



Agenda

CITY CLERK'S OFFICE

DATE 12/27/13 TIME 1:44 p.m.

SERVED BY *Bethi Massman*

RECEIVED BY *P. Ortiz*

**PUBLIC WORKS/CIP & LAND USE
COMMITTEE MEETING
COUNCIL CHAMBERS
MONDAY, JANUARY 6, 2014
4:45 P.M.**

1. CALL TO ORDER
2. ROLL CALL
3. APPROVAL OF AGENDA
4. APPROVAL OF CONSENT AGENDA
5. APPROVAL OF MINUTES FROM DECEMBER 9, 2013 PUBLIC WORKS COMMITTEE MEETING

INFORMATIONAL AGENDA (10 MINUTES)

6. UPDATE TO FACILITIES PLAN (ISAAC PINO)
7. STAFF SUMMARY ON PARKS BOND AUDIT (ISAAC PINO)

CONSENT AGENDA (15 MINUTES)

8. REQUEST FOR APPROVAL OF PROCUREMENT UNDER STATE PRICE AGREEMENT 20-805-00-07672 FOR CINDERS, RED SCORIA AND HAUL WITH PAVESTONE IN THE AMOUNT OF \$38,668.38 (DAVID CATANACH)

Committee Review:

Finance Committee (Scheduled)
Council (Scheduled)

01/07/14
01/08/14

9. REQUEST FOR APPROVAL OF PROCUREMENT UNDER STATE PRICE AGREEMENT 30-805-00-08845 FOR ROCK SALT AND HAUL WITH NEW MEXICO SALT & MINERALS IN THE AMOUNT OF \$44,083.70 (DAVID CATANACH)

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10. REQUEST FOR APPROVAL OF THE PROCUREMENT UNDER STATE PRICE AGREEMENT 00-805-00-05920 FOR LED TRAFFIC SIGNAL LIGHTS WITH ECONOLITE CONTROL PRODUCTS IN THE AMOUNT OF \$75,105 (RICK DEVINE)

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01/29/14

11. REQUEST FOR APPROVAL OF TWO GRANT AGREEMENTS FROM THE STATE OF NEW MEXICO AGING AND LONG-TERM SERVICES DEPARTMENT:

- AGREEMENT #2014-1215 IN THE AMOUNT OF \$154,000
- AGREEMENT #2014-1216 IN THE AMOUNT OF \$82,072 (**RON VIALPANDO**)

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12. SANTA FE MUNICIPAL AIRPORT

- A) REQUEST FOR APPROVAL OF PROPOSED UPDATE TO COMMERCIAL LANDING FEES AT SANTA FE MUNICIPAL AIRPORT FROM \$.90/1,000 LBS. TO \$3.00/1,000 LBS. OF CERTIFICATED MAXIMUM LANDING WEIGHT FOR AIRCRAFT BEING OPERATED UNDER EITHER A PART 121 (AIRLINE) OR PART 135 (CHARTER) OPERATING CERTIFICATE AND IN EXCESS OF 12,500 POUNDS MAXIMUM GROSS WEIGHT
- B) REQUEST FOR APPROVAL OF PROPOSED UPDATE TO FIRE PROTECTION FEES TO REFLECT CURRENT LANGUAGE IN AIRPORT LEASES (**FRANCEY JESSON**)

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- REQUEST FOR APPROVAL OF AWARD OF CONTRACT TO MOSHER ENTERPRISES FOR CONSTRUCTION OF THE GENOVEVA CHAVEZ COMMUNITY CENTER PHOTOVOLTAIC PROJECT UNDER RFP NO. 14/22/B FOR THE TOTAL AMOUNT OF \$2,459,546 (**NICK SCHIAVO**)

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Council (Request to Publish)	01/29/14
Council (Public Hearing)	02/26/14

17. REQUEST FOR APPROVAL OF A RESOLUTION SUPPORTING THE SOUTHWEST TRANSIT ASSOCIATION'S POSITION PAPER ON THE FUTURE OF FEDERAL TRANSIT FUNDING; ENCOURAGING CONGRESS TO RESTORE CAPITAL BUS AND BUS FACILITIES FUNDING TO SMALL URBAN CITIES TO PRE MAP-21 LEVELS; AND CALLING ON THE STATE OF NEW MEXICO TO ESTABLISH A STATE TRANSIT FUND TO ASSIST TRANSIT SYSTEMS OPERATING WITHIN THE STATE (COUNCILORS CALVERT AND BUSHEE) (JON BULTHUIS)

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Committee Review:

Finance Committee (Scheduled)	01/07/14
Council (Scheduled)	01/08/14

19. GREEN BUILDING CODE AMENDMENTS (COUNCILORS CALVERT, IVES AND BUSHEE) (KATHERINE MORTIMER)

- A) REQUEST FOR APPROVAL OF AN ORDINANCE RELATING TO THE RESIDENTIAL GREEN BUILDING CODE; CREATING A NEW SUBSECTION 7-4.3 SFCC 1987, TO ESTABLISH A RESIDENTIAL ADDITION AND REMODEL GREEN BUILDING CODE FOR SINGLE FAMILY ATTACHED AND DETACHED; AMENDING EXHIBIT "A" TO CHAPTER VII TO CREATE A NEW CHAPTER 2 TO ESTABLISH DEFINITIONS, TO CREATE A NEW ITEM 802.6 REGARDING ROUGH PLUMBING FOR FUTURE USE OF GRAY WATER, TO CREATE NEW CHAPTERS 11 AND 12 TO ESTABLISH CHECKLISTS FOR REMODELING AND REMODELING OF FUNCTIONAL AREAS AND SMALL ADDITIONS AND TO CREATE A NEW APPENDIX B TO ESTABLISH WHOLE BUILDING VENTILATION SYSTEM SPECIFICATIONS
- B) REQUEST FOR APPROVAL OF A RESOLUTION AMENDING THE ADMINISTRATIVE PROCEDURES FOR THE SANTA FE RESIDENTIAL GREEN BUILDING CODE ("RGBC") TO GRANT THE LAND USE DIRECTOR THE AUTHORITY TO MAKE ADMINISTRATIVE CHANGES TO THE RGBC USER'S GUIDE AND TO ADD ITEM 802.6 TO THE USER'S GUIDE; ADOPTING ADMINISTRATIVE PROCEDURES FOR THE CITY OF SANTA FE RESIDENTIAL ADDITION AND REMODEL GREEN BUILDING CODE ("RARGBC"); AND DIRECTING STAFF TO CREATE A USER'S GUIDE FOR THE RARGBC

Committee Review:

Public Utilities Committee (Scheduled)	02/15/14
Finance Committee (Scheduled)	01/21/14
Council (Request to Publish)	01/29/14
Council (Public Hearing)	02/26/14

20. MATTERS FROM STAFF (5 MINUTES)

21. MATTERS FROM THE COMMITTEE (5 MINUTES)

22. MATTERS FROM THE CHAIR (5 MINUTES)

23. NEXT MEETING: MONDAY, JANUARY 27, 2014

24. ADJOURN

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

**SUMMARY INDEX FOR
PUBLIC WORKS/CIP & LAND USE COMMITTEE
January 6, 2014**

ITEM	ACTION	PAGE
1. Call to Order	Convened at 4:45 p.m.	1
2. Roll Call	Quorum Present	1
3. Approval of Agenda	Approved as amended	1
4. Approval of Consent Agenda	Approved as amended	2
5. Approval of Minutes December 9, 2013	Approved as presented	2
INFORMATIONAL AGENDA		
6. Update to Facilities Plan	Presentation by Isaac Pino	2
7. Parks Bond Audit Summary	Presented by Isaac Pino	2-7
CONSENT AGENDA LISTING	Listed	8-10
CONSENT AGENDA DISCUSSION		
12. Airport Landing Fees	Approved	10-12
19. Green Code Amendments	Approved	12-14
20. Matters from Staff	Discussion	14
21. Matters from the Committee	Discussion	14-15
22. Matters from the Chair	None	15
23. Next Meeting	January 27, 2014	15
24. Adjournment	Adjourned at 6:15 p.m.	15

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

MONDAY, JANUARY 6, 2014

1. CALL TO ORDER

A regular meeting of the Public Works/CIP & Land Use Committee was called to order on the above date by Chair Rebecca Wurzbarger at approximately 4:51 p.m. in City Council Chambers, City Hall, 200 Lincoln Avenue, Santa Fé, New Mexico.

2. ROLL CALL

Roll Call indicated the presence of a quorum as follows:

MEMBERS PRESENT:

Councilor Rebecca Wurzbarger, Chair
Councilor Christopher Calvert
Councilor Peter Ives
Councilor Christopher Rivera

MEMBERS ABSENT:

Councilor Ronald S. Trujillo [excused]

STAFF PRESENT:

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

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

3. APPROVAL OF AGENDA

Mr. Pino said #13 is to be postponed indefinitely.

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

4. APPROVAL OF CONSENT AGENDA

Councilor Ives asked to be listed as a co-sponsor on items 17 and 18.

Councilor Rivera asked for discussion on items 12 and 19.

Councilor Calvert asked to be listed as a co-sponsor on item 18.

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

5. APPROVAL OF MINUTES FROM DECEMBER 9, 2013 PUBLIC WORKS COMMITTEE MEETING

Councilor Calvert moved to approve the minutes of December 9, 2013 as presented. Councilor Rivera seconded the motion and it passed by unanimous voice vote.

INFORMATIONAL AGENDA

6. UPDATE TO FACILITIES PLAN (ISAAC PINO)

Mr. Pino said they were considering the possibility of running another CIP bond in the next year and had not determined it yet. If they decided to, they would request money to get the facility plan done in the capital project request line. It would still be in the neighborhood of \$300,000 and a natural fit for the CIP bond. He thought within the next few weeks they would have a better read on the size bond needed going into the new fiscal year.

Chair Wurzbarger asked if by March the Committee could have some direction on that.

Mr. Pino agreed.

Chair Wurzbarger recalled at one point the Committee discussed helping out the libraries as a place to start. She asked if they could factor that into the discussion. Mr. Pino agreed.

Chair Wurzbarger recognized they needed the facilities plan for the overall view but even without, they could explore the library option sooner or later. Mr. Pino agreed that made sense.

7. STAFF SUMMARY ON PARKS BOND AUDIT (ISAAC PINO)

Chair Wurzbarger explained it was proper for the Public Works Committee to have a chance to hear about it, even though it appeared to be outside the scope of this Committee, coming from POSAC members. Now they had a resolution on the matter and Public Works was responsible for this area so that was why it was on this agenda. She welcomed their input too.

Mr. Pino clarified this report was an oral recitation on the history. There was some additional information they would discuss that was in the packet he would hand out later.

They were trying to wrap up the 2008 Parks Bond and staff took to POSAC an incomplete list of projects and project status. It was close to being finished but not completely finished. The condition of the report was such that it raised a number of questions from POSAC and they prepared a list of questions and submitted them for staff response. We were not sure how long it would take to respond to the questions so Finance Committee asked him to appear before them to discuss the issues and did at their last meeting. At that meeting staff committed to prepare answers to the POSAC questions and present those responses at the December POSAC meeting which they did.

But at the Finance Committee there was a key element that was still being prepared. The Finance Chair requested at that meeting a listing of all employees who had been paid by the parks bond and who had been paid overtime through it.

He explained that Ms. Garcia began putting the list together but didn't finish it before the holidays and it should be very close to finished now.

He gave POSAC spreadsheets they requested and informed them what was left to do. Who was paid and what amounts were still the POSAC key questions. It was the issue of propriety of the City paying City employees on some of those projects. The package he prepared for today dealt with that issue. He provided a hard copy for the Committee. [A copy is attached to these minutes as Exhibit 1.]

For all action, he wanted to provide the Committee with all the information and that was what the Councilors would find in that package. While the 15 questions were not completely answered, the plan was to provide the rest to POSAC and to follow the direction of this Committee and Finance Committee on what we need yet to develop. Only one tab answered the questions. The rest was additional information.

Chair Wurzbarger suggested that the Committee take the time to study this and make it an action item at next meeting.

Councilor Rivera said that was okay but he wanted to ask a couple of questions. If the answer was in the packet, Mr. Pino could just refer to the packet. He wondered what the original language was that the City gave to the voters and if the Committee could have a copy. Mr. Pino agreed.

Councilor Rivera noted in there that the City included several trails at the MRC and he asked if the language for the bond allowed that to fit into the scope of the parks bond.

Mr. Pino said there was information on that in the packet under tab 7. They had lots of discussion at POSAC on that issue so he included the minutes that provided the actions on the changes in the scope of the work. One question was whether the City was paying salaries for employees at the golf course out of bond funds.

Councilor Rivera if bond monies had been used to subsidize any departments.

Mr. Pino said that was never done.

Councilor Rivera asked if there was no attempt to balance the budget at the end of the fiscal year and then repay the parks bond when the new fiscal year came along.

Mr. Pino said that was never done.

Councilor Rivera asked if bond monies were used to purchase equipment not associated with parks improvements.

Mr. Pino said that was not done.

Councilor Rivera saw in the initial packet that when projects were at or near completion phase that statements were made that based on what POSAC had recommended when someone in the Parks Department deemed that equipment was not necessary that they then did not complete the work. He asked how that decision would have been made and who made those decisions.

Mr. Pino said, referring to the POSAC questions, that there were three small parks identified and he responded with what was done. At Monica Roybal, they decided not to plant trees because there was no irrigation system. So that was not done.

Councilor Rivera asked who decided not to plant the trees.

Mr. Pino said staff made the decision.

Councilor Rivera asked if that was the typical way those decisions were made.

Mr. Pino agreed. Policy issues come to the committees and Council. But not the work schedules.

Councilor Rivera asked if the Council approved the plans for the pocket parks.

Mr. Pino said not necessarily. The work could be put out for bid but doing the work by staff was cheaper.

Councilor Rivera asked if the change orders didn't come back to Council.

Mr. Pino said POSAC was pretty well informed. At Don Diego Park, they explained to POSAC why the decisions were made regarding irrigation. Somebody other than city staff was involved in that.

Councilor Rivera asked why something would come back to Council to approve or disapprove. Mr. Pino said the reallocation was presented to Council for action. It was consolidated in form.

Councilor Ives noted that Tab 1 in the packet was the resolution and asked what its status was.

Mr. Pino said it was passed in August and asked for two things - that each bond project be included in the listing be called out by name, and that the Audit Committee develop a policy on when and how bond projects would be elected in the future.

Chair Wurzburger added that the Finance Director would address that for the Committee.

Chair Wurzburger welcomed Maurice Lierz to speak to the resolution and Marcos Tapia and to speak to how it fits in the finances.

Mr. Tapia said the Finance Department did a lot of reviewing on this matter, especially how it came about in August. One of the biggest things was an assumption that an audit could be paid out of bonds and realized it could not. Those costs had to come from the General Fund. Once they get the listing of those auditors that the City could use (that has not happened yet), it can be done. It has to be done in this fiscal year. And it would include all parks bond projects that would be completed by June 30, 2014.

He added that all contracts and all purchases went through our audit. Whether it was appropriate to do it as part of the CAFR, we were not sure. That was where we were right now. The next Audit Committee meeting would address it and bring a recommendation on whether that was in the best interest of public and City to do that.

Mr. Lierz said he had worked closely with Mr. Tapia on this and other issues. They met on Friday and started with where they were now with the changing condition on Resolution 2013-80. He put together a memo on this as requested and clarified that it was solely his own work and had not reviewed by anyone. [A copy of his memo is attached to these minutes as Exhibit 2.]

Chair Wurzburger understood he would take it to the Audit Committee to get their ideas. Mr. Lierz agreed.

Mr. Lierz explained that the resolution has not been completed because of changing conditions. He went through four items.

1 - It wasn't appropriate to do this audit in the CAFR.

2 - The auditors the City used last year could have rolled it in as a special part. But they cannot qualify for auditing the City at June 30 2014 because they had done the CAFR audits for the last five years and

that encompassed all but the current year.

3 - They have a 2-stage audit. The annual CAFR has included the first layer of budgetary accounting. All expenditures were subject to approved budgets by Council and State. But this here was the latter part - a separate layer of auditing of specific expenditures that must be done on a separate basis. So it was supplementary accounting going on to account for bond expenditures. That was the gap at the moment.

They had a thick document and it included a statement of how the funds were restricting and how it should be expended. It was on the bond issue itself. That was the focus he believed the Committee intended to happen.

4 - No specifics of the park bonds were done and that was what this audit was intended to cover.

Mr. Lierz said one possible future action would be to amend the resolution for special external audit from beginning until March 31 or whenever they would like to have the cut-off.

He said this past year the Committee did provide a special audit on parking. Annually they have done audits of Lodger's Tax and in those audits, using acceptable auditing terminology they would agree on procedures. It would be limited in nature.

Secondly, the Audit Committee would deal with procedures - how the expenditures charged against the 2008 Park Bond funds would be identified.

Thirdly, given that the current auditors can no longer do the CAFR, the approximately \$20 million of those expenditures, if included in the CAFR, would have been audited at a higher level in their tests.

His last recommendation was that the City consider forming a special committee headed by the City's internal auditor. She was responsible for dealing with the RFP and the audit contract on the Lodger's Tax. So the recommendation would be to use the internal auditor to select an external auditor for the 2008 park bond funds audit. To assist her they might have staff from Public Works Department, Finance Department and a member of the Audit Committee to make the selection. This was provided as general information.

Chair Wurzbarger thought in their discussion they had also include a member of POSAC.

Mr. Lierz agreed and that could be done.

Chair Wurzbarger asked for discussion and direction.

Councilor Calvert understood the auditor couldn't do this year's. But the rationale for separating this from the CAFR might make the auditor a good candidate for doing this special audit. That might be a good reason for separating them as they were already familiar with some of these expenditures. It would reduce their learning curve.

Mr. Lierz said the Audit Committee was thinking of asking the Legal Department whether we could sole source with the existing auditors, given their background. So they were trying to do it in the most cost-effective way.

Councilor Calvert didn't think they would have to sole source it but the criteria in the RFP could include familiarity with the subject matter. So they wouldn't have to go that route to get the people with the experience.

He also he pointed out that in the conditions of the bond issue and language of the issue that the ballot language was very general. Councilor Ortiz made sure they had a master plan for what they were going to do with the money. That was essential because it was what staff used as a guide in what they did.

Councilor Ives thanked Mr. Lierz for putting the memo together. He asked what Mr. Lierz's sense of the cost would be.

Mr. Lierz said he had no idea at present but some initial work on costs was included for background material.

Councilor Calvert thought that was based on including it in the CAFR.

Mr. Pino recalled that bond proceeds couldn't be used for the audit and that it would cost \$80,000.

Mr. Tapia estimated it would be between \$40,000 and \$80,000 and would depend on how deep they went in the scope. They would have to use unbudgeted funds for this.

Councilor Ives asked in 2-C of the memo, if the \$30 million materiality in that context was referring to it as a fiscal issue.

Mr. Lierz agreed. Generally for auditors, materiality was thrown out as up to 10% and deviation over that percentage was material. This would be auditing to the standard of \$30 million so \$3 million could be material deviation. It meant the auditor would have to do more sample testing to meet the criteria of a smaller universe.

Mr. Tapia clarified that there was materiality but that didn't mean there would be some item not tested. They needed to make sure the contract itself was also tested. They would audit all the processes in their sample to make sure the City followed the rules.

Councilor Ives said a reason he was struggling with this was the question whether the bond proceeds were used as approved by the voters - not so much quantities but actual compliance with the language under the law.

Mr. Tapia commented that from what he reviewed and the reports, the issues of whether the funds could be used for maintenance answer was yes in terms of what was put on the ballot. It could be for any

improvement of parks and/or trails. The auditor would use all of that information in their work.

Chair Wurzbarger thanked them for the report.

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01/08/14

CONSENT DISCUSSION AGENDA

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01/29/14

Councilor Rivera thought the fiscal impact didn't seem that significant and wondered if the end users were aware of this. He asked how long this had been in place.

Ms. Jesson said for those with leases it had been in place since their inception in 2010.

Councilor Rivera asked if the Airport Advisory Committee had discussed this and when.

Ms. Jesson said it was at their October meeting. She clarified that it could impact the airport if the airlines objected to the resolution making the fee \$3 instead of 90 cents.

Ms. Amer said it depended on what the lease said.

Chair Wurzbarger noted that there were already contracts in place at \$20 and some were not paying that. There was good rationale for everyone paying the same amount.

Councilor Rivera asked who was included as in everyone.

Ms. Jesson said charter airlines didn't have a contract so they pay 90 cents.

Councilor Rivera asked if it would have a negative impact.

Ms. Jesson explained that because the airport accepted FAA funds, they were not allowed to discriminate like users and charter and commercial were like airlines. That was her concern.

Councilor Calvert thought they were already discriminating.

Ms. Jesson agreed and they needed like rates for like users.

Councilor Ives said he had asked earlier whether the action by Council on leases would modify that updated resolution. He didn't get anything back from Legal and asked what Ms. Amer's opinion was.

Ms. Amer said the negotiations with those three airlines has the new rate and the only way to make it uniform was to formally amend the rates.

Councilor Ives understood and agreed with the action but he was not aware that the FAA considered charters were equivalent to common carriers. He was all for making equivalency and getting everyone on the same page.

Councilor Calvert thought it might be hard to find a similar airport situation but wondered what the going rates were at equivalent airports.

Ms. Jesson said most airports set their rates in order to recover actual expenses. Larger airports adjust their rates annually based on expected expenses. Roswell has a similar service but she didn't know what they charged for landing fees. They all operate a little different.

Councilor Calvert said it would be informative to know what they or other similar airports charged in

order to determine if our fee was within reason and did cover operations.

Ms. Jesson said she could provide that.

