPANY, INC.
  - GANNETT FLEMING WEST, INC.
  - THE LOUIS BERGER GROUP, INC. (**DESIRAE LUJAN**)

10. CIP PROJECT #842A – RODEO ROAD/RICHARDS AVENUE
  - REQUEST FOR APPROVAL OF CHANGE ORDER NO. 3 WITH A.S. HORNER INC. FOR ITEMS NOT PART OF ORIGINAL BID IN THE AMOUNT OF \$37,692.55 INCLUSIVE OF NMGR (PETER MANZANARES)
11. REQUEST FOR APPROVAL OF AMENDMENT #1 TO A LEASE AGREEMENT BETWEEN THE CITY OF SANTA FE AND ST. FRANCIS CATHEDRAL PARISH/ARCHDIOCESE OF SANTA FE FOR USE OF THE ST. FRANCIS SCHOOL PLAYGROUND FOR PUBLIC PARKING (WALTER ROYBAL)

**DISCUSSION AGENDA**

12. 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 (KATHY MCCORMICK)
13. VERBAL UPDATE TO THE NORTHWEST QUADRANT PROJECT
  - REQUEST FOR APPROVAL OF A PROFESSIONAL SERVICES AGREEMENT WITH DESIGN WORKSHOP, INC. FOR SERVICES ON THE NORTHWEST QUADRANT PROJECT IN THE AMOUNT OF \$93,937.31 INCLUSIVE OF NMGR (KATHY MCCORMICK)
14. 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 (MARY MACDONALD)
15. REQUEST FOR APPROVAL OF AN ORDINANCE AMENDING SECTION 14-5.6 SFCC 1987, THE ESCARPMENT OVERLAY DISTRICT, REGARDING LANDSCAPE SCREENING IN ORDER TO BETTER COORDINATE WITH FIRE PROTECTION PURPOSES (COUNCILOR CALVERT) (WENDY BLACKWELL)
16. REQUEST FOR APPROVAL OF AN ORDINANCE CREATING A NEW SECTION 14-2.10 SFCC 1987 REGARDING A NEIGHBORHOOD CONSERVATION REVIEW COMMITTEE; CREATING A NEW SECTION 14-5.10 SFCC 1987 REGARDING NEIGHBORHOOD CONSERVATION OVERLAY DISTRICTS; AND MAKING SUCH OTHER CHANGES AS ARE NECESSARY (COUNCILOR HELDMEYER) (LOU BAKER)
17. MATTERS FROM STAFF
18. MATTERS FROM THE COMMITTEE
19. NEXT MEETING: MONDAY, JANUARY 28, 2008
20. ADJOURN

**SUMMARY OF ACTION**  
**CITY OF SANTA FE**  
**PUBLIC WORKS/CIP & LAND USE COMMITTEE**  
**January 7, 2008**

<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 published .....	1
4. Approval of Consent Agenda	Approved as presented .....	2
5. Approval of Minutes – Dec 10, 2007	Approved as submitted .....	2
CONSENT AGENDA LISTING	Listed .....	2-3
DISCUSSION AGENDA		
12. Affordable Housing Contracts & Update	Approved .....	3-9
13. Northwest Quadrant Contract Amendment	Approved .....	9-12
14. Franklin Miles Concession Building\	Approved .....	12
15. Escarpment Ordinance Amendment	Approved .....	12-13
16. Conservation Overlay Districts Ordinance	Postponed to February .....	13-15
17. Matters from Staff	Not considered .....	15
18 Matters from the Committee	None .....	16
19. Next Meeting	Set for January 28, 2008 .....	16
20. Adjourn	.....	16
Exhibits: A-D		

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

**MONDAY, JANUARY 7, 2008**

**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**

**Councilor Calvert moved to approve the Agenda as published. Councilor Trujillo seconded the motion and it passed by unanimous voice vote.**

#### **4. APPROVAL OF CONSENT AGENDA**

**Councilor Dominguez moved to approve the Consent Agenda as published. Councilor Calvert seconded the motion and it passed by unanimous voice vote.**

#### **5. APPROVAL OF MINUTES FROM DECEMBER 10, 2007, PUBLIC WORKS COMMITTEE MEETING**

**Councilor Dominguez moved to approve the minutes of December 10, 2007 as submitted. Councilor Calvert seconded the motion and it passed by majority voice vote with all voting in favor except Councilor Trujillo who abstained.**

#### **CONSENT AGENDA**

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**(PETER MANZANARES)**

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Ms. McCormick handed out the Homewise report [Attached as Exhibit A]

She introduced Ms. Lee Depietro as new staff member who had 25 years' experience in housing. The Committee welcomed her to the City staff.