Councilor Calvert moved to approve the requests. Councilor Rivera /seconded the motion and it passed by unanimous voice vote.

**19. GREEN BUILDING CODE AMENDMENTS (COUNCILORS CALVERT, IVES AND BUSHEE)
(KATHERINE MORTIMER)**

- **REQUEST FOR APPROVAL OF AN ORDINANCE RELATING TO THE RESIDENTIAL GREEN BUILDING CODE; CREATING A NEW SUBSECTION 7-4.3 SFCC 1987, TO ESTABLISH A RESIDENTIAL ADDITION AND REMODEL GREEN BUILDING CODE FOR SINGLE FAMILY ATTACHED AND DETACHED; AMENDING EXHIBIT "A" TO CHAPTER VII TO CREATE A NEW CHAPTER 2 TO ESTABLISH DEFINITIONS, TO CREATE A NEW ITEM 802.6 REGARDING ROUGH PLUMBING FOR FUTURE USE OF GRAY WATER, TO CREATE NEW CHAPTERS 11 AND 12 TO ESTABLISH CHECKLISTS FOR REMODELING AND REMODELING OF FUNCTIONAL AREAS AND SMALL ADDITIONS AND TO CREATE A NEW APPENDIX B TO ESTABLISH WHOLE BUILDING VENTILATION SYSTEM SPECIFICATIONS**
- **REQUEST FOR APPROVAL OF A RESOLUTION AMENDING THE ADMINISTRATIVE PROCEDURES FOR THE SANTA FÉ RESIDENTIAL GREEN BUILDING CODE ("RGBC") TO GRANT THE LAND USE DIRECTOR THE AUTHORITY TO MAKE ADMINISTRATIVE CHANGES TO THE RGBC USER'S GUIDE AND TO ADD ITEM 802.6 TO THE USER'S GUIDE; ADOPTING ADMINISTRATIVE PROCEDURES FOR THE CITY OF SANTA FÉ RESIDENTIAL ADDITION AND REMODEL GREEN BUILDING CODE ("RARGBC"); AND DIRECTING STAFF TO CREATE A USER'S GUIDE FOR THE RARGBC**

Committee Review:

Public Utilities Committee (Scheduled)	02/15/14
Finance Committee (Scheduled)	01/21/14
Council (Request to Publish)	01/29/14
Council (Public Hearing)	02/26/14

Councilor Rivera said there was no FIR in his packet. He asked Ms. Mortimer to elaborate on that.

Ms. Mortimer said the impact would be the need for two added staff - one additional reviewer and one additional inspector. The impact was not finalized. There would be some fees for computers and software.

Councilor Rivera said it would be computers and a vehicle for the inspector. Ms. Mortimer agreed.

Councilor Rivera asked about the request for these positions.

Ms. Mortimer said she was working with Mr. O'Reilly on these.

Councilor Rivera assumed they couldn't do this work with existing staff.

Mr. O'Reilly explained that they were currently short two budgeted inspectors and might have them hired in 30 days. If they were able to hire those two special people with the skills needed for this work then they would not need any additional plan review positions.

Councilor Rivera asked if the fiscal impact was still up in the air.

Mr. O'Reilly responded that one of the bright spots in the city budget was that development was going on and that meant more work and they were now at the lowest staffing level since he started working here. There were certain things they could do with current staff but this would require more special and multiple skills. Budgets have been flat. In order to get multi-use staff, they would have to hire certified staff. The City had never had opportunity to do that. They had to wait until the time was right to hire strategic folks with multiple certifications - residential, commercial, plumbing and electrical. Those people were hard to find but if he could find them they would likely not need the extra positions shown here.

Councilor Rivera asked how that would be handled when new positions might or might not be needed.

Chair Wurzbarger suggested the Committee could approve the concept but they would need clarity before it went forward.

Mr. O'Reilly said they would still achieve inspections within 24 hours on building inspections. That was the goal. By comparison, the State might have much longer waits. Building permits continued to rise and if it continues that way, they would need additional inspectors. They have already taken over inspections in the annexation area.

Chair Wurzbarger thought it was confusing in this particular resolution whether these positions would be needed or would be there if this was approved.

Mr. O'Reilly reiterated that if they could find multi-certified people, they would not need additional staff. A commercial green building code would be entirely different.

Chair Wurzbarger suggested adding language "unless the City were able to fill these vacant positions with qualified people."

Councilor Ives noted the resolution speaks to employment one way or another. It makes sense for the resolution. We could simply ask for clarification of the FIR.

Councilor Calvert was still a little unclear about it. If you didn't get these two filled with the right people, you would still need these two more. So if you didn't fill them with the people you need, he asked how much of that was attributable to this particular ordinance. He was trying to understand the incremental impact of this ordinance.

Mr. O'Reilly said the residential permits processed for remodels were two to three times the numbers for brand new structures. The green code takes work to help people comply with this. The one staff member they have now sometimes has to spend many hours on one application. That means he is overloaded. He hate to give up on the idea of having a group of multi-certified, cross-trained employees. If we can't find those people, we might have to cannibalize thee positions.

Chair Wurzbarger thought they could modify the FIR. It was our goal as a city and in Mr. O'Reilly's department to get those multi-certified people.

Mr. O'Reilly said he and Ms. Mortimer could revise the FIR to make that clear.

Councilor Rivera felt no one was opposed to hiring additional staff so he suggested they put in the FIR that they could hire if more money was needed for those now being sought, versus hiring two more full-time employees with another vehicle and equipment. But it sounded like he would prefer the super reviewer.

Mr. O'Reilly agreed.

Councilor Rivera asked if it was a matter of money or lack of people to find.

Councilor Calvert thought they would find out this week.

Mr. O'Reilly thought it was both.

Councilor Ives moved to approve the request as amended. Councilor Calvert seconded the motion.

Councilor Calvert recalled they had a fiscal impact at the passing of the Green Code for 1.5 FTE and part of the deficit was from not hiring those people. It seemed they were laying the blame just on this ordinance but it was really two or three events.

Mr. O'Reilly added that it was partially due to the downturn in the economy and that saved us.

The motion passed by unanimous voice vote.

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

20. MATTERS FROM STAFF

There were no matters from staff.

21. MATTERS FROM THE COMMITTEE

Councilor Ives thanked the staff for their responsiveness on a number of issues that were not in the packet. The process was very helpful to him.

Councilor Rivera asked if Mr. Pino could email him those areas that need street light attention.

Mr. Pino agreed.

Chair Wurzburger thanked staff for providing the garbage pick-up during the holidays.

Councilor Ives gave special thanks to everyone who was collecting recyclables on the two Wednesday holidays. People appreciated those city services on those days.

22. MATTERS FROM THE CHAIR

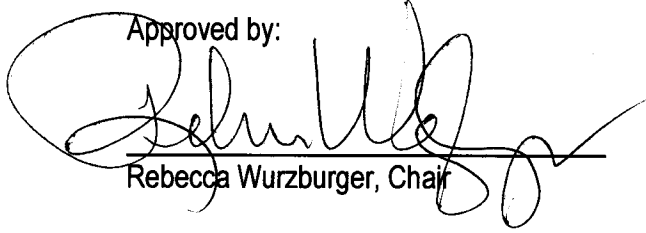
There were no matters from the Chair.

23. NEXT MEETING: MONDAY, JANUARY 27, 2014

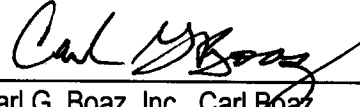
24. ADJOURNMENT

The meeting was adjourned at 6:15 p.m.

Approved by:


Rebecca Wurzburger, Chair

Submitted by:


Carl G. Boaz, Inc., Carl Boaz

INDEX

1. Resolution 2013-80: Requesting Audit of 2008 GO Parks Bond: See Item 11
2. Memo from Finance, dated: November 14, 2011
3. Committee Approvals for reallocation of funds: See Exhibits/descriptions below:

2008 Parks Bond Chronology includes the following items:

- 3A (Exhibit 1) June 27, 2011: Public Works Committee meeting
Discussion Item 13, Page 8-11, Request for approval of reallocation. Asks questions in regards "usableness" of Melendez Park. The minutes/agenda help to answer POSAC's question #2. **Also, see Page 11, Robert states the Parks Bond was a maintenance bond, replacing trees or irrigation systems. Not all of it was making a new playground.
 - 3B (Exhibit 2) November 14, 2011: Finance Committee reallocation approval
Refer to page 33 beginning of meeting minutes & 34/35 vetting of information to use Parks GO Bond money for administrative, maintenance, labor, and R&R.
 - 3C (Exhibit 3) November 15, 2011: POSAC reallocation approval/meeting minutes
Refer to page 4. Reallocation was an item on the agenda
 - June POSAC: pages 4-7 vetting of information to use Parks GO Bond funds for administrative, maintenance, labor, and R&R.
 - July POSAC: pages 3-5 vetting of information to use Parks GO Bond funds for administrative, maintenance, labor, and R&R.
 - August POSAC: pages 5-6 vetting of information to use Parks GO Bond funds for administrative, maintenance, labor, and R&R.
 - October POSAC: page 12
 - 3D (Exhibit 4) November 30, 2011: City Council approval the reallocation
Refer to Public Hearings, Proposed Bond Issues, Item C, Page 47-49. This section, page 47, Councilor Dominguez moves (seconded by Councilor Romero) to approve Option 2 reallocation, page 48 Councilor Ortiz thanks staff and states that having their salaries referring to Parks staff tucked in to bond & work getting done is why he votes "yes" to reallocation.
4. November 16, 2009: Public Works approval:
Refer to Discussion Item 13, page 3. The agenda & minutes help to answer POSAC's question #5 in regards to the MRC projects. Staff took recommendations to POSAC & they concurred with changes.
 5. POSAC Packet: dated 12/17/13
 - Executive Summary
 - Questions & Answers
 - Individual Park Summaries
 - Spreadsheet #1

EXHIBIT 1
Public Works Committee
January 6, 2014

**1. Resolution 2013-80:
Requesting Audit of 2008 GO Parks
Bond:
See Item 11**

1 **CITY OF SANTA FE, NEW MEXICO**

2 **RESOLUTION NO. 2013-80**

3 **INTRODUCED BY:**

4
5 Councilor Wurzbarger

6 Councilor Bushee

7 Councilor Ives

8
9
10 **A RESOLUTION**

11 **DIRECTING STAFF TO ACQUIRE A THIRD-PARTY INDEPENDENT AUDIT OF THE**
12 **2008 PARKS, TRAILS AND OPEN SPACE BOND UPON COMPLETION OF PROJECTS**
13 **AUTHORIZED IN ACCORDANCE WITH THE BOND.**
14

15 **WHEREAS**, in March 2008, the voters of the city of Santa Fe approved the issuance of
16 general obligation bonds for \$30,300,000 in order to acquire land for and to improve public parks,
17 trails and open space for recreational purposes ("2008 Bond"); and

18 **WHEREAS**, city of Santa Fe Resolution No. 2007-22 created the Parks and Open Space
19 Advisory Commission ("POSAC"); and

20 **WHEREAS**, part of the duties and responsibilities of POSAC is to "provide ongoing advice
21 regarding all park and open space related issues including, but not limited to, the acquisition, dedication,
22 planning, development, construction, operation and maintenance" and

23 **WHEREAS**, at the June 18, 2013 POSAC meeting, POSAC approved a motion to recommend to
24 the Governing Body that before any money is re-obligated, a third-party independent audit of the
25 2008 Bond be conducted and shared with the public, providing information on how the Bond money

1 was allocated; and

2 **WHEREAS**, the comprehensive projects are nearing 99% completion; and

3 **WHEREAS**, the expenditures of the 2008 Bond money are in the final stages and upon
4 completion of all current projects, an audit is needed to identify exactly how much funding is
5 available for re-obligation; and

6 **WHEREAS**, as part of the 2008 Bond Campaign, the City committed that all funds would be
7 protected in a separate bond fund, subject to independent annual audit; and

8 **WHEREAS**, if such an audit is commissioned the associated costs can be paid with money
9 from the [2008 Bond] general fund.

10 **NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE**
11 **CITY OF SANTA FE** that the Governing Body authorizes staff to audit, as part of the City's regular
12 annual external financial audit, all projects funded by the 2008 Bond and completed by the end of FY
13 2013.

14 **BE IT FURTHER RESOLVED** that the findings of the audit shall be made available for
15 public inspection.

16 **BE IT FURTHER RESOLVED** that staff is directed to:

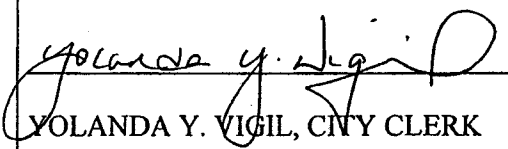
- 17 1. Collaborate with the City of Santa Fe Audit Committee to establish an audit policy
18 related to City of Santa Fe bond issues; and
19 2. Present the proposed policy to the Governing Body for approval.

20 **PASSED, APPROVED and ADOPTED** this 27th day of August, 2013.

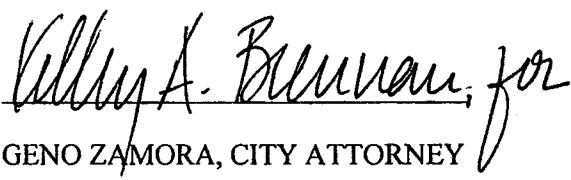
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23 **DAVID COSS, MAYOR**
24
25

1 ATTEST:

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3 
4 YOLANDA Y. VIGIL, CITY CLERK

5 APPROVED AS TO FORM:

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8 GENO ZAMORA, CITY ATTORNEY
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M/Melissa/Resolutions 2013/2013-80 Park Bond Audit (w_W Amends and FC Amends)



**2. Memo from Finance, dated:
November 14, 2011**

City of Santa Fe, New Mexico

memo

CONFIDENTIAL
ATTORNEY-CLIENT PRIVILEGE

Date: November 14, 2011

To: Councilor Bushee

From: Dr. Melville Morgan, City of Santa Fe Finance Director

Issues:

1. Can the City pay for the salaries of City employees who do work that is clearly connected to designated City projects that link to proceeds from the City's GO Bond Series?
2. What is the overall indebtedness of the City? What is the principal and interest schedule?
3. What can we use to support debt and other "operations"?

Conclusion #1:

1. *Can the City pay for the salaries of City employees who do work that is clearly connected to designated City projects that link to proceeds from the City's GO Bond Series?*

Yes, as long as the City employees' daily work is directly connected to the language and projects in the Bond. This decision needs to be made on a case-by-case basis depending on the specific facts pertaining to the exact type of work being performed by City employees.

The New Mexico State Board of Finance Rule on Bond Project Disbursements is relevant to this question. This Rule applies to state agencies that receive severance tax bond and general obligation bond appropriations. It specifically states it does not apply to local public bodies. Therefore, it is only guidance to local public bodies. Nevertheless, the pertinent part of this Rule is found in 2.61.6.8 G (6) and (7) NMAC which states the following regarding whether or not bond proceeds can be used to pay for operating costs/expenses (salaries and in-house labor) or indirect expenses::

(6) Operating expenses - unless expressly provided for by statute, bond proceeds may not be used to pay for operating expenses (e.g. salaries and in-house labor).

(7) Indirect expenses - generally, the legislation authorizing the issuance of bonds prohibits the use of its proceeds for indirect expenses (e.g. penalty fees or damages other than pay for work performed, attorney fees, and administrative fees). Such use of bond proceeds shall not be allowed unless specifically authorized by statute.

The answer to question #1 has to do with when and whether a person's salary is a direct expense/cost or when and whether the salary is an indirect expense/cost. In other words, if the City would have hired a contractor to do a certain job, like install a sprinkler in a park, but instead the City, for cost effective reasons, uses a City employee to install the sprinkler, then the salary of that City employee who installs the sprinkler is a direct cost (the hours one actually works to install the sprinkler). This means bond proceeds are limited to the payment of salaries for the number of hours (or % of an FTE) of direct field workers or direct project managers, i.e.,

for the number of hours that public works employees are actually doing the work of the CIP project. The rationale is that the costs of direct field workers and direct project managers are not “indirect expenses”. Since the City can use bond proceeds to pay independent contractors to be field workers on projects, then likewise the City can use bond proceeds to pay for the salaries (the hours spent or % FTE) of field workers that are City employees.

When considering the use of the bond proceeds to pay salaries, key points needs to be considered:

- Can the City accomplish the projects without supporting the salaries of the employees through bonds?
- Does it make sense – financially or realistically – to use outside contractors that may cost more or about the same when the City could keep its staff employed and do the work in-house?
- Would supporting employees through the bond relieve stress on the operating budget and allow more flexibility to meet budget? Stated more clearly, would employees working directly inside the scope of the bond be affected adversely if they were not included in the bond?
- What is the plan for paying for employees or continued employment once the bond projects are completed?

We analyzed our financial data and determined the following:

Bond Proceeds(GO/GRT)						
Date	Bond Issue	Date of Issue	Issue Amount	Salaries Paid From Total Proceeds by Year	Number Term Employees (Labor)	Number of Permanent Employees
1999	GRT	11/30/1999	\$18,500,000			
2002	GRT	02/01/2002	\$17,995,000			
2004	GRT	02/01/2004	\$18,660,000			
2006	GRT	02/14/2006	\$17,710,000			
2008	GO	06/10/2008	\$20,000,000			
2010	GO	11/01/2010	\$10,000,000			
06/30/2009				\$740,525.11	88	0
06/30/2010				\$1,490,096.37	129	7
06/30/2011				\$1,758,045.63	100	7

The issue is whether or not the daily work City employees are performing fits within the question voted on by the electorate because, pursuant to the New Mexico Constitution:

Article IX Section 12, and Article IX, Section 9, bond proceeds can only legally be used for the purposes voted on by the electorate. Article 9, Section 9 states: “Any money borrowed by the state, or any county, district or municipality thereof, shall be applied to

the purpose for which it was obtained, or to repay such loan, and to no other purpose whatever.”

Additionally, New Mexico Attorney General Opinions 2010-04, 58-234, 5656 (1953) and 5957 (1953-1954) support the proposition that a municipality is required to use funds for the purposes specified in the ordinance passed by the governing body for issuing the bonds, the notice of election on the bond issuance and in the question posed on the ballot.

As a related issue, recently, the Attorney General decided that a school district could use bond proceeds for projects that were not specifically set forth in the district’s voter brochure, as long as the project was within the scope of the ballot question.

Based upon the Attorney General Opinions cited above interpreting the New Mexico Constitution, as long as the City employees’ daily work is directly connected to the language and projects in the Bond, then the cost of the salaries of those employees may be paid for from bond proceeds.

Conclusions #2 and #3:

- 2. What is the overall indebtedness of the City? And, what is the principal and interest schedule? (please see debt and debt schedule below)*
- 3. What can we use to support debt and other “operations”?*

It is important to note that GO bond is approved by voters to provide revenue to support building projects and the like through a property tax. GRT is generated by tax revenue and gives the taxing entity room to use these funds for many things that are necessary to operate. Please note that using property tax for operations does not require nor is it allowed to go to voters. It is this type of funding we can use to pay firefighters -- not bond proceeds as has been discussed. This is a Council decision.

Historically, the City Council has engaged in the issue of ½% CIP GRT bonds every two years. While we have five outstanding bond series, the last of which will not be retired until 2035, through careful financial management, we have been able to meet obligations and maintain the flexibility of being able to issue new bonds. Maintaining careful financial management over time, and over the life of the bond series, will continue to be a challenge because the risk remains that the more debt incurred inside the fund, the less flexibility there will be available in future years. We can continue to support a \$20 million ½% CIP GRT bond issue as it was planned for and budgeted in the 2011-2012 budget. We will also be retiring one bond series this year; however, we will not retire another bond series again until 2015.

Currently, we have five ½% CIP GRT bond series (including the series we will be retiring) outstanding with a final retirement of 2035 for the last series. Specifically, our current outstanding CIP GRT debt service per year is \$11,869,266 with a retirement of the 2008 bond in 2012 in principal and interest of \$7,300,000. The amount of CIP GRT revenue budgeted for 2011-2012, given transfers in, transfers out and projected expenditures is projected to be \$14,375,000. We will use this number to project revenue for the next budget year, in other words, a flat but not declining revenue source result. While the table below clearly shows that the TOTAL DEBT and DEBT SERVICE combined is \$460 Million, the debt is divided into

three major portions or groups: CIP GRT, GO, and Enterprise. Each of those groups is supported separately with CIP GRT funds coming from CIP GRT, GO coming from property tax, and Enterprise coming from the enterprise fund itself. Historically, each of the three groups has supported its total debt. This same type of support is projected to continue.

The ½% CIP GRT was originally designed to support debt service, however, in recent years, other programs and recurring obligations like the Golf Course, the Genoveva Chavez Center, and the Southside Library have been included in this fund because there was simply no other place to provide for this recurring expense. The amount needed to continue these recurring expenses is approximately \$3.2 million per year. For the 2012-2013 budget, we will make a concerted effort to reallocate some or all of these expenditures budgeted to the ½% CIP GRT to other funding sources in order to increase the flexibility of the entire budget. However, we must be realistic given all sources of revenue and hold this as a goal and not a finite result.

It is important to note that total annual debt service on senior lien CIP GRT debt cannot exceed the CIP GRT income. In addition to CIP/GRT debt service the senior lien CIP/GRT debt includes approximately \$590 thousand of annual debt service tied to the convention center.

In an earlier document, the Mayor and City Council were presented with the following table that communicates the Options available for issuance of new CIP GRT bonds.

Options	Term	CIP/GRT debt service amount	Availability for next bond
Option 1 \$20 million	14 years	\$12 million	2014/2016/2018 etc.
Option 2 \$22.6 million	14 years	\$12.4 million	2014/2016/2018 etc.
Option 3 \$24.3 million	14 years	\$12.4 million	2014/2016/2018 etc.

The debt and debt schedule is as follows:

DESCRIPTION OF BONDS AND PURPOSE		DATE OF ISSUE	YEAR DUE	AMOUNT OF ISSUE	PRINCIPAL OUTSTANDING 6/30/11	INTEREST OUTSTANDING 6/30/11	PRINCIPAL PAYABLE 11/12	INTEREST PAYABLE 11/12	PRINCIPAL OUTSTANDING 6/30/12	INTEREST OUTSTANDING 6/30/12	TOTAL DEBT OUTSTANDING 6/30/12
RT Rev. bonds 2004A	CIP	02-01-2004	2018	18,660,000	14,415,000	3,742,331.25	-	631,781	14,415,000	3,110,550	17,525,550.00
RT Rev. bonds 2006	CIP	02-14-2006	2020	17,710,000	14,950,000	4,270,000.00	190,000	731,750	14,760,000	3,539,150	18,299,150.00
RT Rev. bonds 2005 - IP	CIP Cen Ctr	04-07-2005	2035	20,135,000	20,115,000	9,462,637.50	-	1,030,363	20,115,000	5,422,275	28,537,275.00
RT Refunding bonds 2008B	CIP	12-18-2008	2012	22,760,000	7,060,000	282,400.00	7,060,000	282,400	-	-	0.00
RT Refunding bonds 2010A	CIP	12-14-2010	2015	15,005,000	15,005,000	1,887,700.00	-	622,600	15,005,000	1,265,100	16,270,100.00
TOTAL RT,CIP BONDS				94,270,000	71,545,000	19,645,969	7,250,000	3,308,894	64,195,000	16,337,075	80,632,075.00
General obligation 2005	Parks	06-10-2005	2025	20,000,000	18,650,000	7,648,924.00	775,000	769,926	17,875,000	6,875,997.75	24,753,997.75
General obligation 2010	Parks	11-01-2010	2030	10,300,000	10,300,000	3,851,109.56	465,000	335,333	9,835,000	3,515,778.56	13,350,778.56
TOTAL GO BONDS				30,300,000	28,950,000	11,500,034	1,240,000	1,105,257	27,710,000	10,394,776	38,104,776.31
RT Rev. bonds 2005 - on Ctr	CIP Cen Ctr	04-07-2005	2035	5,570,000	5,115,000	5,122,175.00	190,000	105,488	7,925,000	5,716,687.50	13,641,687.50
MFA - Conv center	Conv. Ctr	03-28-2006	2035	42,220,000	39,430,000	27,698,275.00	895,000	1,864,925	38,535,000	25,333,350.00	64,388,350.00
RT Refunding bonds 2006B	Solid Waste	07-31-2006	2023	15,160,000	11,735,000	3,955,072.30	760,000	550,473	10,975,000	3,404,700.00	14,379,700.00
Water Refunding bonds 2006D	Water	09-14-2006	2025	49,790,000	43,340,000	17,380,687.64	2,240,000	2,132,094	41,100,000	15,245,593.88	56,345,593.88
Water Utility bonds 2009A B	Water	12-15-2009	2015	59,970,000	59,125,000	69,369,030.00	710,000	3,314,355	58,415,000	66,054,675.00	124,469,675.00
RT Rev. bonds 1997B	WW variable	12-11-1997	2022	20,800,000	15,900,000	5,450,000.00	900,000	795,000	15,000,000	4,655,000.00	19,655,000.00
RT WW bonds 2006C	WW	09-29-2006	2021	9,780,000	7,270,000	2,111,517.30	590,000	149,963	6,680,000	1,762,575.00	8,442,575.00
MRC 2005 Refunding bonds	MRC	05-31-2005	2024	15,315,000	10,835,000	3,065,125.00	825,000	468,528	10,030,000	2,596,297.50	12,626,297.50
RT Refunding bonds 2010B	Rail- yard	12-14-2010	2026	10,490,000	10,250,000	4,206,050.00	230,000	475,000	10,020,000	3,731,050.00	13,751,050.00
TOTAL ENTERPRISE BONDS				232,095,000	206,040,000	139,357,953	7,340,000	10,355,024	198,700,000	129,002,929	327,702,928.88
TOTAL ALL BONDS				356,665,000	306,535,000	170,503,955	15,830,000	14,769,175	290,705,000	155,734,780	446,439,780.19

You had also requested contact information for our bond council:

Duane Brown
Modrall, Sperling, Roehl, Harris and Sisk
500 Fourth Street NW
NationsBank Towers, Suite 1000
PO Box 2168
Albuquerque, NM 87103
Direct (505) 848-1807
Fax (505) 848-9710
Mobile (505) 220-3970
deb@modrall.com

Copies to: Robert Romero, City Manager
Geno Zamora, City Attorney
Judith Amer, Assistant City Attorney

3. Committee Approvals for reallocation of funds: See Exhibits/descriptions below:

2008 Parks Bond Chronology includes the following items:

- **3A Exhibit 1**
- **3B Exhibit 2**
- **3C Exhibit 3**
- **3D Exhibit 4**



3A (Exhibit 1) June 27, 2011: Public Works Committee meeting

Discussion Item 13, Page 8-11, Request for approval of reallocation. Asks questions in regards "usableness" of Melendez Park. The minutes/agenda help to answer POSAC's question #2. **Also, see Page 11, Robert states the Parks Bond was a maintenance bond, replacing trees or irrigation systems. Not all of it was making a new playground.



Agenda

DATE 6/22/11 TIME 1:30p

SERVED BY Beth Morrison

RECEIVED BY [Signature]

**PUBLIC WORKS/CDP & LAND USE
COMMITTEE MEETING
CITY COUNCIL CHAMBERS
MONDAY, JUNE 27, 2011
5:15 PM.**

1. CALL TO ORDER
2. ROLL CALL
3. APPROVAL OF AGENDA
4. APPROVAL OF CONSENT AGENDA
5. APPROVAL OF MINUTES FROM JUNE 6, 2011 PUBLIC WORKS COMMITTEE MEETING

INFORMATIONAL AGENDA

6. STATUS ON SILER ROAD RECONFIGURATION (JOHN ROMERO)

CONSENT AGENDA

7. REQUEST FOR APPROVAL OF EXEMPT PROCUREMENT – SOFTWARE AND HARDWARE UPGRADE FOR PARKING DIVISION; T2 SYSTEMS, INC. IN THE AMOUNT OF \$77,631 (WALTER ROYBAL)

Committee Review:

Finance Committee (Approved)

06/20/11

Council (Scheduled)

06/29/11

8. REQUEST FOR APPROVAL OF THE PARKING DIVISION'S PROPOSED AMNESTY PROGRAM (SEVASTIAN GURULE)

Committee Review:

Finance Committee (Scheduled)

07/05/11

Council (Scheduled)

07/13/11

9. REQUEST FOR CONCEPTUAL APPROVAL OF LEASE AGREEMENT CONTAINING APPROXIMATELY 700 SQUARE FEET WITHIN THE BURRO ALLEY RIGHT-OF-WAY FOR OUTDOOR SEATING APPURTENANT TO THE BURRO ALLEY CAFÉ AT 207 W. SAN FRANCISCO ST. BY MAJED HAMDOUNI (EDWARD VIGIL)

Committee Review:

Finance Committee (Scheduled)

07/05/11

Council (Public hearing)

07/13/11

15. MATTERS FROM STAFF

16. MATTERS FROM THE COMMITTEE

17. NEXT MEETING: MONDAY, JULY 11, 2011

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

MONDAY, JUNE 27, 2011

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 Carmichael Dominguez at approximately 5:15 p.m. in City Council Chambers, City Hall, 200 Lincoln, Santa Fé, New Mexico.

2. ROLL CALL

Roll Call indicated the presence of a quorum as follows:

MEMBERS PRESENT:

Councilor Carmichael Dominguez, Chair
Councilor Christopher Calvert
Councilor Miguel Chávez
Councilor Rosemary Romero
Councilor Ronald S. Trujillo

MEMBERS ABSENT:

STAFF PRESENT:

Mr. Ike Pino, Public Works Director
Ms. Bobbi Mossman, Public Works Staff

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

3. APPROVAL OF AGENDA

Councilor Trujillo moved to approve the agenda as presented. Councilor Romero seconded the motion and it passed by unanimous voice vote. Councilors Calvert and Chávez were not present for the vote.

CONSENT AGENDA

7. REQUEST FOR APPROVAL OF EXEMPT PROCUREMENT - SOFTWARE AND HARDWARE UPGRADE FOR PARKING DIVISION; 52 SYSTEMS, INC. IN THE AMOUNT OF \$77,631 (WALTER ROYBAL)

Committee Review:

Finance Committee (Approved)	06/02/11
Council (Scheduled)	06/29/11

12. SANTA FÉ MUNICIPAL AIRPORT

- REQUEST FOR APPROVAL OF MOLTEN-CORBIN & ASSOCIATES ENGINEERING, ARCHITECTURAL AND PLANNING SERVICES CONSULTANT CONTRACT AMENDMENT #3 WHICH EXTENDS THE CONTRACT FOR THE FINAL ONE ADDITIONAL YEAR TO JULY 2012
- REQUEST FOR APPROVAL OF MOLTEN-CORBIN & ASSOCIATES ENGINEERING ARCHITECTURAL AND PLANNING SERVICES CONSULTANT CONTRACT NEW TASK ORDERS 40 THROUGH 48
- REQUEST FOR APPROVAL OF MOLTEN-CORBIN & ASSOCIATES ENGINEERING, ARCHITECTURAL AND PLANNING SERVICES CONSULTANT CONTRACT MODIFICATION OF EXISTING TASK ORDER 17 FOR RUNWAY PAVEMENT MARKING DESIGN AT THE SANTA FÉ MUNICIPAL AIRPORT (JIM MONTMAN)

Committee Review:

Finance Committee (Scheduled)	07/05/11
Council (Scheduled)	07/13/11

DISCUSSION AGENDA

8. REQUEST FOR APPROVAL OF THE PARKING DIVISION'S PROPOSED AMNESTY PROGRAM (SEVASTIAN GURULÉ)

Committee Review:

Finance Committee (Scheduled)	07/05/11
Council (Scheduled)	07/13/11

Mr. Gurulé presented the request.

Councilor Calvert referred to page 2 of the memo where it said possible collection of \$150,000. He asked if that was net or gross.

Councilor Calvert moved to approve the request. Councilor Trujillo seconded the motion and it passed by unanimous voice vote. Councilor Chávez was not present for the vote.

9. REQUEST FOR CONCEPTUAL APPROVAL OF LEASE AGREEMENT CONTAINING APPROXIMATELY 7- SQUARE FEET WITHIN THE BURRO ALLEY RIGHT-OF-WAY FOR OUTDOOR SEATING APPURTENANT TO THE BURRO ALLEY CAFÉ AT 207 2. SAN FRANCISCO ST. BY MAJED HAMDOUNI (EDWARD VIGIL)

Committee Review:

Finance Committee (Scheduled)	07/05/11
Council (Public Hearing)	07/13/11

Mr. Vigil presented the request.

Councilor Calvert noted that it said conceptual approval and asked if it would come back for another round for actual approval.

Mr. Vigil said it was once through committees to get amendments and changes and then the updated docs were presented for approval.

Councilor Calvert concluded it would go through twice at concept level and then once at contract level. Mr. Vigil agreed.

Councilor Chávez arrived at this time.

Councilor Calvert said this one was similar to what they turned down last time. He wanted to know if there were any of those code violations since it was last heard and also if included in this lease agreement was something to state that any further violations would be grounds for termination of the lease.

Mr. Vigil agreed they could include that. There were broad terms of that now.

Councilor Calvert said because of the prior consideration that paragraph should be specific with that language. Mr. Vigil agreed.

Councilor Calvert referred to page 5 where it talked about use of premises. That should include no use of alcohol on patios because there was not controlled access to that area unless they could prove it was controlled.

Councilor Romero agreed with Councilor Calvert but the Lensic could do those outside receptions with alcohol. It seemed they would have some way to limit it.

Councilor Romero moved to approve the request with a statement in the lease that further violations of the liquor ordinance would terminate the lease, that no patio liquor service be allowed unless the applicant could prove the access was controlled and that sidewalks be accessible at all times by pedestrians and bicyclists. Councilor Trujillo seconded the motion and it passed by unanimous voice vote.

Councilor Chávez wasn't sure about having bicycles zipping through there instead of walking them. It would be safer to have them dismount. He clarified his reluctance in voting for support. This was new to Santa Fé and he thought if it worked and safety measures were in place they still had to be careful. He would give it a chance. There was always a liability when serving liquor. Hopefully it would add to downtown vitality.

Councilor Calvert was not trying to discourage having an outdoor café but some of the rules were not the committee's to determine.

10. REQUEST FOR CONCEPTUAL APPROVAL OF LEASE AGREEMENT CONTAINING APPROXIMATELY 900 SQUARE FEET WITHIN THE BURRO ALLEY RIGHT-OF-WAY FOR OUTDOOR SEATING APPURTENANT TO THE NEW RESTAURANT AT 31 BURRO ALLEY BY RICHARD MONTOYA, MANAGER FOR BOKUM BURRO ALLEY LLC. (EDWARD VIGIL)

Committee Review:

Finance Committee (Scheduled)
Council (Scheduled)

07/05/11
07/13/11

Mr. Vigil presented this request.

Councilor Romero felt this was very similar to the previous one and would like to add landscaping buffers to allow a thoroughfare and license for liquor served on city land.

Councilor Romero moved to approve the request. Councilor Calvert seconded the motion.

Councilor Chávez asked if this restaurant had a license in place.

Mr. Vigil said they were not yet open for business so he was not sure of the license status.

Councilor Romero said it would still follow the ordinance for liquor consumption on city property.

Councilor Chávez asked if it would come back after being amended. Mr. Vigil agreed.

Councilor Chávez asked if it was limited to beer and wine with meals only. Mr. Vigil agreed.

Councilor Calvert said they were asking for the same exceptions on this one.

Councilor Calvert asked if there was a way we could fish or cut bait on this property. If it was not going to be useable he asked if they could consider selling it to the adjacent neighbor. It didn't make sense to keep spending money on it if they were not going to do anything with it.

Mr. Chávez agreed. The Governing Board could look at other options for disposing of the property.

Councilor Calvert noted on page 4 in the chart was safety at crossing at St. Francis and Cerrillos. He presumed they were giving up on anything except an at-grade crossing. Mr. Pino agreed.

Mr. Romero clarified that they were not giving up on the project. It was not part of the original parks bond. It didn't include a trail and it was never fully funded.

Councilor Calvert thought the proposed budget was pretty much what they said.

Mr. Romero said it originally was \$1.7 million which was what it would cost for the trail to SFCC. This project was never adequately funded.

Councilor Calvert recalled they moved funds from other places into the project. This plan would make this project even more difficult because of what they had allocated. Mr. Romero agreed.

Councilor Romero understood things could change. She asked how much leeway there was here. The passive parks - that little park got nothing and if there was just a small exchange here it would work. There was just a limited amount of updating. She asked if staff would see if it could be exchanged with something else.

Mr. Pino agreed to take a look at that.

Councilor Chávez said the acequia crossing was part of the park bond indicated in the MP. It was a fairly extensive planning process. It went through that initial public planning process and he asked how much of the design would be used. He thought it was just a question of over or under. He asked what the next step in the big scheme of things was in order to have a grade separated project. This one had been languishing.

Mr. Romero said they were doing the environmental assessment on both of those now. The under was a concern. Once the design team finished their analysis he would report on it. It was being analyzed for both.

Councilor Chávez asked about the time frame.

Mr. Martínez noted there was a schedule included. They currently looked to complete the study in June 2012. That included any design work for the project.

Councilor Chávez didn't see two parks on the list.

Chair Dominguez clarified that the question was where the money came from to keep these projects going.

Mr. Romero said on page 4 it showed the previously approved amounts. Page three showed the balanced budget on the bonds.

Chair Dominguez said there was a difference on the amount in each district. He pointed out an example.

Mr. Romero said originally they were fairly balanced with \$18 million for parks and \$2 million for trails. But they had to make adjustments from trails to parks because trails had another \$7 million from other sources. Some projects needed more than others. They had to account for where they spent it and balanced it out. He explained that the adjustments didn't show specifically where it came from for a specific adding into another. Spending for trails was slower. At one time they were told they could balance at the end.

Councilor Calvert noted in the actual spending it wasn't the total spent on trails but only spending from the parks bond. The other sources were not shown in there. The money from other sources had to be spent first.

Chair Dominguez just wanted to make sure they were doing what the voters voted for.

Mr. Romero said they were building every single project the way it was scoped except for the crossing and that was not funded for full costs.

Chair Dominguez thought they should make that as clear as possible.

Chair Dominguez wanted to know how much was spent locally on materials, and how much was on labor. He also wanted to know how much was spent on maintenance. Mr. Chávez agreed to provide it.

[REDACTED]

Chair Dominguez asked if the water used to maintain the GCCC Park was being charged to the GCCC special revenue.

Mr. Romero explained there were two projects - one was \$900,000 for the region. The GCCC Park was separate and it was from Parks.

Councilor Chávez asked that the analysis on local spending would show both local and non-local. Mr. Chávez agreed it would.

Chair Dominguez thanked the Parks Committee for all of their work. It has improved the parks

Mr. Zamora noted that each plan has a plus and a minus. Plan A didn't keep the incumbent but meets the rest. Plan B preserves the incumbent but not precinct (split 35). Plan C meets all but 3 incumbents would be lost. Plan D shifts 3 councilors.

Councilor Calvert asked about the public meetings so far - how many participated and if anything heard there would be useful.

Mr. Zamora said two public meetings had been held so far. At GCCC 2 people attended and observed. One of them asked questions about the communities of interest and how that played a role and suggested there could be overlays.

The second public meeting was at Santa Fé Public Schools with one public member and the main request was to minimize splitting of precincts because so many had been split in past years.

Councilor Trujillo was concerned like Councilor Chávez - Plan A would split Tierra Contenta and Plan C and Plan D didn't preserve councilors. He knew they had to make some changes but these were drastic.

Councilor Romero liked C and D. She requested further information. Albuquerque got sued in their redistricting and she would like to know more about that. An update would be important to consider.

Mr. Zamora asked if she meant the 2011 law suit. Councilor Romero agreed.

Mr. Zamora clarified that the lawsuit was not about principles but that it not be reflected until after the election. It had to comply with the law regarding the election schedule. Their argument was there was not enough time after census data to educate the public before elections.

Chair Dominguez felt that putting precinct 32 into District 1 would provide more room to address that deviation requirement. That needed to be open for the entire Governing Body.

Councilor Chávez thought if it made more sense to move it into District 1 that was fine with him.

Mr. Zamora clarified on this point that the contractor would be at Wednesday's Council meeting in the afternoon session to hear comments from the Governing Body.

Councilor Chávez asked if he would put those questions to him before Wednesday and they could ask more at Council.

Mr. Zamora agreed. July 27 was the public hearing.

Ms. Vigil asked if it could be moved to August 10.

Councilor Trujillo said he wouldn't be there in August.

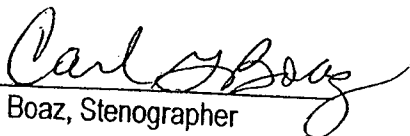
18. ADJOURN

The Public Works Committee meeting was adjourned at 7:15 p.m.

Approved by:

Submitted by:

Carmichael Dominguez, Chair



Carl Boaz, Stenographer

**3B (Exhibit 2) November 14, 2011: Finance Committee
reallocation approval**

Refer to page 33 beginning of meeting minutes & 34/35
vetting of information to use Parks GO Bond money for
administrative, maintenance, labor, and R&R.