Ms. McCormick briefly commented on the written report on Homewise and spoke to the direction they were taking in Affordable Housing.

She reported that this was the first year an RFP was issued for support of this program, something the ordinance required. She handed out some information on the requirements under the contract. - Performance Measures for Home Ownership and Counseling Program. [attached as Exhibit B] and the Scope of Services [Exhibit C]

Ms. McCormick said they had been working on their database for almost a year and it was coming together now. She said she would be submitting an annual report addressing the performance measures.

Chair Bushee said the City had two contractors we have relied on to provide services to our community. Everybody was interested in finding out what process was used to get people into homes. The Council wanted to make sure people got in homes and stayed in homes. She said they would like to hear from the Affordable Housing Roundtable also.

She noted that Councilor Ortiz had a question on what was available to people and added that they just wanted to make sure the contractors were doing everything they could to do.

Ms. McCormick said the contractors were prepared to answer that this evening. She asked Mr. Ed Rosenthal from the Community Foundation speak on the role of enterprise services they provide and on the Affordable Housing Roundtable work.

Mr. Rosenthal shared a printed report with the Councilors. He said they had three functions: support for capacity building, roundtable support, and assistance to the office of Affordable Housing. The organizations have grown very sophisticated based on enterprises. Regarding capacity building, his role has been to provide cash to the organizations. This year it was \$190,000 and since 2005 has been about \$350,000. He briefly reviewed the distribution of those funds that included the Community Housing Trust, Homewise, and Habitat for Humanity.

He said they also worked with the AH Roundtable since 1992. He said their functions were broken down in the printed PPT. He briefly commented on the contents. A copy was not available to the Recorder.

He said they also provided technical assistance for the Northwest Quadrant and provided the initial feasibility study. He said they expected to provide \$150,000+ next year. They also worked to identify other funding for the Northwest Quadrant. He said they also did the web site for the Alto Street Design Project.

Chair Bushee asked if they had the balance in the Trust Fund.

Mr. Rosenthal said it was about \$5,000 now and was being kept open because there might be some other contributions.

Councilor Dominguez asked Ms. McCormick to explain the differences between the contractors.

Ms. McCormick said they would address that. She introduced Mr. Peter Roloff with Santa Fe Housing Trust and said he was one of the original founders of the Trust.

Mr. Peter Roloff said he was the Interim Executive Director and handed out a printed PPT [Exhibit D].

He said that all three providers built houses. Homewise and the Trust also provided *intensive* counseling, not to say Habitat does not. He said they provided counseling to about 400 people each year. He said they closed about 120 this year. All three provided financing including mortgages. He said they used their own resources to recycle funds as second mortgages. Some years they did about \$5-10 million.

He said they did training, one-on one counseling (40-50hrs/client), worked with brokers and with builders.

He pointed out in his handout that the hardest to serve group was those below 65% AMI group. What distinguished the Trust was that 60 of the 67 under 65% were Trust clients.

He said virtually all of them got prime fixed rate mortgages.

Mr. Peter Roloff said many of them got late on payments and when they did they called the Trust. He said he would like to find out more about Councilor Ortiz's client where the Trust did not meet their needs.

Chair Bushee asked if they had no foreclosures.

Mr. Peter Roloff said they did have a few. He went through the strategies for reducing costs of homes (ppt). He pointed out that there was not a strong correlation of income level and financial responsibility. The lowest were likely to be just as responsible and they needed to keep them away from subprime loans and arms.

Mr. Daniel Roloff said those who were suffering regarding foreclosures were not the people the Trust were serving but people outside.

Councilor Dominguez asked if they waited for clients to call or took a proactive approach.