Agenda

FINANCE COMMITTEE MEETING
CITY COUNCIL CHAMBERS
NOVEMBER 14, 2011 5:00 PM

1. CALL TO ORDER

CITY CLERK'S OFFICE

2. ROLL CALL

DATE 11/10/11 TIME 11:00am

3. APPROVAL OF AGENDA

REVIEW BY Yelena Green

4. APPROVAL OF CONSENT AGENDA

PREPARED BY [Signature]

5. APPROVAL OF MINUTES:

NOVEMBER 1, 2011

CONSENT AGENDA

6. REQUEST FOR APPROVAL OF PROCUREMENT UNDER STATE PRICE AGREEMENT - DIGITAL ALLY IN-CAR VIDEO CAMERAS FOR POLICE VEHICLES; MHQ OF NEW MEXICO (POLICE CHIEF RAYMOND RAE)
7. REQUEST FOR APPROVAL OF AMENDMENT NO. 4 TO LEGAL SERVICES AGREEMENT - PUBLIC DEFENDER SERVICES; BEA CASTELLANO LOCKHART (RICHARD MARES)
8. REQUEST FOR APPROVAL OF RENOVATION OF EXISTING ARMY AVIATION SUPPORT FACILITY ON SANTA FE MUNICIPAL AIRPORT PROPERTY; NEW MEXICO NATIONAL GUARD DEPARTMENT OF MILITARY AFFAIRS (JIM MONTMAN)
9. REQUEST FOR APPROVAL OF ASSIGNMENT OF AMENDMENT NO. 1 TO SANTA FE MUNICIPAL AIRPORT AIRLINE TERMINAL LEASE AGREEMENT - LEASE SPACE AT SANTA FE MUNICIPAL AIRPORT; CITY OF SANTA FE AND AMERICAN EAGLE AIRLINES, INC. TO AMERICAN AIRLINES, INC. (JIM MONTMAN)
10. REQUEST FOR APPROVAL OF AMENDMENT NO. 4 TO PROFESSIONAL SERVICES AGREEMENT - 2012 WATER RATE EVALUATION SERVICES FOR COUNTY WHOLESALE SERVICES; STEPWISE UTILITY ADVISORS, LLC (BRIAN SNYDER)
11. REQUEST FOR APPROVAL OF PROPOSED CHANGE TO AVERAGE WINTER CONSUMPTION USED TO DETERMINE THE SEWER MONTHLY USAGE FEE FOR CUSTOMER AND NOT CONNECTED TO CITY WATER AND PROCEED



Agenda

FINANCE COMMITTEE MEETING
CITY COUNCIL CHAMBERS
NOVEMBER 14, 2011 – 5:00 PM

16. REQUEST FOR APPROVAL OF AN ORDINANCE AMENDING SECTION 14-8.14(E)(1) SFCC 1987 SO THAT FOR A PERIOD OF TWO YEARS, THE IMPACT FEES FOR RESIDENTIAL DEVELOPMENTS SHALL BE REDUCED BY 100%; AND MAKING SUCH OTHER NECESSARY CHANGES (COUNCILORS WURZBURGER, ORTIZ AND DOMINGUEZ) (MATTHEW O'REILLY)

Committee Review:

Planning Commission (not approved)	11/03/11
Public Works (not approved)	11/07/11
City Council (request to publish)	11/30/11
City Council (public hearing)	01/11/12

Fiscal Impact – Yes

17. REQUEST FOR APPROVAL OF A RESOLUTION JOINING SANTA FE COUNTY TO STRONGLY URGE THE NEW MEXICO STATE LEGISLATURE TO AMEND THE LOCAL LIQUOR EXCISE TAX ACT TO INCLUDE NEW MEXICO COUNTIES WITH A POPULATION AND NET TAXABLE VALUE SIMILAR TO SANTA FE COUNTY THE OPTION TO IMPOSE A LOCAL LIQUOR EXCISE TAX, UPON APPROVAL BY SANTA FE COUNTY VOTERS; AND TO AUTHORIZE THE USE OF THE TAX PROCEEDS TO FUND SOCIAL SERVICE PROGRAMS TO SERVE PERSONS IMPACTED BY ALCOHOL AND DRUG ABUSE (COUNCILOR BUSHEE) (TERRIE RODRIGUEZ)

Committee Review:

Business & Quality of Life (approved)	11/08/11
City Council (scheduled)	11/30/11

Fiscal Impact – No

18. REQUEST FOR APPROVAL OF AN ORDINANCE AMENDING SECTION 2-3.3 SFCC 1987 REGARDING THE QUALIFICATIONS AND SALARY OF THE MUNICIPAL JUDGE (MAYOR COSS) (JUDGE ANN YALMAN)

Committee Review:

City Council (request to publish)	11/30/11
City Council (public hearing)	01/11/12

Fiscal Impact – Yes

END OF CONSENT AGENDA



Agenda

FINANCE COMMITTEE MEETING
CITY COUNCIL CHAMBERS
NOVEMBER 14, 2011 – 5:00 PM

Fiscal Impact – Yes

C. REQUEST FOR APPROVAL OF GENERAL OBLIGATION BOND QUESTIONS (ISAAC PINO)

20. (PUBLIC HEARING)

PRESENTATION AND DISCUSSION OF CHAPTER 14 REWRITE (GREG SMITH AND MATTHEW O'REILLY)

REQUEST FOR APPROVAL OF AN ORDINANCE REPEALING ARTICLES 14-1 THROUGH 14-4 SFCC 1987 AND ADOPTING NEW ARTICLES 14-1 THROUGH 14-4 SFCC 1987; REPEALING SECTION 14-5.1 SFCC 1987 AND ADOPTING A NEW SECTION 14-5.1 SFCC 1987; REPEALING SECTIONS 14-5.3 THROUGH 14-5.5 SFCC 1987 AND ADOPTING NEW SECTIONS 14-5.3 THROUGH 14-5.5 SFCC 1987; REPEALING SECTIONS 14-5.7 THROUGH 14-5.10 SFCC 1987 AND ADOPTING NEW SECTIONS 14-5.7 THROUGH 14-5.10 SFCC 1987; REPEALING ARTICLES 14-6 THROUGH 14-7 SFCC 1987 AND ADOPTING NEW ARTICLES 14-6 THROUGH 14-7 SFCC 1987; REPEALING SECTIONS 14-8.1 THROUGH 14-8.9 SFCC 1987 AND ADOPTING NEW SECTIONS 14-8.1 THROUGH 14-8.9 SFCC 1987; REPEALING 14-8.11 THROUGH 14-8.16 SFCC 1987 AND ADOPTING NEW SECTIONS 14-8.11 SFCC 1987 THROUGH 14-8.16 SFCC 1987; AND MAKING SUCH OTHER CHANGES AS ARE NECESSARY

Committee Review:

Public Works (Part I – approved)	09/26/11
Public Works (Part II – approved)	10/11/11
City Council (request to publish)	11/09/11
City Council (public hearing)	11/30/11

Fiscal Impact – Yes

21. REQUEST FOR APPROVAL OF SOUTHWEST ACTIVITY NODE PARK MASTER PLAN (MARY MACDONALD)

22. REQUEST FOR APPROVAL OF A RESOLUTION DIRECTING STAFF TO PREPARE AMENDMENTS TO LOCAL PREFERENCE SECTION 15.4 OF 2011 EDITION OF THE CITY OF SANTA FE PROCUREMENT CODE (COUNCILOR DOMINGUEZ AND WURZBURGER) (ROBERT RODARTE)

Committee Review:

Public Works (approved)	11/07/11
City Council (request to publish)	11/30/11

Fiscal Impact – No

SUMMARY OF ACTION
FINANCE COMMITTEE MEETING
Monday, November 14, 2011

<u>ITEM</u>	<u>ACTION</u>	<u>PAGE</u>
CALL TO ORDER AND ROLL CALL	Quorum	1
APPROVAL OF AGENDA	Approved [amended]	1-2
APPROVAL OF CONSENT AGENDA	Approved [amended]	2
CONSENT AGENDA LISTING		2-4
APPROVAL OF MINUTES: NOVEMBER 1, 2011	Approved [amended]	4
<u>CONSENT CALENDAR DISCUSSION</u>		
REQUEST FOR APPROVAL OF AMENDMENT NO. 4 TO LEGAL SERVICES AGREEMENT - PUBLIC DEFENDER SERVICES; BEA CASTELLANO LOCKHART	Approved [amended]	4-5
REQUEST FOR APPROVAL OF AN ORDINANCE AMENDING SECTION 2-3.3 SFCC 1987, REGARDING THE QUALIFICATIONS AND SALARY OF THE MUNICIPAL JUDGE *****	Moved forward w/o recommendation	5-7
END OF CONSENT CALENDAR DISCUSSION *****		
<u>DISCUSSION</u>		
<u>PUBLIC HEARING</u> PROPOSED BOND ISSUES		
REQUEST FOR APPROVAL OF A RESOLUTION AUTHORIZING A TWENTY MILLION DOLLAR (\$20,000,000) GROSS RECEIPTS TAX REVENUE BOND ISSUE FOR MUNICIPAL CAPITAL PROJECTS THAT WILL CREATE JOBS, DESIGN AND IMPROVE INFRASTRUCTURE, PROVIDE FOR ECONOMIC DEVELOPMENT OPPORTUNITIES; IMPROVE WATER SECURITY; ENHANCE PUBLIC SAFETY; AND PROMOTE A HIGH QUALITY OF LIFE FOR THE RESIDENTS OF THE CITY OF SANTA FE	Approved [amended]	8-27

ITEMACTIONPAGE

(PUBLIC HEARING)
PRESENTATION AND DISCUSSION OF CHAPTER
14 REWRITE

REQUEST FOR APPROVAL OF AN ORDINANCE
REPEALING ARTICLES 14-1 THROUGH 14-4
SFCC 1987 AND ADOPTING NEW ARTICLES 14-1
THROUGH 14-4 SFCC 1987; REPEALING SECTION
14-5.1 SFCC 1987 AND ADOPTING A NEW SECTION
14-5.1 SFCC 1987; REPEALING SECTIONS 14-5.3
THROUGH 15-5.5 SFCC 1987, AND ADOPTING NEW
SECTIONS 14-5.3 THROUGH 14-5.5 SFCC 1987;
REPEALING SECTIONS 14-5.7 THROUGH 14-5.10
SFCC 1987 AND ADOPTING NEW SECTIONS 14-5.7
THROUGH 14-5.10; REPEALING ARTICLES 14-6
THROUGH 14-7 SFCC 1987, AND ADOPTING NEW
ARTICLES 14-6 THROUGH 14-7 SFCC 1987;
REPEALING SECTIONS 14-8.11 THROUGH 14-8.16
SFCC 1987 AND ADOPTING NEW SECTIONS 14-8.11
SFCC 1987 THROUGH 14-8.16 SFCC 1987; AND
MAKING SUCH OTHER CHANGES AS ARE
NECESSARY

REQUEST FOR APPROVAL OF SOUTHWEST
ACTIVITY NODE PARK MASTER PLAN

OTHER FINANCIAL INFORMATION

MATTERS FROM THE COMMITTEE

ADJOURN

No quorum – Public Hearing Only 38-46

No quorum – no action 46

None 46

47

VOTE: The motion was approved on a voice vote with Councilor Romero, Councilor Dominguez and Chair Ortiz voting in favor of the motion, no one voting against, and Councilor Bushee absent for the vote.

4. APPROVAL OF CONSENT AGENDA

MOTION: Councilor Dominguez moved, seconded by Councilor Romero, to approve the following Consent Agenda, as amended.

VOTE: The motion was approved on a voice vote with Councilor Romero, Councilor Dominguez and Chair Ortiz voting in favor of the motion, no one voting against, and Councilor Bushee absent for the vote.

CONSENT AGENDA

6. REQUEST FOR APPROVAL OF PROCUREMENT UNDER STATE PRICE AGREEMENT - DIGITAL ALLY IN-CAR VIDEO CAMERAS FOR POLICE VEHICLES; MHQ OF NEW MEXICO. (POLICE CHIEF RAYMOND RAE)
7. *[Removed for discussion by Chair Ortiz]*
8. REQUEST FOR APPROVAL OF RENOVATION OF EXISTING ARMY AVIATION SUPPORT FACILITY ON SANTA FE MUNICIPAL AIRPORT PROPERTY; NEW MEXICO NATIONAL GUARD, DEPARTMENT OF MILITARY AFFAIRS. (JIM MONTMAN)
9. REQUEST FOR APPROVAL OF ASSIGNMENT OF AMENDMENT NO. 1 TO SANTA FE MUNICIPAL AIRPORT AIRLINE TERMINAL LEASE AGREEMENT - LEASE SPACE AT SANTA FE MUNICIPAL AIRPORT; CITY OF SANTA FE AND AMERICAN EAGLE AIRLINES, INC., TO AMERICAN AIRLINES, INC. (JIM MONTMAN)
10. REQUEST FOR APPROVAL OF AMENDMENT NO. 4 TO PROFESSIONAL SERVICES AGREEMENT - 2012 WATER RATE EVALUATION SERVICES FOR COUNTY WHOLESALE SERVICES; STEPWISE UTILITY ADVISORS, LLC. (BRIAN SNYDER)
11. REQUEST FOR APPROVAL OF PROPOSED CHANGE TO AVERAGE WINTER CONSUMPTION USED TO DETERMINE THE SEWER MONTHLY USAGE FEE FOR CUSTOMER AND NOT CONNECTED TO CITY WATER AND PROCEED WITH ORDINANCE MODIFICATION TO DECREASE MONTHLY USAGE FEE BASED ON NEW VALUE OF 3,600 GALLONS PER MONTH. (BRYAN ROMERO)

17. REQUEST FOR APPROVAL OF A RESOLUTION JOINING SANTA FE COUNTY TO STRONGLY URGE THE NEW MEXICO STATE LEGISLATURE TO AMEND THE LOCAL LIQUOR EXCISE TAX ACT TO INCLUDE NEW MEXICO COUNTIES WITH A POPULATION AND NET TAXABLE VALUE SIMILAR TO SANTA FE COUNTY THE OPTION TO IMPOSE A LOCAL LIQUOR EXCISE TAX, UPON APPROVAL BY SANTA FE COUNTY VOTERS; AND TO AUTHORIZE THE USE OF THE TAX PROCEEDS TO FUND SOCIAL SERVICE PROGRAMS TO SERVE PERSONS IMPACTED BY ALCOHOL AND DRUG ABUSE (COUNCILOR BUSHEE). (TERRIE RODRIGUEZ) Committee Review: Business & Quality of Life (approved) 11/08/11; and City Council (scheduled) 11/30/11. Fiscal Impact – No.

18. [Removed for discussion by Chair Ortiz]

END OF CONSENT AGENDA

Councilor Bushee arrived at the meeting

5. APPROVAL OF MINUTES: NOVEMBER 1, 2011

The following corrections were made to the minutes:

Page 9, paragraph 7, line 3, correct as follows: "... on Unpaid Unpaved Rehabilitation..."

Page 13, paragraph 3, line 6, correct as follows: "... just last week..."

Page 13, paragraph 3, line 8, correct as follows: "... PTAG POSAC ...

MOTION: Councilor Bushee moved, seconded by Councilor Dominguez, to approve the minutes of the Regular Finance Committee Meeting of November 1, 2011, as amended.

VOTE: The motion was approved unanimously on a voice vote.

CONSENT CALENDAR DISCUSSION

7. REQUEST FOR APPROVAL OF AMENDMENT NO. 4 TO LEGAL SERVICES AGREEMENT – PUBLIC DEFENDER SERVICES; BEA CASTELLANO LOCKHART. (RICHARD MARES)

Chair Ortiz said his concern is that this is the 4th amendment, commenting he would support a 6 month extension with direction to staff to issue an RFP for these services in the interim.

MOTION: Councilor Bushee moved, seconded by Councilor Dominguez, to approve the request, but with only a six month extension, with direction to staff to issue an RFP for these services.

are lucky to have Judge Yalman. She said she hopes Judge Yalman will stay on in any event if this motion is approved.

Councilor Romero said, to her, it isn't about the merits of the job and thanked Judge Yalman. She said Councilor Bushee is absolutely right. However, she is concerned about how this came forward, and the reason she is moving to deny. She wants it to be equitable, and said she too hopes Judge Yalman will run again.

Judge Yalman said, in defense of the way this was brought forward, the Council has an obligation every 4 years to review the Municipal Judge's salary, noting this is in Statute. She said she isn't bring this forward because she would benefit from it. She said she brought it forward earlier than the last time, before anybody is on the ballot. She said the last time this Council heard this was in the year in which she was elected. She didn't realize they wanted it brought forward even earlier. Secondly, this salary cannot be changed, once the person is in office, so it is a 4-year salary. She said what you are saying is that the person who is the Judge who has had the same salary for the past 4 years, if she is elected, will have the same salary for the next 4 years, so that is 8 years without an increase.

Chair Ortiz said what we should do, to be fair to the current Judge who he believes to be running unopposed again, and to the public in terms of the review of the Court and the Judge's salary, is to have the review come as a part of the budget process in the year preceding the municipal election in which we elect the municipal judge. He said that way, we would have a clear understanding of the Judge's activities vis a vis the budget process, because this is a budgetary matter.

Councilor Bushee asked why you would review the salary every budget year.

Chair Ortiz reiterated it would be reviewed in the budget year preceding the next election of a Municipal Judge.

Judge Yalman said, then you're saying it doesn't matter whether the Judge is a lawyer, because this is the salary which was selected when the judge was not required to be a lawyer.

Chair Ortiz said he selected the salary knowing she was a lawyer, that she was the incumbent Municipal Judge and was running unopposed. He said his perspective was that \$85,000 was an amount which was close to what Child Support Officers earn which is \$89,000, noting they also are required to be lawyers. He said Domestic Violence Hearing Officers are also required to be lawyers and they are paid about \$88,000.

Judge Yalman said they are at 80%, as opposed to 90%.

MOTION TO AMEND: Councilor Bushee moved, seconded by Councilor Romero, to amend the motion to set the salary at \$95,000, instead of \$101,000.

DISCUSSION ON THE MOTION TO AMEND: Councilor Bushee said it is about performance, because she wouldn't vote for an increase for someone who wasn't performing as well as she believes this Judge

DISCUSSION

PUBLIC HEARING

19. PROPOSED BOND ISSUES (COUNCILOR DOMINGUEZ). (ROBERT ROMERO):

- A. REQUEST FOR APPROVAL OF A RESOLUTION AUTHORIZING A TWENTY MILLION DOLLAR (\$20,000,000) GROSS RECEIPTS TAX REVENUE BOND ISSUE FOR MUNICIPAL CAPITAL PROJECTS THAT WILL CREATE JOBS, DESIGN AND IMPROVE INFRASTRUCTURE, PROVIDE FOR ECONOMIC DEVELOPMENT OPPORTUNITIES; IMPROVE WATER SECURITY; ENHANCE PUBLIC SAFETY; AND PROMOTE A HIGH QUALITY OF LIFE FOR THE RESIDENTS OF THE CITY OF SANTA FE (COUNCILOR DOMINGUEZ). Committee Review: Public Works (Postponed) 09/26/11; Public Works (No action) 10/18/11; Public Works (Approved) 10/24/11; Finance Committee (postponed) 11/01/11; City Business & Quality of Life (Approved) 11/08/11; and City Council (Scheduled) 11/09/11. Fiscal Impact – Yes.
- B. REQUEST FOR APPROVAL OF A RESOLUTION CALLING ON THE CITY OF SANTA FE AND THE COMMUNITY TO SUPPORT FUNDING IN THE AMOUNT OF THIRTY MILLION DOLLARS (\$30,000,000) FOR MUNICIPAL CAPITAL PROJECTS THAT WILL CREATE JOBS, PROVIDE FOR ECONOMIC DEVELOPMENT OPPORTUNITIES, IMPROVE WATER SECURITY, ENHANCE PUBLIC SAFETY AND PROMOTE A HIGH QUALITY OF LIFE FOR THE RESIDENTS OF THE CITY OF SANTA FE; AND PROPOSING A \$30,000 GENERAL OBLIGATION BOND ISSUE FOR APPROVAL BY THE VOTERS OF THE CITY OF SANTA FE AT A SPECIAL MUNICIPAL ELECTION TO BE HELD IN CONJUNCTION WITH THE MARCH 6, 2012, REGULAR MUNICIPAL ELECTION. Committee Review: Public Works (Postponed) 09/26/11; Public Works (No action) 10/18/11; Public Works (Approved) 10/24/11; Finance Committee (postponed) 11/01/11; City Business & Quality of Life (Approved) 11/08/11; and City Council (Scheduled) 11/30/11. Fiscal Impact – Yes.
- C. REQUEST FOR APPROVAL OF GENERAL OBLIGATION BOND QUESTIONS. (ISAAC PINO)

Items 19(C), (B) and (C), and Item 20 (old Item 23) were combined for purposes of discussion, presentation and public hearing, but were voted upon separately.

A copy of Santa Fe Water History Park and Museum CIP request for initiation of Phase 2, is incorporated herewith to these minutes as Exhibit "1."

A copy of Unpaved Road Areas is incorporated herewith to these minutes as Exhibit "2."

Chair Ortiz noted there is additional information in the Committee packets as requested.

have so many times in the past. He said these are "areas we've had to hit many times after major storms in routine maintenance that follows rainstorms."

- Councilor Romero said she knows these areas were prioritized. However, the thinking of the working group was that the problems will still exist, whether or not the G.O. bond is passed, and at some point we're going to have to deal with the drainage and arroyos which are throughout Santa Fe. She said a priority list was worked on to be honed down to the \$2 million, but these are City problems and they wanted to be sure the list didn't get lost between land use and drainage. She asked Ms. Blackwell to speak briefly to this issue.

Wendy Blackwell said a small discussion group has been working on this for about 1½ years – staff involved in river management and arroyo issues in addition to some private sector, non-profit people involved in this kind of work. The group developed a list of 60 projects in areas throughout the City where, for example, a trail might be undermined which isn't on a capital improvement list, but in a location where we're concerned about life safety issues. She said the list of 60 was narrowed down when it was understood that \$2 million might be allotted if the bond is approved.

Ms. Blackwell said the group felt it was important to have a City-wide approach to drainage and management, and the idea was to come up with a management plan to integrate what everybody's working on – Public Utilities, Public Works, Land Use – and then integrated into the hazard mitigation plan. She said the City received a grant to do the hazard mitigation plan, and will be hiring someone soon to work on that. She said the overarching plan would be developed over the next two years or so, but hopefully would be able to take care of some of the more urgent, major life safety-type issues with proceeds from the G.O. bond if it is approved.

- Councilor Bushee said she attended the last MPO meeting and work was beginning on Paseo de Peralta, noting a visiting engineer said if we had \$200,000, the work needed to be done could be continued beyond Washington toward Otero. She said "I wanted to throw that into the mix and try and figure out, and in fact Keith Wilson forwarded to me an email, but that was about 200 emails ago. So, I don't have the specifics, but I do recall there was an engineer from the State, you know, the Mayor was chairing that committee, so you could ask him about that."

Councilor Bushee continued, "With regard to the question.... you know, it's interesting. I reread the minutes and I don't see one of the City attorneys here, but maybe they are here and hiding... Geno's here. Okay, Geno, in the minutes, I had specifically asked about affordable housing and whether or not we got cross-wise with the anti-donation clause, and so maybe you can explain what was just told to us – that it couldn't be included in the G.O. Bond. You used the same logic in saying that was allowed for because we had changed the ordinance. And as well, Project 2 out of solar energy which was to leverage city funds to buy down interest rates. You had used similar logic in the minutes, and I can find those if you would like, to allow similar language in the G.O. Bond. It seemed peculiar to me, and maybe you can explain how it is... what we just learned tonight."

- Chair Ortiz said it was removed and maybe they can correct our understanding of that.

- Councilor Bushee said, "Back to the arroyo thing. Still doesn't satisfy my, I guess, curiosity. How was this working group that put together this... it's a big piece of the bond on the arroyos. Was it something that was authorized by Public Works as a working group. Were these held as public meetings. What non-profits were involved. It really.... I still... I kind of have my own memory of work done on arroyos. Was that the Santa Fe Watershed Association. Who did you mean, Wendy, maybe you can give me a little more background on that."

Ms. Blackwell said the working group that initially was put together were City staff who were involved with arroyo and drainage issues, so we had Public Works, Streets and Maintenance folks, the Stormwater Management folks, the River Coordinator, myself as the Flood Plain Administrator, and then the Santa Fe Watershed Association, Earthworks who are doing restoration work along the River. Then there was also several private sector folks that had been involved in arroyo stabilization and watershed management plans and programs. Maybe those didn't get funded, but they created those. The group continued to evolve. She said, "The members of the group would make recommendations as to else maybe should be included. I don't have the list with me, but maybe there were 15 people."

- Councilor Bushee asked if there are minutes that can be read.

Ms. Blackwell said there are no formal minutes, but "we did take some informal meeting notes. I do have those."

- Councilor Bushee said she asks this because she is concerned that any of the groups, private or non-profit who worked on this would then be bidding on some of this work if this were to pass. She still raises this point and would like more information on this. She said, "So, if you did keep minutes, you know, again I want to get the history of this and really understand where this is going to go."

- Councilor Dominguez would like to get together whatever kind of legislation that was formed by the groups that were working on some of these issues and items.

Ms. Blackwell said there was no legislation in particular about the arroyo drainage infrastructure, that she knows of. She is certainly happy to provide the meeting notes if that would be helpful.

- Councilor Bushee said that would be helpful.

Public Hearing

Chair Ortiz said there are two issues here. There is a \$20 million CIP Bond issue where there is a list of particular projects to be funded. The CIP Bond is funded from the GRTs. There is also a proposed \$30 million G.O. Bond which comes from the property taxes, for specific projects, with 5 particular questions. There is a G.O. Public Safety Bond for \$5 million to renovate a Police Station and build a Fire Station, a G.O. Bond question of up to \$14 million for parks, trails and open space, a \$3.8 million G.O.

member of BTAC, met with Mr. Pino and we were told there were inadequate funds in the maintenance budget to maintain those. He said Mr. Pino recommended that "we get a specific line item for this purpose, for sharrows in particular, included in the CIP budget, so that's what I'm asking."

Stephen Newhall, 601 W. San Mateo #92, said he is the manager of Rob and Charlie's Bike Shop and the Treasurer of Bike Santa Fe, the local advocacy organization. He here is to talk about the Sharrows, and to tell you that Tim Rodgers and Keith Wilson have put together a wonderful plan to improve the bicycle infrastructure of Santa Fe over the next few years. He said it is an essential thing for him, because he rides his bicycle everywhere. He said Santa Fe has the potential to be a world-class bicycle city, and we're on our way, but this is the next step. He said he is on the Citizen Advisory Group that Tim put together, and this is a really wonderful plan.

Stephen Mayes, Coordinator of Move On Santa Fe, said here is here to represent thousands of people in Santa Fe that belong to their organization. He said they strongly urge the Committee to vote yes on the bond issues and allow the public to vote for them. He said they strongly support our firefighters, the police and the creation of southside parks where we don't have enough recreational opportunity.

Randy Sadwick, 2276 Calle Pulido, said he is the president of Positive Energy, a solar installation company, and also belongs to other solar organizations. He is here to voice his support for the bond for renewable energy. He said the City has the ability to carry this out with a local supplier. He said, "This is in the face of PNM trying to reduce our incentives in New Mexico which would strain future opportunities, so this is an important step to take. We are also concerned that the \$200,000 Homewise incentive was taken out which was originally in this when I was here the last couple of weeks... couple of sessions. It is an important bond that would support and leverage lower interest loans which would make a good economic deal for those people who are earning under \$100,000 in income, and it definitely helps boost our economy."

Miguel Acosta, 15 Camino Largo, said he lives, works and recreates to some extent on the south side. He works as a family advocate and community organizer. He said the funders with which he is working, and the staff, encourage this Committee to support both the CIP Bond and the G.O. Bond, both of which are essential to build a more positive and healthy community City-wide, and not just on the south side. He said it is a good time to invest in people, and this is exactly the time we need to be investing in the 99%.

Bette Booth, 1317 Ferguson Lane, Chair of POSAC, said she put a letter in everyone's box and she wants to summarize its content so this is in the public record. She said the POSAC recommendations came from a 9-month participatory process where they spoke with a wide diversity of constituents: Mayor's Youth Advisory Board, Warehouse 21, youth leaders, MPO Bicycle Committee and staff. The effort included a sports survey with the 26 organized sports teams. She said the recommendations really

indicates this is a city-wide project and a subject which is of interest to the entire City, and is focused on the River and the history of the River. It is an unusual project. He said Phase 1 was completed in 2010, and presently is unfunded and incomplete, and intended to be ongoing. He said the request of funds is fractional in comparison to the size of the question to be voted on at the March election.

Shelley Robinson, 122 Barranca Drive, said she is here as a member of BTAC, as a bicycle commuter and a member of a large and growing community of bicyclists in Santa Fe. She said their recommendations are on page 2 of the Committee packet, and read those into the record, from Robert Siqueiros' Memorandum of November 11, 2011. She said they are proud that the City of Santa Fe has been awarded a Bronze Certificate by the League of American Bicyclists, after very hard work by the Committee, City staff and the Governing Body. She hopes they can achieve more funding so we can continue to improve and apply again for a Gold Award.

Gretchen Grogan, 2677 Chelsea Lane, and is also a BTAC member, said she would echo Mr. Harrington's comments with regard to the 400 sharrows which were installed on City streets and which are now in poor condition. She asked if the CIP Bond could include a separate item for the repair and replacement of the sharrows, identification of other streets which need sharrows and for the improvement of on-road facilities. She said Tim Rogers has spent a lot of time identifying on-road facilities which are critical to keeping Santa Fe's bike friendly designation, as just designated by the League of American Cyclists. She requested that the CIP include a separate item for on-road bicycle facilities, including sharrows, bicycle striping, signage, bicycle racks and such. She said the International Mountain Bicycle Conference will be holding its annual summit in Santa Fe next year, which will bring almost 1,000 cyclists to Santa Fe to explore our trails and riding on City streets. She said we have a lot of energy toward bicycle tourism, and having funds for on-road bicycle facilities would be very important.

Liz Vlaming, 704 Gonzales Road, said they have been working for the past 3-4 years on pedestrian trail on Gonzales Road to help with the increasing traffic, bicyclists, hikers and walkers on Gonzales Road. She said Gonzales Road is one of the few feeders from Hyde Park Road and to the to Dale Ball trail. She said they have worked long enough now that the planning is done, it is shovel ready and they have half the funding, about \$250,000, toward the project. She and her husband have lived there for 24 years and the increase in pedestrians and bicyclists has been phenomenal. She expects this to continue to increase every year. She said, "It's almost as much a public safety issue as it is anything else. We have a two-lane road as you all know, even though it is paved, so I'm here tonight to ask that you give us support to complete the project after the years of devotion to trying to get it done. Thank you."

Jane Robinson, 147 Gonzales, said she echoes everything Ms. Vlaming had to say. She said they moved here in 2004, and she was stunned that there is no safe place for pedestrians to walk on the east side of Gonzales Road. She said she watches a 90-year old man navigate Gonzales Road fairly regularly. She said she is an older person who loves to walk, but she won't walk on Gonzales Road at night. She said this is a wonderful connection from the Santa Fe River Trail which is due to be completed

feel this is a very important issue for the City to jump start some of the construction projects which are needed in the area and in putting people to work on a track that will give them family-sustaining jobs.

Matthew Miller, 5 Camino de Vecinos, said he is a father of 3 boys, 5, 14 and 17, and they, and he and his wife, all skateboard. He said they believe that the state of the skateboard parks in Santa Fe are pretty pathetic, as well as regionally and nationally. He said this is a world class City and we deserve world class skate parks. He said this is the fastest growing sport nationwide.

Luke Gonzales, 1285 Este Lane, said he is supporting skateboarding and skate parks, and "just wanted to say we really need a new skate park or skate parks. Our skate parks are really bad, so yes. It is a big sport in Santa Fe and all over the world. So, I think it's good to have new skate parks. Thank you."

Tomas Rivera, 109 Quapaw Street, said he is here with an organization called Chainbreaker Collective, which is a membership based organization with more than 200 dues paying members in Santa Fe, most of whom are bicyclists or transit dependent bus riders. He said the Collective is here to speak in favor of both bonds, and particularly are encouraged to see funds to support infrastructure which needs to be replaced. He said our aging buses start to become a safety issue, as are the aging roads. He said these are on-going maintenance issues, and addressing these is a good first step in building a first class City and transit system where people aren't completely dependent on cars as a way to get around. They also are encouraged to see movement toward ongoing operations funding for some of these issues. He said it is unfortunate to see the Affordable Housing piece pulled from the bonds, commenting that in these times, Santa Fe needs more affordable housing. He said some of their members say they're spending 1/3 of their income on transportation costs, because they're moving farther out of the City. He said we don't want to see more people pushed out which would require more infrastructure in the City. He said he hopes there is a way to push for Affordable Housing through this or other measures.

David Jenkins, 1530 Taos, said he is a member of the Santa Fe Fire Department. He is speaking in favor of the bond for public safety as a fireman and as a resident. He said there are many good reasons to support the bonds. He said, from a public safety perspective, the call volume is increasing every year, and this bond will help provide a lot of the stations and equipment they need to keep pace with growth, especially on the south side, as well as to keep Santa Fe safe. He asked Committee support for this bond, and at Council if it moves forward.

Chris Rivera, 4504 Cedar Crest Circle, said he lives in Tierra Contenta, which is in the fastest growing part of the City, and he is in favor of this bond, specifically for parks and trails which would be built on the south side of the City. He said he has children aged 16, 14, 12 and 10, and there isn't much room on the south side for them to go and "kick a soccer ball around or run around with the dogs or just play around, so I'm in favor of the parks this bond would fund." He said, "As a member of this community, it

Jack Stamm, 355 Hillside Street, said he hates to bring up the subject of property taxes. However, he would like the Committee to consider the impact of property taxes. He said every dollar of which the property owner is deprived is a dollar that doesn't go into the economy. He said that multiplier effect is about \$3 to \$5 for every dollar withheld from the economy. He said there hasn't been a lot of discussion on the impacts of property tax as the result of the bond issue, and "I would urge the Committee to really take that into very careful consideration.

The Public Hearing was closed

Chair Ortiz noted we have Items 19(A), (B) and (C), as well as Item 20 on which there was no discussion.

Councilor Dominguez said on page 4 of the packet, there is an attachment, and we are going to hear the issue of Parks reallocation as well.

Chair Ortiz said this is correct.

Councilor Dominguez asked staff to review this attachment, so it's clear to the Committee what this is about.

Robert Romero asked Fabian Chavez to explain this information.

Responding to the Chair, Councilor Dominguez said he would like Mr. Chavez to review the spreadsheet so that he understands this more thoroughly, because some of what happens here may impact how or where we allocate some of the CIP funds, and perhaps even the G.O. Bond.

Fabian Chavez, Parks Division Director, reviewed the information on page 4 of the packet, noting this spreadsheet shows all the Parks bonds, open space and trails projects, provides the totals for all of these projects, and provides two options for reallocation. The first allocates funds to take care of the labor maintenance, construction and project management staff for all previous and current projects through the life of the Bond in June 2013. If the Governing Body was to allocate CIP funding they could utilize to cover labor in these projects beginning July 2012 through June 2013, the fiscal year, by placing \$750,000 in the labor pool the request is reduced by \$1.5 million in labor reallocation to \$4.337 and that frees up about \$750,000 in the Parks Bond from labor that could be used for other aspects of the project.

Councilor Dominguez said, in response to a question from a member of the public regarding where these jobs will go, part of the discussion tonight is a Resolution directing staff to start looking at how we can make sure these jobs stay in Santa Fe, via the local preference. He said there are amendments regarding veteran's preference as well as workforce agreements.

Chair Ortiz asked if this is a request by Councilor Bushee to the maker to include the \$200,000 within the million, or is this an additional \$200,000, and Councilor Bushee said it is included in the \$1 million.

Responding to Councilor Bushee, Chair Ortiz said the bond is now over \$20 million.

AMENDED FRIENDLY AMENDMENT: Councilor Bushee asked if she can amend the motion to take \$200,000 from the \$1 million for down payment assistance and offer it separately.

Chair Ortiz said Councilor Bushee wants to use the \$1 million for two things, down-payment assistance and for the solar retrofits.

Councilor Dominguez asked we can use these funds for the solar rebate program.

Mr. Zamora said, "Through the use of the CIP bond and the proceeds of the gross receipts taxes, as a Home Rule entity, you can use the monies in the CIP bond for any public purpose, and therefore, the short answer is yes, but it's a policy decision whether or not you do that.

THE AMENDMENT WAS FRIENDLY TO THE MAKER AS LONG AS IT IS ADMINISTERED AS PART OF THE AFFORDABLE HOUSING INITIATIVE.

Chair Ortiz asked if the amendment is friendly to the second.

Councilor Romero asked Mr. Schiavo if there are other opportunities for the solar site, because there are none in affordable housing which has been indicated as a priority.

Mr. Schiavo said, "The idea is to use the \$200,000 to buy-down interest rates. So you would actually be doing about \$1.2 million in loans for renewable energy. The homeowners would still be able to go after their federal tax credits. The barrier has been getting low-interest rates, and where we've seen the greatest impact, the greatest incentive for people. To answer your question, I don't know of any other funds that the City would have to do something like that."

THE AMENDMENT WAS FRIENDLY TO THE SECOND, AND THERE WERE NO OBJECTIONS BY THE OTHER MEMBERS OF THE COMMITTEE.

Councilor Bushee said we'll have two years to spend the \$800,000, noting we have had a harder time qualifying people in this economy. She said, "So perhaps some of the same homeowners that could afford to get this down payment assistance could also now make it be a solar home with a retrofit, so I think it goes well together. So I like that."

Councilor Bushee said, "The other thing I had hoped to include in this CIP Bond, and I'm not quite sure the Committee wants to look at the rearranging of it at this point, but I really believe that \$1 million in broadband infrastructure should be placed in the CIP bond. I think it's actually misplaced in the \$30 million G.O. Bond, and I do believe that \$1 million would be sufficient. I know that the additional money was sought to put broadband conduit out to the Airport, but that's not necessarily helping business as much as

Mayors Committee on Disabilities, that we have not paid the kind of attention to them that we could have in these paved streets. The same goes for unpaved, it's \$2 million for unpaved. I think out of that \$6 million we could shave \$1 to \$1.5 million out of there. I know there was a request by certain members of the public that asked for increased funding for security cameras, especially on the trailheads, from \$20,000 to \$120,000. We could look at that."

Chair Ortiz continued, "And as I understand it, the... well it speaks to both Gonzales Road and Botolph Road, I have been here long enough to remember that we initially funded those projects out of CIP, we had a fair number of people on both of those streets who didn't want to see any improvements on those projects. At least on Botolph Road, I don't know why or where we came out with the \$250,000. Now, as I understand Gonzales Road, from the testimony of the people who came forward, they're looking for about \$200,000 because it's shovel ready, and yet we have \$300,000 allocated. So, it seems to me like we could squeeze some money out of there as well."

Chair Ortiz continued, "As it relates to the bus replacement, this is one of those questions, where I think we have not been fair to the public. If we are going to propose a question regarding multi-modal transportation and visitors center, then we should pose a question to the public, 'Do you want to support an expenditure of moneys to pay for these buses.' And let the public decide yes or no if the transit system is going to be expanded or not. Why we continue just to fund the transit system....."

Councilor Bushee said it is for replacement, not expansion.

Chair Ortiz said, "Well, but shouldn't it be the same. If we had a more thoughtful consideration of the G.O. Bond, we could have had the transportation plan, the transit plan, put into place so we could have the public decide if there is sufficient public support for transit. We continue to fund transit to the tune of about 12% of our annual budget, because we get 10-12 people every time that come in and say we need buses and we need transit. And really, we have not done a service to the public by letting some of these capital expenditures out to the public and allow the public to vote on those. And so, if I had my way, I would shave off \$1.5 from roads. I'd take the whole \$2 for bus replacements and put it in the G.O. Bond question on transportation, and that would free-up about \$3.5 million in the CIP budget, of which then you could tuck in some of the amendments that were being proposed by the Committee. That's my general comments on it."

Councilor Bushee said we were provided figures from Mr. Romero, Mr. Pino and the Public Works Committee, and perhaps they've had more discussion, but she doesn't know "where the round numbers come from." She asked Mr. Romero if the \$4 million for Paved Street Rehabilitation catches us up for two years or...

Mr. Romero said, "We could probably spend \$30 million on roads and not catch up, but I think the \$4 million is a good start."

Councilor Bushee said she wouldn't be amenable for taking funds from paving, commenting there are lots of unpaved roads on which we've been deferring maintenance for a long, long time because there has been no funding. She said there are lots of things in the bond for which there are no funds, ranging from

Mr. Romero said he doesn't believe slurry is considered an alteration, although repaving is an alteration.

Chair Ortiz said the \$4 million for roads doesn't contain a large percentage of redoing repaving of streets. He said, "Robert is right. If we actually had the ability to actually look at our roads and improve them, it comes in at \$20 million. That's the kind of question the public can decide on. 'Do you want to have all of your roads redone. Public, yes or no.' ADA responsibilities. If that amount is about \$7 million, those are the kinds of questions that can go out to the general public. 'General Public, do you want to see all of your sidewalks be ADA compliant. Here's the cost. Yes or no.' We didn't do that in the case of the G.O. Bonds. What we did is we came up with some number and we came up with some projects that were meant to make us feel good."

Councilor Bushee said she thinks the general public thinks they pay taxes to the City and we use that money, and now we can leverage it further for bonds to maintain our roads. She doesn't believe they think we would go out and ask them to increase their property taxes to maintain roads which are in need of maintenance and improvement.

Councilor Bushee said, "I really believe this nebulous Parks and Medians of \$2 million... I think you're right. Unless the \$400,000 is park maintenance staff, which I don't think it is, I would really take that out and I would put some more money in for security cameras at trails. And, you've got \$1.5 million of that for labor for park improvements, so maybe you can explain the distinction and how much of this... because we are increasing our parks at a regular clip and we are not increasing the staff level to maintain that."

Mr. Romero said, "Of the \$2 million, \$1.5 would be for maintenance to pay labor for two years, \$750,000 per year. And the other \$500,000 is day-to-day buying fertilizer, port-a-potties."

Councilor Bushee said, "Out of the Parks Bond, and could we have taken any of that out of the last Parks Bond."

Mr. Romero said these costs used to be in the General Fund, and then we started paying for them from the CIP bonds, just like other things.

Councilor Bushee asked if there are funds left over from the last Parks Bond which could be used for this purpose

Mr. Romero said, "As you heard earlier, if you chose Option #1, the one that would leave \$750,000 available, you know, I think that's a policy question for the Council tonight – do you want to use \$750,000 of Parks Bond money or \$750,000 of CIP Bond money, so you could do either."

FRIENDLY AMENDMENT: Councilor Bushee would like to amend the motion to increase funds for security cameras to \$120,000, and the funding for Park Improvements be \$300,000 instead of \$400,00. **THE MAKER SAID HE IS WILLING TO USE FUNDS FROM THE PARKS BOND REALLOCATION FOR SECURITY CAMERAS. THE AMENDMENT WAS FRIENDLY TO THE MAKER AND SECOND AND THERE WERE NO OBJECTIONS BY THE OTHER MEMBERS OF THE COMMITTEE.**

Mr. Romero said at one time, it was thought that we would build commercial space to do the bicycle sharing, the zip cars and other things, and we didn't know we would have the depot. Now that we have the depot, the \$3 million would make the improvements as outlined in the study done by Mack Watson and it would create the "kiss and ride" for the bus system on Guadalupe and improve the entire entry going from Guadalupe to

Councilor Bushee said she understands that. She said there is a thick piece of information in the packet about the SWAN park, lots of public input and good understanding of how it got to \$5 million, but she doesn't have that kind of information for this project.

Mr. Romero said he can get that information for her.

Councilor Bushee said, "It feels like you pulled the number out of the air."

Chair Ortiz said the Finance Committee will be meeting 5 times before the election on the bond question. He said we can have an information item at every Committee meeting for a public discussion of each and every question, if each question passes – about exactly what is the question, the amounts, how did staff get these numbers – to educate the public. He said if Mr. Romero is saying he needs time to get us that information, we can have this item on each Committee agenda with public comment on each question to get to exactly what's going on.

Councilor Bushee said this a recipe for rejection if we don't rephrase and separate these questions, or restructure them differently. She needs to know the details and the price tag, and to see the economic benefit, commenting she is 100% in favor of the multi-modal center. She would lump Trails and the Multi-Modal Center together as one question because it's all transportation. She said if you look at what BTAC has recommended, a lot are on-road improvements and connections that makes it easier to transport yourself on a bicycle.

Chair Ortiz said that would give some justification for the \$3 million, and Councilor Bushee said she still needs more information.

Councilor Bushee said she likes the Park question, noting POSAC has done all the work.

Chair Ortiz said BTAC also did work to come up with redoing the sharrows and the on-street improvements which would be a legitimate item to be voted upon in the \$14 million bond.