Mr. Daniel Roloff said they took them through training and provided counseling. It was very effective in helping them keep their home. Everyone was reviewed by an independent committee composed of lenders. He said when people get 4-5 months behind, it was too late, so the Trust urged them to call right away. He said they had a partnership with a national counseling program Home Ownership Network. He said they had counselors who were HUD approved and that meant they were qualified and trained for rigorous negotiation. He said they were proactive to help them work out a relationship with banks.

Mr. Peter Roloff said they had four full-time counselors. They have gotten overwhelmed with calls from all over the state but didn't have funding to do that. He said they were referred to a hot line to help. He said they had staff who were trained in loss mitigation also.

Councilor Ortiz asked how they could measure effectiveness, noting the City gave the Trust so the Trust could buy into the larger organization.

Mr. Peter Roloff said the Network tracked the clients from Santa Fe for the Trust.

Councilor Ortiz asked how they knew they got help.

Mr. Daniel Roloff said the hotline was the first defense and they tracked all those who called them first. And then followed up on the results of the counseling to make sure they got the help they needed.

Mr. Peter Roloff said they would try to get better data.

Councilor Ortiz asked if they could track internal clients.

Mr. Daniel Roloff said they did it in two ways. through notifications on liens going into foreclosure and tracked legal notices for addresses in their program.

Councilor Ortiz said that was reactive and something needed to be done before that happened.

Mr. Daniel Roloff said they could not predict if a couple was going to break up.

Mr. Peter Roloff said there was not a constant calling of former clients. There were 2000 of them and the Trust encouraged them to call. To be honest, he said they just started tracking 6 months ago and hoped they could get funds to do more of that.



Councilor Ortiz asked if that wasn't part of the new contract.

Mr. Daniel Roloff said there was an analysis of a new tracking software done recently and it was being used in New Orleans. The idea of foreclosure prevention was pulling people together; figuring out protocol; mapping out. The core was not the help line but creating an outreach strategy.

Ms. McCormick said that at the time they come to refinance their home, they did debt counseling. . With some, they could not get a refinance without calling first.

Ms. McCormick said part of the RFP was housing innovation. The Trust came in with four new ideas: solar, retrofitting, feasibility, and foreclosure prevention and staff recommended three for funding. She reviewed them.

Mr. Peter Roloff said the retrofit program had no budget for it. There were some state resources but the legislature did not refund it. He explained that they would not be hands-on with the retrofit itself.

Chair Bushee - asked Ms. McCormick about having an energy counselor and keep the Trust on the financing effort.

Mr. Daniel Roloff said they had been doing green building for the last 12 years and did know solar work.

Councilor Dominguez referred to their PPT statement on \$6,000 - \$12,000 savings on realtor fees and asked how that worked.

Mr. Daniel Roloff said they could work directly with the builders to avoid that fee.

Councilor Dominguez - do you have data on it. On home buyers who get lost because of that.

Chair Bushee asked about their assets as a nonprofit.

Mr. Daniel Roloff said their budget was \$450,000. Of that, just under half was provided by City. The majority was from earned income, through housing development and other entrepreneurial fees. He said they have built 300 units.

Mr. Peter Roloff added they had three under construction now, 28 about to go into construction, and were in the early stages of a 60-unit development project.

Councilor Calvert asked about the potential \$40,000 reduction in home purchase costs if there was a program that could be implemented with whoever.

Ms. McCormick said they were going to revise the scope on it with the Homewise contract and would demonstrate to the state the feasibility of solar fitting and retrofit. She said they had a lot on their plate and staff wanted to have them stay focused.

Chair Bushee asked how the City could keep rental units affordable.

Ms. McCormick said they could add it as a desired outcome.

Chair Bushee asked if there was a specific source of subsidy for that.

Ms. McCormick said Section 8 could provide it. She said the Roundtable was stepping up their attention to rentals.

Chair Bushee asked her to make sure the Committee saw the questions she was going to be asking.

Mr. Mike Loftin, Homewise, said he asked a few of his staff members to speak to delinquency rates and how they dealt with it.

Chair Bushee asked why they didn't have HUD certified counselors.

Mr. Loftin said they had them but didn't want to be on the list because they got calls from Farmington, etc.

Ms. Jodie Lee presented the Homewise business model. She used some display boards to share her presentation. She said they partnered with a lot of essential employees' employers to keep them in Santa Fe. They have 3 full-time counselors and it was integrated with their real estate services with one broker on staff. They were also a mortgage banker and could do the financing for the New Mexico Mortgage Finance Authority. They looked for the best rates and also had home improvement and home purchase education.

She said they had done this for 20 years. It was not just debt reduction. When folks come to Homewise, they could maximize what they purchased by reducing debt. She said they wrote out a full action plan and had follow up. They helped them improve their credit scores and did budget counseling so they would know what they could afford.

Chair Bushee noted they had counseled a lot of folks but not gotten that many into a home.

Ms. Lee said sometimes it took 3-4 years to get them to a place where they could buy a home. She said there was a lot more motivation for people to stay in Santa Fe.

Mr. Loftin commented on how the collapse of the industry affected them. He said they had never counseled people to get subprime loans but counseled them into a prime loan. They have to be willing to do the work but could save \$300-400 dollars per month.

Chair Bushee asked how many foreclosures they have had.

Mr. Loftin said they had one in the last six months and that one just stuck his head in the sand, despite their efforts.

In response to Councilor Calvert, Mr. Loftin said they continued to counsel with them after they buy a home and would help them as long as they were motivated. So it included carry over folks from prior years.

Ms. Lee went through the super-prime financing model. It eliminated PMI costs. They structured the loan so it was always 80% or below and Homewise came in with a second that was at the same rate and eliminated the PMI. They would know immediately if the home buyer hadn't paid and follow up right away.

Councilor Calvert said PMI also required escrow account and asked if escrow budgeting was something Homewise did also.

Ms. Lee agreed.

Chair Bushee asked about their assets.

Mr. Loftin said they had three main assets: 1) land they bought to build homes on; 2) Deferred loans and with them they didn't know when that money would come back; and 3) were the second mortgages. He said they didn't use any interest income for expenses and they recycled the capital to help more people.

He said on operating budgets, they generated about 70% of income from fees of some kind. They were not self sufficient and without grants, they could still stay in business but would cut back on services.

They tried to use grant income for services without fees and needed to find ways to subsidize down payments, especially for police officers. He commented further on the income sources.

Chair Bushee asked if they distinguished themselves from each other.

Mr. Loftin said he didn't think there was an oversupply of housing services out there. There might be differences of emphasis. They were driven to reduce the cost of purchasing the home. Saving PMI increased their purchasing power by about \$30,000. He said it took a lot of different ways of doing things.

Chair Bushee asked about commissions.

Mr. Loftin discussed it. They used it to negotiate a lower price and it meant they needed less subsidy.

Mr. Peter Roloff said their average rate was just over 6% and going down right now. It was a moving target.

Mr. Loftin -

Mr. Peter Roloff said they also avoided PMI in most cases.

Ms. Rocky Johnson spoke on delinquency rates. She showed a comparison with New Mexico and US. It showed the success of the super-prime rates. She said they were making their mortgage payments on time. Their advantage as a mortgage banker helped make this happen. She gave an illustration of how they used the \$325,000 in city funds and how it was leveraged in the community. She explained the pie chart on page six.

Another woman explained the home improvement program. She said they focused on a "whole house approach." So when someone called about heating problems, they went and looked at the whole home to find energy efficiency and water conservation. They saw over 50% at under 150% AMI levels. She described the process involved that includes a whole house inspection. They do the improvements through licensed contractors.

She said they got bids on each home project and did either deferred loans or mortgage type loans and then inspected the work the contractors did. When repairing roofs, we add insulation, etc. She described the tax credit process and how they helped their clients achieve the tax credits. They worked closely with PNM on thermostats, etc.

Chair Bushee thanked them for their presentations.

Ms. McCormick said they were looking for a recommendation.

**Councilor Calvert moved to approve the agreement with the Santa Fe Community Housing Trust. Councilor Dominguez seconded the motion and it passed by unanimous voice vote.**

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

Councilor Ortiz thanked them for the information and asked that it be on a more regular basis.