Councilor Bushee said if you don't define and redefine some of these questions and items for the public, "then I think you really don't want it to pass." She said, "I like the Public Safety question on its own, but I really... I raised that question last meeting and I still don't see a number. I saw some [something] in the minutes of \$1.9 million. It might be to staff that."

Councilor Bushee continued, "I still think we have to come up with a way, and I know we can't do it in this G.O. Bond and we didn't attempt to do it in the CIP Bond, but we've got to find a way to tell the voters that we're going to build that fire station, which is needed in that part of town, but we've got to explain that

Councilor Bushee said the question was raised earlier about the economic benefit, and "I see we have an item tonight that talks about trying to adjust the procurement, although I don't know if we'll be successful or not, and I've totaled up.... it wasn't much of a memo. It was just slipped in there that these are construction jobs. And again, I think these alone as quality of life items will be maybe how the voters will look at them. So that we're clear in terms of the.... I forget the other name of this.... Opportunity Bond, I've totaled up 173 construction jobs and maybe this is Kate Noble that gets me the answers to these questions, because I assume you did this calculation Kate. So, I've got construction jobs over two years, three years, what's the duration."

Kate Noble said, "The duration would basically be however long it takes to expend that amount of funding. It's around the amount of funding and a formula based on the type of project, so a couple of years. Yes."

Councilor Bushee said her hope is these jobs will be filled by Santa Feans, and asked if anybody did a calculation of how much we spent on the last Parks Bond, the number of jobs generated and the number of job generated here in Santa Fe. She wants to be clear what we're putting this out to the voters and she wants real, quantifiable numbers – how many of these 173 construction jobs might be for Santa Feans over the two years.

Ms. Noble said no calculation has been done, but all of these jobs will be available in Santa Fe. She said to be clear about the 173 jobs, it is a Full Time Equivalent [FTE] for all of the projects over the life of the expenditure of that funding.

Councilor Bushee said, "I don't think this bond is ready to go prime time. I think there's still some clarification or refining and redefinition of the questions that get put to the voters, so I won't be voting for it the way it's proposed this evening."

Councilor Romero said, "As a reminder, I recall at Public Works, looking at the questions that were put before us – the questions that were in legalese and the questions which could be palatable. So, those two sets of questions, if you could just describe that process. Because we're looking at those that have been vetted and gone through what I call the gauntlet, but certainly from a legal perspective where we had the two mergings of the questions." She asked Mr. Zamora to describe those again, because she thinks they are making sense.

Mr. Zamora said, "Going back a few weeks and testing my memory slightly, what you had before you, were the primary drafts of the bond questions, based on in-house staff, both legal and non-legal staff working on this. What resulted from just putting that first draft together, was a legal examination by bond counsel who deal with this on a day to day basis, rather than a periodic basis. At which time, they pointed out, bond counsel pointed out, that you had too many projects of too many different types bunched together which is called log-rolling. You try to get a question passed by putting multiple, unrelated projects together. And so, as the result of that vetting process, we narrowed it down to these 5 questions, rather than 2 questions, where bond counsel felt that we weren't susceptible to a lawsuit based on log-rolling, and therefore, we would not be jeopardizing the projects."

had not hit any committee, while it was not in front of us for review or for changes, this was being circulated publicly. And as I see this, because we're talking about our property taxes at work, this should be as clear and distinct and precise as a project can be, so that voters can make a decision, much like they did when they passed the Parks Bond. We had a vetting process where we had projects that were listed. The public knew that when they were voting for it, we'll get to Item 20 in a minute, they thought they were voting for all these projects, and by and large we built all these projects."

Chair Ortiz continued, "On some of these projects, I will say, on 3 of the 5 questions, the public is not going to know what they're buying with their property taxes. I do not support questions 3, 4 and 5 at all, and I can see the rationale, potentially, for not supporting Item 1, because, again, we have these issues where we can spend these monies for construction, but we're not going to be able to spend the money for actual operation. That's going to come somewhere else. I really think the only item we can talk about is Question #2. If we were being responsible to the public, we would only issue Question #2, and we would say on Question #2, like we did with the Parks Bond issue, we would say, at the end of the sentence, as outlined in attachment A, and so we would have that attachment. An attachment that POSAC worked on, that BTAC worked on, that we would have those particular projects identified."

Chair Ortiz continued, "The rest of these questions, the rest of what we're asking the public to decide upon, is a sort of shot in the dark, and I'm not making that shot. You are and the Mayor are, and other people who have signed on potentially to this, are. I will say that some of the arguments that you made were arguments in favor of log-rolling, and that, we cannot do. And so, I can only support Question #2 at this time. I'm not going to support any of these other questions even going out to the public. But I understand there is a motion with a second. I will offer that if these questions actually pass the Council at the end of the month, that we can have as an agenda item, an informational item on each of the questions, to go through and get the detail that is lacking now, so that at least the public can be informed in advance of them having to vote on them. We can do that as a function of this Committee for the 5 meetings that we've got."

Councilor Dominguez said he has a question for Legal staff. He said, "One of the concerns I have, and we've kind of seen this in other cases in New Mexico, is that many times, if you get down to certain levels of detail in the question itself, then that really ties your hands in terms of what you can and can't do with that funding. So, these questions are being proposed really with some flexibility and exactly how it is that money gets spent. Is there any case where you can cite that has done that to other communities. Is there one here in Santa Fe."

Mr. Zamora said, "Bond questions are drafted to encompass the projects that you seek to fund and engage in, but they are not drafted to be so specific that if something comes up in a project, an unforeseen delay, an unforeseen expense, a change in design, that it would cause the entire question to fail. So the level of detail is up to the Governing Body to adopt, approve, as far as falling within the realm of the question. But you do not write a question so specifically that any change in the project would cause the question and the bond issue to fail."

Councilor Dominguez asked if that has happened before.

10% float, the 10% that was allocated, and we reallocated it through budget processes to pay for staff. He said it is the staff that made this Parks Bond work. He said we've never had a project to go significantly over budget, and the most was one at 15%. He said he believes the Parks Bond has been a success, and the funds allocated have been successful.

Chair Ortiz said, "That being said we have, as a matter of budget, shifted these peoples' salaries to the bond proceeds." He said that was done during the budget, and we need to reallocate some portion of the Parks Bond to account for these shiftings. He said, "The question before us is: Are we going to take some of the money from the next CIP or the next bond, and allow that to free up the \$750,000 that I think Councilor Dominguez was going towards."

Responding to Councilor Bushee, Chair Ortiz said it can be done out of either Bond, which is the option being offered to us by staff.

Councilor Bushee asked how he plans to free up the \$750,000.

Fabian Chavez asked Councilor Bushee to look at the spreadsheet in the packet. He said Option #2, column 3, would take \$75,000 from the CIP bond, currently being considered, and move it to be utilized in the Parks Bond project to pay for salaries only. He said that would reduce the amount of money the City currently is spending and projected to be spent by \$750,000 for the next fiscal year.

Chair Ortiz said then we plan to continue to use internal City staff, which amounts to \$750,000 in personnel costs, and use that current staff for the closure of the old Parks Bond as well as for whatever projects are approved in either the G.O. Bond or the CIP Bond.

Mr. Chavez said this is a correct summary for the next fiscal year.

Councilor Bushee asked how this impacts the CIP Bond where funds are included for maintenance and there is nothing for expansion.

Mr. Chavez said the proposal is to allocate this through the next CIP allocation.

Councilor Romero said this isn't clear to her.

Mr. Romero said, "Let me be real clear about this. In this Parks Bond, we're using staff to do some maintenance type work which was approved to be used from the Parks Bond because it actually is improving the Park. In the CIP Bond, we're putting in \$1.5 million, which is \$750,000 a year to pay for those 29 men and women who do this work in the Parks. So, if you approve this.... pick up, clean-up, construction and replace trees... it's very similar to what we're doing for the Parks Bond. So we can either pay for those 29 men and women to work out of the Parks Bond which would mean we need to get \$1.5 million out of the Parks Bond. Or, since the CIP Bond was already approved by this Committee, we would use \$750,000 from the CIP Bond to pay these people."

DISCUSSION: Councilor Romero apologized that she isn't feeling well, noting she already has spent a lot of time on Chapter 14.

VOTE: The motion was approved unanimously on a voice vote.

22: 23 REQUEST FOR APPROVAL OF A RESOLUTION DIRECTING STAFF TO PREPARE AMENDMENTS TO LOCAL PREFERENCE SECTION 15-4 OF 2011 EDITION OF THE CITY OF SANTA FE PROCUREMENT CODE (COUNCILOR DOMINGUEZ AND WURZBURGER). (ROBERT RODARTE) Committee Review: Public Works (approved) 11/07/11; and City Council (request to publish (11/30/11). Fiscal Impact – No.

A copy of *Proposed Amendments to Substitute Resolution No. 2011-___ (Procurement Code Amendments)*, submitted by Councilor Rebecca Wurzbarger, is incorporated herewith to these minutes as Exhibit "3."

MOTION: Councilor Dominguez moved, seconded by Councilor Romero, to approve this request with the amendments proposed by Councilor Wurzbarger [Exhibit "3"].

DISCUSSION: Acting Chair Bushee asked Dr. Morgan the parameters for this issue, commenting she thought we had gone as high as possible on the local preference, and is really in favor of the veteran's exemption.

Dr. Morgan asked Mr. Rodarte to address this specific question.

Councilor Dominguez said part of it was to explore ways to provide opportunities for local subcontractors to take advantage of the local preference as well.

Acting Chair Bushee asked Mr. Rodarte to give a two minute summary of what this is going to do for the City us in terms of our local contractors."

Mr. Rodarte said, "Several things are going to happen here. One, to start off, the threshold of \$50,000 and "down, from up to \$5,000," will greatly affect the amount of business we'll keep here in town. I'm working on that now. Based on what I'm seeing now, with the amount of business we're doing the percentage in there for quotes, will greatly help the local economy or the local contractor. That's going to be one of the main focuses that I'm going to bring forward. I think of the majority of the P.O.s that we're seeing now are basically under \$50,000, and I'm seeing a lot of it go away from this area. There are cities that already have this implemented. You're looking at the original. Past that yellow copy there is a rewrite, and this discussion took place at Public Works recently and we kind of tweaked it from there."

Acting Chair Bushee said this is really a threshold more than a percentage increase, and asked how it helps subcontractors.

20: 21 (PUBLIC HEARING)

PRESENTATION AND DISCUSSION OF CHAPTER 14 REWRITE (GREG SMITH AND MATTHEW O'REILLY)

REQUEST FOR APPROVAL OF AN ORDINANCE REPEALING ARTICLES 14-1 THROUGH 14-4 SFCC 1987 AND ADOPTING NEW ARTICLES 14-1 THROUGH 14-4 SFCC 1987; REPEALING SECTION 14-5.1 SFCC 1987 AND ADOPTING A NEW SECTION 14-5.1 SFCC 1987; REPEALING SECTIONS 14-5.3 THROUGH 15-5.5 SFCC 1987, AND ADOPTING NEW SECTIONS 14-5.3 THROUGH 14-5.5 SFCC 1987; REPEALING SECTIONS 14-5.7 THROUGH 14-5.10 SFCC 1987 AND ADOPTING NEW SECTIONS 14-5.7 THROUGH 14-5.10; REPEALING ARTICLES 14-6 THROUGH 14-7 SFCC 1987, AND ADOPTING NEW ARTICLES 14-6 THROUGH 14-7 SFCC 1987; REPEALING SECTIONS 14-8.11 THROUGH 14-8.16 SFCC 1987 AND ADOPTING NEW SECTIONS 14-8.11 SFCC 1987 THROUGH 14-8.16 SFCC 1987; AND MAKING SUCH OTHER CHANGES AS ARE NECESSARY. Committee Review: Public Works (Part I - Approved) 09/26/11; Public Works (Part II - Approved) 10/11/11; City Council (request to publish) 11/09/11 and City Council (Scheduled) 11/30/11. Fiscal Impact - Yes

A copy of a proposed Ordinance repealing Section 14-8.6(B)(7) SFCC 1987, and creating a new Section 14-8.6(B)(7) SFCC 1987, regarding accessible parking spaces for persons with disabilities, submitted for the record by David McQuarie, is incorporated herewith to these amendments as Exhibit "4."

Mr. O'Reilly said Greg Smith will give a brief presentation, noting Chris Graesen, the City's consultant is here to answer any questions you may have.

Prior to Mr. Smith's presentation, the Committee moved, seconded, and approved unanimously, to move items #23 [old #22] and #24 to be heard prior to hearing this item. Councilor Romero left immediately after Item #24 was approved, and there was no longer a quorum of the Committee for conducting official business.

Acting Chair Bushee posed a question to the City Attorney as to whether this Committee should move forward with this Item.

Geno Zamora, City Attorney said, "The answer is you can conduct the public hearing. You can have discussion. You cannot take final action. So, you can have a discussion about additional information needed, you can make recommendations to the full Committee, but you can't take final action. The last item, Madam Chair, is this Committee's inaction does not necessarily prevent the matter from going forward, that's just the process that the Council has, so this matter may still continue to move forward, it just will not have action by this Committee.

Acting Chair Bushee said we will have the public hearing and we will then adjourn.

fiscal impact. He said Land Use isn't enforcing the current provisions, which mean our judges have to dismiss an inordinate amount of citations, so monies from these citations are not going to the Parking Division to supplement their income, so there definitely is a fiscal impact of non-enforcement of required things.

Mr. McQuarie said he wants to speak to the impact of repealing other sections of Chapter 14. He said when you approved the Lensic underground parking facility, there is a 8.2 ft. clearance which is absolutely required. It is 8 ft. 2 in. not 10 ft. like your enforcement code is now. He said check your federal regulations for accessibility of vans, and it says specifically 98 inches, not 84 inches.

Mr. McQuarie said there are so many things of misinformation. Another one is [inaudible]. He said there was a complaint in 2004 on the DOT and the City made an agreement for the driveway at Delgado Street house to build a certain accessibility. He doubts seriously if it has been done. He said there was a [inaudible] outstanding the City was supposed to address, but it "hasn't been done as of yet."

Mr. McQuarie said he passed out a proposed bill for the updating of Chapter 14-8.6 which covers a lot of things. He said he offered this and it was typed up by Jeanne Price before she left. He said there is a revision which goes to 2006, another in 2007, another in 2008, another in 2010 and this one which updates two minor points which he's marked in red in the copy he provided [Exhibit "4"]. He said he highly suggests that we update the current guidelines and regulations. He said there is a part in the new regulations where they say parking for disabled persons and the liability of the City. He said the law is ADA, Americans with Disability, and not DA, Disabled Americans.

Mr. McQuarie said he reviewed the bill for etiquette of language, but doesn't think this has been done by the City. He said the City spent almost \$20,000 on the parking signs. If you do not update the current regulations that affect us, then the City is cheated out of an honest endeavor. He said we embarrassed all these people because there's times after these are replaced. Right now, the State law says it will be towed away. He said Bill Hon of Parking thought this was very negative, and the reason they came up with plates and placards are required, but not "Violators will be towed away."

Mr. McQuarie said Bill Hon didn't like it because it took so long for people to be towed. He understands it's over 24 hours. Therefore, if you start towing, it means people's cars have to set there for 24 hours before the City will enforce the regulations. I don't recommend that, because I don't want to sit there. Do you."

Acting Chair Bushee asked Mr. McQuarie if he can give a copy of the bill to the Land Use Director.

Mr. McQuarie said a copy was given to Greg Smith and he told me that staff would take an interest. He said at that time he raised the question of whether they are contacting the disabled community, such as the Mayor's Committee on Disability, and was told that staff reviewed this. He said [inaudible something about talking with the ADA coordinator] and he has repeatedly asked Joe Lujan, the ADA Coordinator, if he has been consulted, and his answer has always been, "Not yet."

difference between what are housekeeping items and what are policy changes, then my hat's off to you, because I think it is very very difficult, and I thought you were going to have a study session. I thought that was going to be on the agenda at some point, but it isn't. And so now, you are going to vote on it tonight or you're going to vote on it at Council. And I would lay odds, if I was a betting person, that there are a lot of people up here who will not have read it. And, because there are some issues in there that they are considering, I would urge you to take a step, if not before the Council meeting, after the Council meeting for a more thorough investigation. And Chris or Matt or Greg can say to you, here are the 3 most important changes, or here are the policy changes, and don't worry about the housekeeping, because I don't care about the housekeeping, I trust you all. But, when it comes to policy, I think you should make sure that you've been made aware of and thought through what the implications are. And with that, I would just like to end up where I started, and thank them for including the public to such a great degree. Thank you."

The public testimony portion of the public hearing was closed

Mr. O'Reilly said he started this process when he was chairing the Planning Commission, and then stayed on to run the Committee since I was Land Use Committee. He publicly thanked all the people who put in yeomen's work on this effort - Marilyn Bane, Fred Rowe, Donna Reynolds. He said it wasn't easy, commenting that 35 separate meetings is tough, especially if they're not being paid to do it.

Mr. O'Reilly said, in terms of having a study session, he would remind everyone that through this process, everyone was invited to the meetings, and all meetings were public meetings. He said they had meetings at the Planning Commission where testimony was taken from the public, and then it went to Public Works, and it is now here at the Finance Committee. He said staff was prepared this evening to give you a 10-20 minute presentation on all the things Ms. Bane just talked about, the most important policy issues in Chapter 14 and distinguishing those from the housekeeping items. He said that presentation was made at the Public Works Committee, and it was done piece by piece at the Planning Commission. He said, "I just wanted everyone to know that did happen and it was presented to the public. And we will intend to do it again at the Council, given the chance to actually present."

Acting Chair Bushee asked Mr. O'Reilly if he has the presentation in writing. She said she has read the matrix which is in the packet, noting there are only two Committee members in attendance, one of which serves on Public Works, and she hates to make him go through this again.

Mr. O'Reilly said the staff report really does an excellent job on this. He said the packet has 3 levels of information: A staff report, the matrix and the Code itself. He said if Greg Smith could have made his presentation this evening, he would have expounded on, and amplified those points he thinks are most important. He said this can be done right now, or it can be done at the Council meeting on November 30, 2011.

Acting Chair Bushee said she doesn't know what kind of time the chair will give at the Council meeting, and doesn't know how full the agenda is. She reiterated she hates to see Councilor Dominguez go through this again. She said what she would like personally, other than a visit with Mr. Smith, is what he would say if he had one minute - what would be the main thrust or the most improved part of Chapter 14, where does it make it more user friendly, does it make it less of a public process, does it make it more

Councilor Dominguez said at Public Works they encouraged members to meet individually with staff to get answers to questions such as whether this rewrite actually constitutes amending Chapter 14, commenting he believes it does, because of some of the changes which have been identified.

Acting Chair Bushee said she will take time to meet with Land Use staff.

Acting Chair Bushee said on page 10 or 34, it deletes several sections of the BCD DRC and recommends phasing out the Committee. She said she would agree that the majority of the cases they heard had to do more with styles than with planning, so at the very least it would make sense to split the hearings between the Planning Commission and the Historic Design Review Board.

Acting Chair Bushee said it then says that "Major and minor procedures will be replaced by Development Plan Review Requirements in 14-3.8 and Community Impact Statements replaced by ENN requirements." She asked him to play out a scenario of some sort, El Castillo or the Drury Hotel, and tell her how this Chapter 14 rewrite changes those.

Mr. Smith said the Drury Hotel is in the Historic District and would be subject to review by the H-Board with regard to the H-District standards. He said, "The Drury would remain, in effect, the design standard for that particular subdistrict which would be applied, rather than at a hearing before the BCD DRC. It would be applied in front of the Planning Commission, staffed by our Department, as is currently the case."

Acting Chair Bushee asked wouldn't it be streamlining in this case for it just to go to the Historic Design Review Board.

Mr. O'Reilly said, "The BCD DRC is a different animal. Most of the projects in the Historic District that are also in the BCD DRC, have to go to both the Historic Design Review Board and the BCD, so there are two hearings there. It would certainly be streamlining if those projects only went to the Historic Design Review Board, but I would say that the Historic Design Review Board is tasked with reviewing the Historic Preservation Code of the City. It is not tasked with reviewing other parts of the Code. And the real issue staff has with taking things to the BCD is that we've had 5 cases in the past two years."

Acting Chair Bushee said, "Okay Matt. I'm not questioning the elimination of the BCD DRC and just so I can make this shorter, let me give you an example. The demolition of Santa Fe Clay, because it doesn't have to go to the Historic. It's in the Railyard. And that's really where a lot of movement had happened. And granted there have been quorum problems and all of that, but the people that serve on the BCD DRC, what we tended to review were Styles kinds of things more than Planning Commission kinds of things. And so, what I'm asking at this point is that you take that small example, and don't worry about the pros and cons of eliminating the BCD DRC. I'm not making an argument there. I'm saying it says 'major or minor project procedures will be replaced by development plan review requirements and community impact statements will be replaced by ENN requirements.'"

Acting Chair Bushee asked Mr. O'Reilly to provide a copy of that information to all of the members of this Committee and to the rest of the City Council by email and/or hard copy.

Mr. O'Reilly said they already have met with most of the Councilors one-on-one. He said, "Again the Staff Report really hits the highlights and the most important things, and you might want to begin, starting with the Staff Report, because it really hits the highlights. The matrix doesn't distinguish between an important change or a minor change, but the Staff Report does."

[Councilor Dominguez's and Councilor Bushee's remarks here are inaudible because they had their microphones turned off.]

Councilor Dominguez said the red flags are in there.

Acting Chair Bushee said, "I'll just combine it with the matrix and hope it percolates up."

Mr. O'Reilly, again reiterated, that they would love to meet with Councilor Bushee if they could.

Acting Chair Bushee thanked everyone for "sticking around" for the hearing.