Ms. McCormick agreed. She said they were putting together a format for a quarterly progress report.

### **13. VERBAL UPDATE TO THE NORTHWEST QUADRANT PROJECT**

- **REQUEST FOR APPROVAL OF A PROFESSIONAL SERVICES AGREEMENT WITH DESIGN WORKSHOP, INC. FOR SERVICES ON THE NORTHWEST QUADRANT PROJECT IN THE AMOUNT OF \$93,937.31 INCLUSIVE OF NMGRT (KATHY MCCORMICK)**

Chair Bushee said there were many questions around infrastructure. She asked what the City got from the last contract.

Ms. McCormick shared some of the background on the project. She explained that this was an amendment to the current contract. She said the traffic study couldn't be done for the Master Plan. As a result, they needed an additional three meetings because they got behind schedule. After they lost Ron Quarles in February and leaned on Claudia Horn, the Project Manager, who provided some of the administrative support services. They began working with the Santa Fe school district on their school site and the financial impact of the schools. At request of Public Works staff, they entered into an agreement with Louis Berger to do further traffic analysis.

Mr. Romero said they were asking them to look at what impacts the traffic from development would have on Highway 599 and Camino de los Montoyas. The last one was not complete. He explained when

they met with them, there was more information that they needed. So staff asked them to do more analysis on the impacts.

Ms. McCormick said they knew there would be more traffic analysis needed so they were not surprised. When you look at Montoyas and 599, there had never been traffic counts on some streets.

Chair Bushee asked for the scope of services.

Ms. McCormick said she had it but did not have it here.

Chair Bushee asked what the scope was.

Ms. McCormick clarified that they were doing an easement at Guadalupe and Calle Mejia but not a connection. That could only be done with other studies. They had talked numerous times that it was only an easement at this time. She pointed out the map that was in the packet and pointed out the easement. It would be from the City and have it as part of the Master Plan.

Chair Bushee asked if Council would approve that. Ms. McCormick agreed.

Ms. Horn added that the connection was not only a potential future roadway but also pedestrian and bike connection so it was an important connection to hold.

Chair Bushee asked where this connection came from.

Mr. Romero explained that when the design team developed the Master Plan, one of the ideas was to provide connectivity in several ways. One of them was to tie into Mejia and possibly St. Francis at the bottom. They have a lot of problems with it. St. Francis was a DOT road and it would require an analysis at the level DOT required and would take \$200,000 and several years of work which he did not recommend. Calle Mejia was the same thing. It would need an overpass and would be very expensive and they didn't know the DOT would even approve it.

Ms. McCormick said they were not asking to approve that, just to preserve the potential future connection.

Mr. Romero said this easement could be needed in the future but all those connections would be very expensive.

Councilor Calvert said there was really only one access, at Ridgetop and asked if they were just going to analyze that intersection.

Mr. Romero said there were a couple of options. One was Montoyas.

Councilor Calvert asked if that meant Montoyas to Crucitas.

Mr. Romero said he knew that was not popular but they were looking at all the options and what the

impact would be.

Councilor Calvert said if Ridgetop was the only access, would the conclusion of the traffic study be that it could not handle all this traffic and Northwest Quadrant would have to be scaled back.

Mr. Romero said that was possible but he didn't think it would be at its capacity.

Chair Bushee asked when it would be forthcoming.

Ms. McCormick said it would be nine weeks, as soon as they could get the contract signed. They had a scope and were awaiting final signature. She said she provided all the home work at previous meetings and all of it would be reflected in the design guidelines.

Chair Bushee asked what would happen with all the sewer.

Ms. McCormick said they looked at all the options and determined they would have a catchment and grey water system but there would be a lift station for wastewater.

Ms. Horn said it would connect in at Camino de las Montoyas and go down Crucitas.

Chair Bushee asked if on-site treatment was not possible.

Ms. Horn said the amount of land required made it unfeasible.

Chair Bushee said the request was a lot of money.

Ms. McCormick said there was an extraordinary amount of work including negotiations with the school and there had been changes in the course of the project.

Councilor Ortiz said the reality was that this should have been done a year ago but if it had, it would have been a mistake. The Home Workers provided a service to this project. This would be a watermark or bench work for the nation. Staff bailed out so they were forced to turn to the consultants. The reasons on this justified the delay and the extra expense. It would be a jewel of a project when it comes out. There were many who wanted it to fail but he didn't want it to fail. He wanted this project to be done. This project was worth going over and above. This amendment was worth it.

**Councilor Ortiz moved for approval of the request. Councilor Dominguez seconded the motion.**

Ms. Nancy Broadhead, a resident on Calle Mejia, said one of her concerns was that no one from Calle Mejia was invited to participate and the last eight meetings were without a quorum. She felt they ignored them. She said they were told they could listen but not participate.

She said the website was fine. It was diminished now but had the information.

Councilor Ortiz clarified that this was the award so they could come up with a proposal and would have

a public meeting so anyone could make comments. He public would not be circumvented.

Chair Bushee asked if there would be any more ENN meetings.

Ms. McCormick said there would be no more.

**The motion passed by majority voice vote with all voting in favor except Chair Bushee, who voted no. (Vice Chair Ortiz was chairing this part of the meeting.)**

**14. 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 NMGRT (MARY MACDONALD)**

Councilor Trujillo asked if the building now housing the concession was to be demolished.

Mr. Romero said he thought so but sent Ms. MacDonald home because of the weather. He said he would look into that because he didn't know the answer. He said, for the record, this contract was actually \$398,500.

Councilor Ortiz said if there was a possibility of keeping it, they could amend this so that they did not demolish this building.

Mr. Romero said it could be difficult to move but could not be done, they could rebuild a storage building of the same size.

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

**15. REQUEST FOR APPROVAL OF AN ORDINANCE AMENDING SECTION 14-5.6 SFCC 1987, THE ESCARPMENT OVERLAY DISTRICT, REGARDING LANDSCAPE SCREENING IN ORDER TO BETTER COORDINATE WITH FIRE PROTECTION PURPOSES (COUNCILOR CALVERT) (WENDY BLACKWELL)**

Councilor Dominguez asked if this was from the Planning Commission.

Councilor Calvert agreed. It was simply to rectify the conflict between ordinance and fire prevention people. It was just on this one point.

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

Chair Bushee said in the past, they made a change so they didn't have to use only evergreens and

asked how does this would affect that.

Councilor Calvert said it wouldn't.

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

**16. REQUEST FOR APPROVAL OF AN ORDINANCE CREATING A NEW SECTION 14-2.10 SFCC 1987 REGARDING A NEIGHBORHOOD CONSERVATION REVIEW COMMITTEE; CREATING A NEW SECTION 14-5.10 SFCC 1987 REGARDING NEIGHBORHOOD CONSERVATION OVERLAY DISTRICTS; AND MAKING SUCH OTHER CHANGES AS were NECESSARY (COUNCILOR HELDMEYER) (LOU BAKER)**

Mr. Hiatt said they didn't have any FIR. He said he put in 4 FTEs on it and would get the FIR to the Committee as soon as possible.

Councilor Ortíz asked if they were publicizing this on Wednesday.

Councilor Heldmeyer said no. She asked if the Committee got the draft copy of the FIR.

Councilor Ortíz said they did not.

Councilor Heldmeyer said the neighborhood planner in it had already been hired so the FIR was not including this planner. She said it would not be a huge number of neighborhoods and wouldn't fit the needs of each but where it did apply, this would help. This was being done across the country, especially with those that had large historic districts. A conservation district would help them.

Chair Bushee asked if this was just for Historic Districts or if it would proliferate Historic Districts.

Councilor Heldmeyer said no. A neighborhood could apply to be a conservation district. Others might see it as overly bureaucratic She said they had five public meetings on this and the things that came up that were important included height, set backs, wall height, preserving large trees, and others.

Councilor Ortíz asked if Jeannie Price testified.

Councilor Heldmeyer said she spoke as a city staff person. She has spoken at Railrunner meetings as an individual.

Councilor Ortíz asked about the time line.