Acting Chair Bushee said the Public Hearing was held and discussion took place, but no action was taken.

**21: 22. REQUEST FOR APPROVAL OF SOUTHWEST ACTIVITY NODE PARK MASTER PLAN.
(MARY MacDONALD)**

There was an absence of a quorum at the time this item came up on the agenda, so no action was taken.

25. OTHER FINANCIAL INFORMATION:

A copy of Lodging Tax Report for the month of October 2011, is incorporated herewith to these minutes as Exhibit "5."

26. MATTERS FROM THE COMMITTEE

There were no Matters from the Committee.

3C (Exhibit 3) November 15, 2011: POSAC reallocation approval/meeting minutes

Refer to page 4. Reallocation was an item on the agenda

- June POSAC: pages 4-7 vetting of information to use Parks GO Bond funds for administrative, maintenance, labor, and R&R.
- July POSAC: pages 3-5 vetting of information to use Parks GO Bond funds for administrative, maintenance, labor, and R&R.
- August POSAC: pages 5-6 vetting of information to use Parks GO Bond funds for administrative, maintenance, labor, and R&R.
- October POSAC: page 12



Agenda

DATE 11/8/11 TIME 4:44pm

BY Jessie Esparza

FILED BY

2888

~~Parks and Open Space Advisory Commission~~

~~The Barn at Frenchy's Field~~

~~Tuesday, November 15, 2011~~

~~3:00-5:00pm~~

1. Call to Order
2. Roll Call
3. Review and Approval of Minutes: October 2011
4. Approval of the Agenda
5. Old Business
 - Expansion of the Metropolitan Tree Board – Action Item
 - Priority Recommendations for Parks, Open Space, Trails and Recreational Facilities
 - Bond Planning Process Update
 - Completed Parks Report Update
 - ~~Completion of Park Bond Money Proposal Update~~
 - Parks Implementation Update / Items that will be coming before the Governing Body in November
6. New Business
 - MPO MPO Bicycle Master Plan Update
7. Possible Reports:
 - Tom Agard: Organized Youth Sports / Workforce Development / Trails to Schools
 - Jessie Esparza: Community Gardens
 - Martin Ortega:
 - Anna Hansen: Art in Parks / MPO Meetings and MPO Bicycle Committee meetings / Disc Golf
 - Daniel Coriz: NW Quadrant / BMX
 - Oralynn Guerrerortiz: Tierra Contenta Master Plan
 - Joe Lehm: Bike paths and connections / Skate Parks Patrick Torres: Community Gardens / Tree City
 - Sandie Taylor: Ten Park Histories on the Portal / Tree City
 - Bette Booth: Graffiti / Youth Involvement / Prairie Dogs
8. Public Comments
9. Confirm date and time for the next meeting

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

**MEETING MINUTES
FOR THE
PARKS AND OPEN SPACE ADVISORY COMMISSION**

TUESDAY, NOVEMBER 15, 2011

CALL TO ORDER

A regular meeting of the City of Santa Fe Parks and Open Space Advisory Commission was called to order by Bette Booth, Chair on this date at approximately 3:00 pm at Frenchy's Field Barn, Corner of Agua Fria and Osage, Santa Fe, New Mexico.

ROLL CALL

Roll call indicated a quorum as follows:

Members Present

Bette Booth, Chair
Daniel Coriz
Anna Hansen
Joe Lehm
Sandra Taylor

Members Absent

Oralynn Guerrerortiz (excused)
Tom Agard (excused)
Martin Ortega (excused)
Patrick Torres (excused)

Staff Present

Robert Wood

Others Present

Charmaine Clair, Stenographer

APPROVAL OF MINUTES- October, 2011

Joe Lehm was excused from the last meeting.

Ms. Taylor moved to approve the minutes of October, 2011 as amended. Mr. Lehm seconded the motion and it passed by unanimous voice vote.

APPROVAL OF THE AGENDA

Ms. Taylor moved to approve the Agenda as presented. Mr. Lehm seconded the motion and it passed by unanimous voice vote.

OLD BUSINESS

- Expansion of the Metropolitan Tree Board (MTB) – Action Item

3. \$3,800,000 for Sustainable Environmental Bonds- \$1.8 million for a photovoltaic system at the GCC and \$2 million for drainage improvement to the watershed.
4. \$2 million for High-speed Internet Infrastructure- to put high-speed Internet infrastructure hardware for the St. Michael's corridor, the Rail Yard and the airport.
5. \$3 million for Multimodal transportation and a Visitor's Center- to build a multimodal facility and visitor's center at the Rail Yard.

Chair Booth said Mr. Chavez took the POSAC recommendations and created a spreadsheet that was about \$13 million. She said this bond has \$30 million of which Parks was given \$3 million.

Chair Booth said the Commission has the draft budget that was presented to the City Council in their packet. She wrote a letter stating the process and that it was very participatory and had involved interviewing a lot of constituencies and responds to the four top priorities: 1) bring the South side to minimum standard 2) finish the parks needed 3) more multi use fields 4) and make Santa Fe more wheel friendly.

Mr. Lehm said that Chair Booth and Carlos Caldwell created a petition and got about 250 signatures. The petition stated that a large number of people want to ensure the money for skate parks would be used in that way and that some of the money from the new bond be clearly marked for the renovation or new skate parks.

Ms. Hansen said she read that each of the five questions would be a separate vote. She asked if that was still considered by City Council.

Chair Booth thought it was. She said there were questions about which questions should be lumped together and even what should be in the budget. She said Councilor Ortiz considered dedicating each Finance Committee meeting between November 30 and March to a separate question and the details could be discussed and aired then.

Chair Booth said Councilors Dominguez and Romero voted for the proposed bond as is; Councilors Ortiz and Bushee voted against.

Chair Booth said the SIP Bond was for maintenance and the GCC Bond for expansion. As far as maintenance that was to be charged to the 2008 bond would be paid from the SIP bond. Project managers would still be paid from the 1992 bond.

Chair Booth thanked the Commissioners and said they did what they said they would. However, the public hearings were used differently than originally stated and let the decisions to the public instead of the Commissioners.

She said with operations and maintenance staff covered for the next two years, it would free up \$1.56 million for construction. She noted that Councilor Bushee had suggested \$120,000 of that be used for security cameras for trails. Chair Booth said the Commission needs to get the message out that the bond money should not be redirected until the proposed parks in the Master Plan were finished.

Mr. Wilson said he was before the Commission partly because the list is in Phase A of the BTAC recommendations. He wants to tell the Commission what they could do to help with the plan.

Chair Booth said a priority list was sent over a month ago and a wheel friendly Santa Fe was number two. She included what Mr. Wilson sent her as an appendix.

Mr. Wilson said part of the reason for the Bicycle Master Plan was because a gap was created from what was being implemented and what the parks and trails bond funding was. He was gathering all the comments and would insert them into the draft and there would be a few weeks to clarify information. He was in the process of updating the bicycle and trails map with a goal to get it printed by the end of the year.

Chair Booth said she would work with Mr. Rogers on the missing parks.

Mr. Wilson said at the MPO Policy Board meeting Mayor Coss suggested the trails piece be removed from the recreational piece. He said the Councilors expressed that parks and trails were well-organized and strongest if kept together.

Ms. Hansen objected that the Multimodal Transportation Visitor's Center Bond is on the east side of town. She said the first thing people see is another bond for the Rail Yard and SWAN Park was more important. She thought linking the multi use paths with transportation in the Parks made it one issue instead of separate issues.

Tim Rogers was introduced for his presentation.

Mr. Rogers passed out a list of projects and the importance of the connections to and through parks for what the city tried to do. He said Santa Fe was recognized by Native American bicyclers as a Bronze Level bicycle friendly community. He said the city is trying to get to gold.

He said the 2009 Master Plan was more budget constrained and the 2001 Master Plan had a bigger picture. He encouraged the integration of the 2001 plan.

Mr. Rogers said POSAC should continue to work together to implement Phase A of the Bicycle Master Plan. There is a need for collaboration to approve accessibility and connectivity in everything parks does. One objective in the plan is how to identify resources for maintenance of the bikeways.

Mr. Rogers talked about maintenance of puncture vines and more limited use of the paths. He suggested Parks consider the use of bicycles with trailers for garbage and recycling collection.

Mr. Wood explained the best method for controlling puncture vines. He said he looked into ATV's and other vehicles and the Japanese three wheel taxi was the best. The bicycle and trailer wouldn't work because assembly required three people.

Mr. Rogers said money was available for engineering improvements through Safe Routes to School. He said by creating openness rather than infrastructure there was a lot of opportunity to improve connectivity.

Mr. Coriz asked when the water tank for the BMX jumping site could be installed; also a trashcan and a shade structure was needed. Mr. Wood replied he should follow-up with Leroy Pacheco on that.

Mr. Coriz said the BMX track was still on hold for legal access and parking. He asked if some of the surfaces on obstacles could be pre-worked before the snow to save time the following season.

Chair Booth suggested Mr. Coriz put requests in an e-mail to Mr. Chavez and Mr. Wood and copy her. Mr. Wood added Mr. Coriz should follow-up with Mr. Pacheco and copy him and Mr. Chavez.

Mr. Coriz said the motocross track had been a long process and the final approval from DOT (Department of Transportation) came and they were ready to go.

Chair Booth asked if the La Tierra Trail implementation would have to go to bid. She was told Mr. Pacheco had a contact ready to build it.

Mr. Lehm asked Mr. Coriz if he had feedback from the BMX people about the new feature at Ragle; the cross between the BMX and the pump track. He said the feedback he received was that kids didn't like the feature.

Mr. Coriz said they could ride either but it was not complete. He said the design was good but difficult.

- Joe Lehm: Bike paths and connections / Skate Parks

Mr. Lehm thanked Chair Booth for writing a nice paragraph for the City Councilors. He said it covered what he needed to talk about; that De Vargas Park still doesn't have money to finish and that it was unclear where money would come from.

He was surprised that the proposed change for an addition at Franklin Miles Park would need \$150,000 because Mr. Chavez thought the work could be done in-house.

Chair Booth said changes were made to the original and the \$150,000 was really a placeholder so at least that much money would go to the skate park.

Mr. Lehm said nothing had happened there; new bark was laid but the Park was a placeholder too.

He said it was mentioned that \$150,000 would go for a skate park at Ragle. He said as Mr. Coriz said, what had been built was primitive. Mr. Lehm wasn't sure the transition could be fixed but said there is room to add around it. Mr. Coriz added the construction company seemed to know what was wanted.

Chair Booth asked Mr. Coriz to send her an email about the lights (SWAN) and reminded him that the Park wouldn't be built for five years.

Mr. Wood explained the water lines and holding tanks and infrastructure had to go in first.

Chair Booth said she wanted the next pump track go into Zona.

Having no further business to discuss, the meeting adjourned at 4:46 p.m.

Approved by:

Bette Booth, Chair

Submitted by:

Charmaine Clair
Charmaine Clair, Stenographer



Agenda

CITY CLERK'S OFFICE

DATE 10-11-11 TIME 12:34

SERVED BY Fessie Espinoza

RECEIVED BY [Signature]

Parks and Open Space Advisory Commission

The Barn at Frenchy's Field

Osage & Agua Fria Intersection

Tuesday October 18, 2011

3:00 -5:00 p.m.

1. Call to Order
2. Roll Call
3. Review and Approval of Minutes: September 20, 2011
4. Approval of the Agenda
5. New Business
 - Ordinance Amending Article 23-6 SFCC 1987 To Permit The Limited Sale And Consumption Of Alcoholic Beverages At Fort Marcy Ball Park For Professional Baseball Games – Action Item
 - SWAN Master Plan – Action Item
6. Old Business
 - Expansion of the Metropolitan Tree Board – Action Item
 - Priority Recommendations for Parks, Open Space, Trails and Recreational Facilities Bond Planning Process Update
 - Completed Parks Report Update
 - Reallocation of Parks Bond Monies Proposal Update
 - Parks Implementation Update / Items that will be coming before the Governing Body in October
7. Public Comments
8. Confirm date and time for the next meeting

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

**MEETING MINUTES
FOR THE
PARKS AND OPEN SPACE ADVISORY COMMISSION**

TUESDAY, OCTOBER 18, 2011

CALL TO ORDER

A regular meeting of the City of Santa Fe Parks and Open Space Advisory Commission was called to order by Bette Booth, Chair on this date at approximately 3:00 pm at Frenchy's Field Barn, Corner of Agua Fria and Osage, Santa Fe, New Mexico.

ROLL CALL

Roll call indicated a quorum as follows:

Members Present

Bette Booth, Chair
Tom Agard (arrived later)
Daniel Coriz
Oralynn Guerrerortiz (arrived later)
Martin Ortega
Anna Hansen
Sandra Taylor
Patrick Torres

Members Absent

Joe Lehm

Staff Present

Fabian Chavez, Parks Director
Robert Wood, Interim

Others Present

Geno Zamora, City Attorney
Marilyn Banes, Old Santa Fe Association
Marg Veneklasen, Parks Commissioner, Emeritus
Charmaine Clair, Stenographer

Chair Booth welcomed the visitors and thanked them for coming. She said the mandate for the Parks and Open Space Advisory Commission is to provide ongoing advice regarding all parks and open spaces related issues, including but not limited to acquisition, dedication, planning and development, operations, construction and maintenance.

Chair Booth said she wanted to take a moment to honor Jerome Ortega, a Parks Division staff electrician who was killed in an accident on Friday.

Chair Booth said on a happier note she wanted to honor Ms. Esparza, the POSAC Community Liaison who was getting married on Halloween.

center, the airport and Marty Sanchez Links. The sale or consumption of alcoholic beverages is permitted in buildings owned by another party that is located on city-owned land.

Chair Booth said the resolution the Commission would look at was just introduced and authorizes the sale of alcohol in Ft. Marcy Ball Park in a designated area as a Beer Garden that would be used for the sale and consumption of beer only and only at professional baseball games.

She read the requirements for the Beer Garden (summarized below) and said the Commission would consider them in terms of whether to approve the resolution:

1. A designated area of the ballpark of no more than 25% of the area with a buffer around the Beer Garden.
2. A restricted entry and exit to the Beer Garden with security officers; no person under 21 would be permitted.
3. Those who consume would be required to wear a wrist band that restricts consumption to a maximum of three beers during the course of a professional baseball game.
4. Beer sales would end at the end of the sixth inning.
5. All beer would be consumed in the Beer Garden only.

Chair Booth welcomed Andrew Dunn, the Pecos League New Mexico Commissioner and said he would speak a few moments about the history of the ball team and why selling beer is necessary to bring the league.

Andrew Dunn said there were 18 Leagues in southern Colorado, New Mexico and West Texas that play independent professional baseball comparable to short season A baseball.

He provided information on the league. A summary follows:

- Points of confusion were clarified; the Pecos League has no connection with Pecos Texas or Pecos, New Mexico. The age of players was 21 and over- kids out of college who were professional players from all over the country.
- Players live in the city they represent and travel to other cities to play. The game season is May through July with 68 games. The regular season ends July 31 and playoffs start 1 August. Players stay with host families in the towns they represent; housing is provided for visiting teams and umpires.
- The League sells beer in every city they operate in for 2012. The City of Ruidoso is one area the team didn't sell beer and found financially the League couldn't make it. Mr. Dunn said that nearly every professional minor-league sport sells beer and it is part of the entertainment and teams meet the requirements of the city or county.
- Alternate parks in Santa Fe were looked at but Ft. Marcy was the only park the Pecos League could play in.
- Games were scheduled weeknights and weekends with 34 home games in May, June and July. Games start at 7 p.m. and end 9:30 -10 p.m. Traffic congestion was never a problem except for opening nights and playoffs.
- The League wasn't asking for money from Santa Fe and numerous cities in New Mexico wanted a team in their city.

Ms. Hansen asked if the Beer Garden paid for his league and why the League has to have beer at the games.

Mr. Dunn said from a sponsorship and tenant's perspective, teams at this level never worked without (selling) beer in North America. He tried it without beer sponsors the previous year in Ruidoso and even with great support and fans, it didn't work.

Ms. Guerrerortiz said if sponsors want large Budweiser signs, there were limitations on signs in the community. Mr. Agard added that the Youth League couldn't hang their sponsor signs.

Mr. Agard asked Mr. Dunn what attendance he anticipated. Mr. Dunn replied about 450-500 people Friday and Saturday and about 100-200 on Monday through Wednesday. He said Sundays was unknown.

Mr. Agard asked Mr. Dunn if he thought the restroom facility, the concession stand, the bleachers and the parking were adequate.

Mr. Dunn said the facility wasn't the greatest but would get them started and the League could bring in portable potties if necessary. He said the concession stand wasn't adequate but the League wasn't asking for money for improvements. The bleachers were fine. He said he knew that parking was a concern for people in the neighborhood but it wouldn't be that many people.

Mr. Agard asked if Mr. Dunn had anyone on his staff certified in turf management.

Mr. Dunn said not in Santa Fe but in another city and he has numerous connections with others that were certified.

Mr. Ortega asked who assumed the risk for liability, with alcohol being served. He said a three beer limit was proposed but who could say that someone hadn't had three or four beers before the game.

Mr. Dunn said liability had to be the server's according to the New Mexico liquor laws. He said the League carried general liability and workman's compensation for "on facility," not for someone in an accident on the way home.

Mr. Torres asked what other cities the League had been in prior to Ruidoso. He asked if there was a reason the League moved out of Las Cruces.

Mr. Dunn said they were in Las Cruces, Alamogordo, Roswell and Alpine. (Texas) He said they were still in Las Cruces but wanted to expand to the North and the only location that wouldn't be renewed was Ruidoso because beer couldn't be sold on the school district property.

Chair Booth said some leagues have relationships with kids in the community. She asked if the League did that type of outreach.

Mr. Chavez said currently the League was treated like any other league and paid basic fees, but the costs for the field could be monitored. He said per the resolution this had to be cost neutral for the city and Parks would have to work with Mr. Dunn and the League to determine additional costs.

Chair Booth said she would now open up Public Comment. She reminded everyone they would have two minutes and questions should specifically relate to the three issues of beer in the parks; location and cost to the Parks Division. She said issues on finance etc. should be discussed at the Finance Committee meeting.

Chair Booth said she would first recognize Ms. Veneklasen as Commissioner Emeritus.

PUBLIC COMMENT

Ms. Veneklasen said asked how much a ticket would be and if they were taxed. She asked who would sell the beer. She was told the tickets would be six dollars and not taxed and a licensed vendor would sell the beer.

Ms. Veneklasen said she was concerned about 158 parking spaces and 500 people and how that would work.

Mr. Dunn said in Alamogordo there were youth games in all four fields and 359 parking spaces and there was never an issue.

Ms. Veneklasen asked if beer at the park would affect the city's liability.

Geno Zamora, City Attorney for Santa Fe answered. He said as the ordinance currently exists, liquor sales were allowed on certain city property and the city has coverage. He said general liability insurance is a requirement for any use.

Barbara Harrelson Old Taos Highway, asked for clarification on a clause in the resolution that stated if this League came, it couldn't take precedence over local teams. She said also Mr. Dunn stated 1) there were 34 home games and she found 41 home games on the website; 22 were in July alone. She asked how that could leave a lot of time for other leagues.

She said 2) she didn't know how Mr. Dunn expected to fill a ball park on 17 consecutive nights and 3) she said the Ruidoso Free Press reported in the League's first season one of the general managers was fired and one resigned. She said Mr. Dunn made reference of having done this for three years; the Pecos League was founded in 2010 and this past spring was their first season.

She said there was also an incident of a visiting team that ran out on the hotel bill among other accounts in Alamogordo and Las Cruces.

Chair Booth asked what the current use for Fort Marcy league play was.

Mr. Chavez said currently the only league is AABC and the bulk of their games were played at Ragle and Ft. Marcy was a backup. He said in July at the end of the season, tournaments were held there and a men's adult league played there on Sundays.

Judy Johnson said she hadn't heard how much one beer would be and who would monitor who received beers and who shared beers in the Beer Garden.

She said she lived in a valley area and the sound carried and she is concerned about the intense use of the area because of so many games during the weeknight until 10 p.m. She said that was more than a residential area should be asked to absorb.

Mary Quintana from Santa Fe said first, the Commission had been blindsided once again. She said Mr. Dunn had a website with shirts etc. and was ready to go. She said he advertised on his website for a Santa Fe Field Manager and 11 or 12 interns to get people fired up about baseball at Ft. Marcy next year. She said to him this was a done deal.

She said she noticed a placard with Santa Fe Parks Regulations on her way to the meeting. The first regulation was *no alcohol in public parks*. She felt she had to bring to their attention that Santa Fe couldn't remain oblivious to the public health and safety concerns and should realize as a result of alcoholism that the incidents of drunk driving were epidemic.

Ms. Quintana said this ordinance was passed as a result of teens that died and she would ask that when the Commission voted if they couldn't honor the living, then please honor the dead.

Chair Booth asked for a show of hands of people present because they were opposed to selling beer in a public park and how many because Ft. Marcy was not the right venue. She then asked if there were any other points not related to finance.

Ms. Batista asked why the city would not look at the semi-pro team in Santa Fe for the last 10 years and why they weren't offered an opportunity to go to Fort Marcy.

Ms. Johnson said in fairness she had to say she has read letters to the editor and there was a lot of support to bring baseball to Santa Fe.

An unidentified citizen said there would be no opportunity for other families from town to play or picnic and they would be pushed out.

PUBLIC COMMENT was closed.

Chair Booth thanked everyone for their comments and said the Commission had the question of whether to support the resolution that would allow beer to be sold in Ft. Marcy Park to bring professional baseball to Santa Fe.

Ms. Guerrerortiz moved that the Parks and Open Spaces Advisory Commission recommend to deny the amendment to the ordinance.