Councilor Heldmeyer said the subgroup of the Planning Commission was meeting with her this week and were working out the details to see if a subcommittee could do it or just the Board of Adjustment could do it. The Board of Adjustment said they could do the job. Another issue that needed to be worked out was minimum size.



Councilor Ortíz commented they had cases where a street or a small part of a historic neighborhood reconfigured themselves into a newly configured homeowners' association. They incorporated themselves. The question was, under this, what was to prevent something like unattached garages being prohibited by four homeowners after forming the conservation district.

Councilor Heldmeyer said nothing in this said that. She explained what it said - as 40% who wanted something preserved.

Chair Bushee asked about the 67% requirement.

Councilor Heldmeyer said 40% was needed to ask for a meeting to form a district.

Councilor Calvert asked about those who didn't vote.

Councilor Heldmeyer said not voting was a no vote.

Councilor Dominguez asked if she had a notion of the number of neighborhoods.

Councilor Heldmeyer said the ones that were most interested were over 50 years old. Bellamah was one. But they didn't have any idea how many would take advantage.

Councilor Dominguez said that would affect the FIR.

Councilor Heldmeyer agreed.

Councilor Dominguez said there might be some unintended consequences and asked if those were being discussed at the Planning Commission.

Councilor Heldmeyer said at the Planning Commission it was discussed. They felt it was a good idea that should go through and they had an amendment to it.

Councilor Dominguez felt something this important deserved the time.

Councilor Calvert said one of his issues was this size thing. He said it had to have some clear definition on size. He thought they could get gerrymandering on it. Some generalized boundary for the area and the people to justify why the boundary made sense were needed.

Councilor Heldmeyer said it was for the neighborhood to work with staff to make sure it made sense.

Councilor Calvert felt that from a legal standpoint, it was needed.

Councilor Heldmeyer agreed. She didn't want to put in a minimum size until after the public meeting.

Councilor Calvert referred to page 7 on variances and asked for comment.

Ms. Price explained that the prohibited things: density and uses, were changes to zoning.

Councilor Heldmeyer explained that in those circumstances, the zoning would have to be changed.

Councilor Ortíz gave an example that would make a C-1 property restricted to R-1 or open space.

Councilor Heldmeyer said an appeal could come to Council.

Councilor Ortíz said it would allow spot zoning on property these people did not own and rezoning required a certain process.

Councilor Heldmeyer said it would be treated just like a rezoning.

Councilor Ortíz felt this needed to come back to Public Works.

Chair Bushee recommended this Committee give the recommendations that were needed for changes.

Councilor Calvert said on the last page in the things that could be regulated, parking should be included.

Ms. Price agreed and said it could be included. She explained there were many things not covered by zoning regulations and gave the example of parking in the front yard.

Chair Bushee wanted to see examples of how it worked where it existed. She didn't want to give false hope to anyone and a big problem was in not enforcing what was now on the books. She felt the percentages needed to be raised for these things. She also felt the definition of neighborhoods was very important. She liked the concept but did not like proliferating historic districts. She thought it was the Planning Commission's role.

She asked Mr. Hiatt about enforcement.

Mr. Hiatt said the City did not enforce covenants.

Chair Bushee said many parts of the city had no design guidelines whatever.

Councilor Heldmeyer said Stamm and Bellamah were the neighborhoods she heard from.

Chair Bushee said she did not want to create conflicts on the property uses.

**Councilor Ortíz moved to postpone this request to the first meeting in February for information from the Planning Commission and direct staff or the subcommittee to change the language of "substantial consensus." Councilor Calvert seconded the motion and it passed by unanimous voice vote.**

## **17. MATTERS FROM STAFF**

**18. MATTERS FROM THE COMMITTEE**

**19. NEXT MEETING: MONDAY, JANUARY 28, 2008**

**20. ADJOURN**

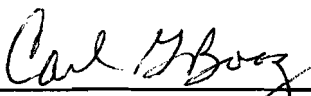
Having completed the agenda and with no further business to come before the Committee, the meeting was adjourned at approximately 8:15 p.m.

Approved by:

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Chair Bushee J. Bushee, Chair

Submitted by:

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Carl Boaz, Stenographer