Ms. Guerrerortiz said she doesn't agree with the concept of beer being sold in city parks and the location does not have adequate parking.

Ms. Guerrerortiz said that would mean no skate park for 5-10 years.

Ms. Horn said she had to look at how to cut the costs of a program so that momentum could be built for the project and have a core area that accommodated a range of people. She said initially Phase I had a portion of the skate park but it was more than \$5 million.

Chair Booth said she thought because of that it was even more important to have a fairly significant piece of funding to complete De Vargas, remodel Franklin Miles Park and add on to Ragle.

Ms. Guerrerortiz said there is also the concept to put a skate park in Zona in Tierra Contenta.

Chair Booth said that was talked about but this was the big thing for the skaters. She said they didn't get anything in the last bond and there was an equity issue.

Ms. Guerrerortiz moved to approve the SWAN Master Plan. Ms. Hansen seconded the motion and it passed by unanimous voice vote.

OLD BUSINESS

- Expansion of the Municipal Tree Board (MTB)– Action Item

Mr. Torres said the MTB met four times during the year and in the course of discussion had explored the expansion of the Board. The MTB is a subcommittee of POSAC and why the Board came to the Commissioners with this request.

He said the current Board members; himself and Sandy Taylor and Bob Wood as an ex-officio member requested expansion of the MTB to include another three members. The members considered are involved in private business, with utility companies, the nursery industry or as professional arborists.

Ms. Hansen said some of the people mentioned were doing business with the city and there had been a question of whether they could be on the MTB.

Mr. Chavez said he had been busy but would ask Mr. Wood to call the City Attorney about that. He thought the people considered wouldn't be eligible.

Ms. Hansen moved to approve the Municipal Tree Board be expanded. Ms. Guerrerortiz seconded the motion and it passed by unanimous voice vote.

Mr. Torres said he would confirm that the individuals were still interested and return with the names.

Chair Booth said the Commissioners should start thinking about the holiday Christmas party.

She said also the Commission needed to let the City Clerk know when their meetings would be for next year.

The Commission discussed options for the monthly meeting. The consensus was to leave as is.

DATE AND TIME FOR NEXT MEETING: November 15, 2011 at Frenchy's Field

ADJOURN:

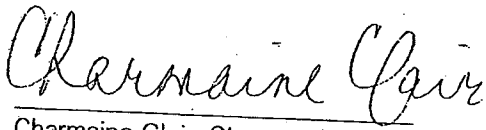
Ms. Hansen moved to adjourn. Ms. Guerrerortiz seconded the motion and it passed by unanimous voice vote.

Having no further business to discuss, the meeting adjourned at 5:00 p.m.

Approved by:

Bette Booth, Chair

Submitted by:



Charmaine Clair, Stenographer



Agenda

CITY CLERK'S OFFICE

DATE 9-13-11 TIME 8:34am

SERVED BY Jessie Esparza

RECEIVED BY [Signature]

Parks and Open Space Advisory Commission

The Barn at Frenchy's Field

Corner of Osage and Agua Fria

Tuesday, September 20, 2011

3:00 -5:00 p.m.

1. Call to Order
2. Roll Call
3. Review and Approval of Minutes: July 2011 and August 2011
4. Approval of the Agenda
5. Old Business
 - Priority Recommendations for Parks, Open Space, Trails and Recreational Facilities Planning Process
 - Reallocation of Parks Bond Monies Proposal Update
 - Parks Bond Implementation Update / Items that will be coming before the Governing Body
6. New Business
 - Signs on parks while they are being renovated.
 - International Walk and Roll to School Day
7. Possible Reports:
 - Tom Agard: Organized Youth Sports and Survey / Workforce Development / Trails to Schools
 - Jessie Esparza: Community Gardens
 - Martin Ortega:
 - Anna Hansen: Art in Parks / MPO Meetings and MPO Bicycle Committee meetings / Disc Golf
 - Daniel Coriz: NW Quadrant / BMX
 - Oralynn Guerrerortiz: Tierra Contenta Master Plan
 - Joe Lehm: Bike paths and connections / Skate Parks Update on the skate event in the Plaza, De Vargas
 - Patrick Torres: Community Gardens / Tree City
 - Sandie Taylor: Ten Park Histories on the Portal / Tree City
 - Bette Booth: Graffiti / Youth Involvement / Prairie Dogs
8. Public Comments
9. Confirm date and time for the next meeting

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

**MEETING MINUTES
FOR THE
PARKS AND OPEN SPACE ADVISORY COMMISSION**

TUESDAY, SEPTEMBER 20, 2011

CALL TO ORDER

A regular meeting of the City of Santa Fe Parks and Open Space Advisory Commission was called to order by Patrick Torres on this date at approximately 3:00 pm at Frenchy's Field Barn, Corner of Agua Fria and Osage, Santa Fe, New Mexico.

ROLL CALL

Roll call indicated a quorum as follows:

Members Present

Tom Agard
Oralynn Guerrerortiz
Anna Hansen
Joe Lehm
Sandra Taylor
Patrick Torres

Members Absent

Bette Booth, Chair (excused)
Martin Ortega (excused)
Daniel Coriz

Staff Present

Fabian Chavez, Parks Director
Jesse Esparza, Parks Division

Others Present

Henry Lenman
Charmaine Clair, Stenographer

APPROVAL OF MINUTES- July/August, 2011

Minutes of July, 2011

Requests to change the minutes of July and August were made only to the requests verified as incorrect or where clarification was needed.

Page 1, first sentence, the Parks Commission mandate was asked to be inserted in full as follows: "The Parks and Open Spaces Advisory Commission (POSAC) shall provide ongoing advice regarding all park and open space related issues, including but not limited to acquisition, planning, development, operations, construction and maintenance."

APPROVAL OF THE AGENDA

Ms. Guerrerortiz moved to approve the Agenda as presented. Ms. Hansen seconded the motion and it passed by unanimous voice vote.

OLD BUSINESS

- Priority Recommendations: Parks, Open Space, Trails & Recreational Facilities Planning Process- Action Item

Mr. Torres said the Commission members should have received an e-mail of the letter sent by Chair Booth to Councilor Dominguez.

Mr. Torres read the letter to Councilor Dominguez into record:

Dear Councilor Dominguez,

Thanks so much for the meeting last week. I learned lot and thought it was very productive. I will be sharing the Bond information with POSAC in the September meeting.

We discussed several points that I'd like to summarize:

First of all, thank you for championing this effort to continue to improve our parks and trails!

Secondly, as we proposed in the POSAC Priority Recommendations, we support:

- ⊙ Bring the southwest side of town (particularly Tierra Contenta) up to at least the minimum standard of parks/amenities/equipment per population required by the City Ordinance No. 2007-12 § 2:
 - ✓ Build as much of SWAN as possible *including the skate park in Phase I.*
 - ✓ Build Colonia Prisma Park – The design for this park has been completed with community input. It needs \$250,000.00 for implementation,
 - ✓ Beautify Arroyo Sonrisa Park which has fallen into disrepair.
 - ✓ Improve the turf at Cesar Chavez Park at Cesar Chavez School.
 - ✓ Work with Tierra Contenta Zona to develop recreation/park facilities.
 - ✓ Add water to the statue at the Southside Library.
- ⊙ Complete Parks Not Included or Underfunded in the 2008 Bond:
 - ✓ Rancho Siringo Park was completely left out of last Bond. It should be the priority for District 4 unspent funds.
 - ✓ Marc Brandt – Park or drainage ditch?
 - ✓ John F. Griego Park
 - ✓ Acequias Park Phase 4
 - ✓ Monica Lucero
 - ✓ Salvador Perez

- Reallocation of Parks Bond Monies Proposal Update

Mr. Chavez passed out copies of Districts 1-4 and said that was part of the list of what was done and not done asked for by the Commission members. (Exhibits 3-6) He explained how to read the reports and said *Other Improvements* were things not part of the 2008 Parks Bond Plan.

Mr. Chavez said at Finance there was a lot of discussion on the reallocation process for each park and what was paid for salaries for maintenance, administrative and project management. Finance asked that another report be prepared with the same information but with a detailed breakdown of labor.

Mr. Chavez explained the process. He said when the city spent money it was in sub accounts and if there wasn't enough money in a particular sub account the city moved money by a BAR from one account to another. He said the allocation request was a giant BAR.

Mr. Chavez said he would move forward in the first Public Works meeting in October with the same reallocation request but how much was maintenance, how much was administrative costs, etc. would be broken down.

Ms. Taylor asked if that was public information.

Mr. Chavez said it was not presented to the Governing Body for approval but Chair Booth said it should be part of the report as to what happened and what didn't. He thought this was public information and said Parks was okay with that.

Ms. Taylor asked how to get specific detail on money that was spent. She gave the \$100,000 on Amelia White Park as an example.

Mr. Chavez wasn't sure why that was missing. He said he didn't realize the columns were blank and he would take care of that. He said if specific information was wanted about a park, an appointment could be made with Ms. Esparza to see that.

Ms. Guerrerortiz said when she looked at the Park Advisory Commission recommendation and the bottom line total; in almost every case the total was higher. She asked if there was concern about going over budget.

Mr. Chavez said yes and no. He said in the end, some parks would come in under because so much of the work was done by in-house crews. He said they had definitely gone over in some because they missed a big portion of the ADA, the cultural reviews and the surveys.

Mr. Chavez said a lot of the trails came in under budget. A trail toward the community college was to be done but couldn't happen and the money came back into the parks bond account. A lot of the trail money was being freed up and coming back to the parks or trails portion of salaries.

Ms. Hansen said the other park that didn't have a yes or no was the Water History Museum and Park called the Power Plant. She said she knew all of the things had been done. She asked if the park could

GCC- complete except there was no money for a fence along the street. Money would be asked for from operational or it would be in the second round. The prairie dog activity has slowed and trapping was finished. There is money to put barriers along the sheriff's posse fence and money would be asked for a panel in the ground for a physical barrier for the prairie dogs.

Cross of the Martyrs- the stonework is done. Additional work was identified in the staff allocation portion of the survey.

SWAN- the master plan is done.

Cielo Vista- the property would be surveyed. The Parks Bond Master Plan would be used with a GIS map to lay out where things would happen. A meeting could be scheduled in about three weeks.
Octillia- in schematic form; playgrounds were redone by the schools and tennis courts were done. Some ADA and demolition work would be done. The drinking fountain is in.

Amelia White- items were ordered.

Franklin Miles- over-seeded.

Ragle- The Colorado artist doing the stone sculptures would come in the next few weeks to hire an electrician and a concrete person.

River Park- the statues were falling down at El Castillo and would be given to the Arts Commission to decide what to do with them. The work in the Santa Fe River in upper Alameda was over-seeded last week.

Ms. Hansen said she would bring up one more time the drinking fountain at Ashbaugh, like the one at Adam Armijo. She said it was nice and would be fabulous to have.

Mr. Chavez said that was in the drawing and she could verify it.

Mr. Agard asked the time frame on Salvador Perez and if it would interfere with the (sports) season.

Mr. Chavez said it was recommended work be done in the park but the ball fields left open. The pathway work would be done this fall if the weather holds. The bottom half would be closed in spring.

NEW BUSINESS

- Signs on Parks Being Renovated

Ms. Hansen said they requested a sign that states something like: "Your 2008 \$30 million bond money at work on a city park and new trail system. Thank you for your support, the City of Santa Fe Parks Department and the Parks Advisory", etc.

Mr. Agard said he e-mailed Andrew Dunn of the Pecos League and introduced himself and asked for feedback about the league's request. He mentioned that POSAC would have a minor discussion as part of his youth sports presentation and said a representative could comment in Public Comment at the end of the meeting. He wrote that he wanted to put the team on the agenda next month for a presentation about their league and their request. He said he told Mr. Dunn if the team had the support of the Advisory Commission it would add strength to their request at City Hall and he strongly recommended that the team have representation.

Mr. Agard said at face value he was opposed but no details were available at that point. He thought that MRC would be better suited if they were prepared to invest in the improvements necessary.

Mr. Chavez said all of the games were played at night and MRC doesn't have lights and was opposed to more lighting.

Mr. Agard said he received an e-mail from Mr. Dunn that said he would be in Santa Fe from October 12-17 but had no representative from staff in Santa Fe for that week. Mr. Dunn told him they were in the process of building staff and had to be careful who was sent to meetings of importance.

Mr. Agard asked if the Commission was in favor and he would let Mr. Dunn know that the next meeting was October 18. He brought articles from the New Mexican; one was about the team kicked out of a restaurant in Alamogordo and banned from Appleby's. He said the police were not in favor. He said as far as youth sports, he couldn't see the mix.

Mr. Chavez said a formal presentation was a good idea. He suggested the invitation letter to the meeting state talking points; ask about the concession; who was selling the beer, what level of maintenance would be expected on the field; what would happen with conflicts. He said the adults have had the field every Sunday for years.

Mr. Chavez said a good general question was what level of maintenance or improvements the team would expect; if approved, what would the Parks Division or the City of Santa Fe be asked to do.

He suggested calling Ruidoso or Alamogordo where the team was last year and ask how it went.

Mr. Agard said the other report he had was on lane fees for swimming. He thought Recreation should give a report on the increase in lane fees for youth swimming teams. He said the fees went up quite a bit. He said he would call Martin (Lujan) and prepare a report for the next meeting.

- Jesse Esparza: Community Gardens

Ms. Esparza said she went to the community garden tour on Saturday and took pictures. She said there would be a demonstration Sunday, October 2nd at the Rail Yard on how to make a chili ristra.

was over budget. Mr. Lehm said the work was still being pushed back until it was clear where the money would come from.

Mr. Lehm said during Indian Market a skateboard contest was held that previously was held in the Cathedral Park area and was pushed onto the Plaza. He said hundreds of people walked by and the visibility was incredible and helped to raise awareness for where the skaters could skateboard if not on the Plaza.

Mr. Lehm said he went to the pumptrack meeting and the most interesting thing was people asked where the parking would be.

- Sandra Taylor: Tree City USA

Ms. Taylor said Tree City met August 16 and discussed the need to expand the board membership of the MTB (Municipal Tree Board.) She explained that the board is a subcommittee of POSAC.

She said she, Mr. Wood and Mr. Torres would formally propose at the POSAC meeting in October to expand the board to five members and include not just Parks Commission members but knowledgeable and interested members of the community.

Ms. Taylor said Mr. Coates from Coates Tree Service and the manager of one of the largest nurseries in town were interested and their resumes would be received. She asked how the Commission felt about that.

Mr. Chavez said he would check with legal but thought Mr. Coates would be a conflict because the city gave him about \$30,000 in contracts.

Mr. Torres said also there is a certified arborist from the utility company. He said the board is looking for individuals with knowledge about tree culture.

Ms. Taylor said the Arbor Day and Community Day activities were successful and 200 Austrian Pine seedlings were distributed.

She said a Quality of Life grant of \$72,000 was received by the Parks Department and \$25,000 was used for tree trimming downtown and along the river walk. She told about a huge locust tree with an elm tree growing in the middle on Washington Avenue that split the locust tree.

The \$72,000 was also used for an air spade to dig tree roots, chaps, safety glasses, gloves and first aid kits for the crews; also tree care and safety workshops and training videos that help with the renewal of Tree City USA which has to be renewed annually.

Ms. Taylor said three priorities were decided on: 1) Health and safety issues- problem trees with huge branches, overhanging limbs etc., and training for crews on the health and safety issues. 2) Tree trimming and tree replacement in the historic district. One concern was that many trees around the Plaza were at the end of their lifespan and that made them a hazard and should be replaced a few



Agenda

CITY CLERK'S OFFICE

DATE 8-10-11 TIME 7:52 AM

SERVED BY Jessie Esparza

RECEIVED BY [Signature]

Parks and Open Space Advisory Commission

The Barn at Frenchy's Field

Corner of Agua Fria & Osage

Tuesday August 16, 2011

3:00 -5:00 p.m.

1. Call to Order
2. Roll Call
3. Review and Approval of Minutes: July 2011
4. Approval of the Agenda
5. Old Business
 - Priority Recommendations for Parks, Open Space, Trails and Recreational Facilities Planning Process – Action Item
6. New Business
 - Parks Bond Update and Request of Reallocation of Parks Bond Funds — Action Item
 - La Tierra Trails Resolution – Action Item
7. Possible Reports:
 - Tom Agard: Organized Youth Sports and Survey / Workforce Development / Trails to Schools
 - Jessie Esparza: Community Gardens
 - Martin Ortega:
 - Anna Hansen: Art in Parks / MPO Meetings and MPO Bicycle Committee meetings / Disc Golf
 - Daniel Coriz: NW Quadrant / BMX
 - Oralynn Guerrerortiz: Tierra Contenta Master Plan
 - Joe Lehm: Bike paths and connections / Skate Parks
 - Patrick Torres: Community Gardens / Tree City
 - Sandie Taylor: Ten Park Histories on the Portal / Tree City
 - Bette Booth: Graffiti / Youth Involvement / Prairie Dogs
8. Public Comments
9. Confirm date and time for the next meeting

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

**MEETING MINUTES
FOR THE
PARKS AND OPEN SPACE ADVISORY COMMISSION**

TUESDAY, AUGUST 16, 2011

CALL TO ORDER

A regular meeting of the City of Santa Fe Parks and Open Space Advisory Commission was called to order by Bette Booth, Chair on this date at approximately 3:00 pm at Frenchy's Field Barn, Corner of Agua Fria and Osage, Santa Fe, New Mexico.

ROLL CALL

Roll call indicated a quorum as follows:

Members Present

Bette Booth, Chair
Oralynn Guerrerortiz
Anna Hansen
Martin Ortega
Daniel Coriz
Patrick Torres (arrived later)
Tom Agard (arrived later)
Sandra Taylor

Members Absent

Joe Lehm

Staff Present

Fabian Chavez, Parks Director
Jesse Esparza, Parks Division

Others Present

Charmaine Clair, Stenographer

Chair Booth called the meeting to order and read the Parks and Open Spaces Commission mandate: *"The Parks And Open Spaces Advisory Commission (POSAC) shall provide ongoing advice regarding all park and open space related issues, including but not limited to the acquisition, planning, development, operations, construction, and maintenance."*

APPROVAL OF MINUTES- July, 2011

Ms. Taylor moved that the July minutes be postponed until the next meeting. Mr. Ortega seconded the motion and it passed by unanimous voice vote.

Mr. Chavez suggested that Councilor Domínguez be asked the format he would like. He said the Councilor could decide what other explanations and verbiage was needed etc. He said he thought the Commission's work was done.

Chair Booth asked for Mr. Chavez's impression of the list.

Mr. Chavez said once the numbers were in, the document would be complete and it would be Councilor Domínguez's task to direct what else should be done. Mr. Chavez offered to provide any needed information.

Chair Booth offered Mr. Chávez and his staff the Commission's help and Mr. Chávez agreed to let them know if help was needed.

Mr. Chavez said his initial take was that general recommendations were at the front of the document. He said Councilor Domínguez might want parks at the front, etc. He said the numbers need to be added and Robert Romero might ask that recommendations in different amounts of 10, 20, and 30 million dollars to be done.

Chair Booth said several things floated to the top for follow up:

1. In January strategic planning could be done; where the Commission was and what was wanted going forward.
2. A more "wheel friendly" Santa Fe.
3. The public meeting notification process.
4. A celebration of Parks staff- how to let staff know that all they do is appreciated.
5. A funding mechanism- supported by the Commission for an individual to fund a feature etc. for groups such as the pump track and skateboarders etc. who want to raise money.
6. Future projections in terms of demographics and water. The City received \$190,000 for a study on climate change and water in Santa Fe. A presentation should be planned.

NEW BUSINESS

- Parks Bond Update and Request of Reallocation of Parks Bond Funds- Action Item

Chair Booth said she wanted to start with what was learned from the process. She said personally she had kept her word and she had total confidence the Commission would do the right thing because it represented such a wide diversity of interests and had so much experience.

She said the Commission needs to be informed before anything goes to the city body, including CIP funding. She said the Commission played an important role in terms of community and had been explaining things to the community. She said she really felt blindsided.

Chair Booth asked each Commissioner to talk about what they learned or how the experience could be used to move forward in a better way.

Mr. Chavez said the Commission should understand that a single park plan was different than this report. He said the park plan and scope of work said certain things should happen in a certain time frame. He said re-allocations were worked on by *his* boss and changes and requests were continuously made throughout the process. He added that the document wasn't ready for public release until five days before the first Public Works meeting.

Mr. Chavez said he wanted to make clear as he previously stated to Chair Booth, that neither he nor the Parks Division had tried to hide anything. He said he would do everything possible to honor the motion once passed, but there could be times the Commission wouldn't have a chance to meet. He said they should be prepared to do attend a Parks, Public Works, Finance or Council meeting and speak as individuals.

Chair Booth said she wanted to be sure Mr. Chavez knew the Commission had never at any point thought Parks had tried to hide anything. She said she apologized and was sorry if Mr. Chavez felt that, because it was never the intent.

Mr. Chavez and Chair Booth discussed the comment about being "blindsided." They agreed if an issue would go public, the Commission would be informed.

Mr. Chavez said as a failsafe, the Commission should review the city website each week because every meeting with the agenda was posted a week in advance.

Ms. Taylor made a friendly amendment that the motion be stated "Parks staff would make every effort to inform the Commission."

The motion that Parks staff would make every effort to inform the Parks and Open Space Advisory Commission before any issue about parks or the parks bond implementation is taken to the Governing Body, including the CIP and the City Council, passed unanimously.

Chair Booth asked members for edits or changes to the letter of response to the Finance Committee.

The Commission discussed the points of the letter. Edits and changes were suggested and the Commission discussed their perspective of the responsibilities of the Commission.

Chair Booth said she would send the letter with the changes to everyone and then would send the letter to the chair of the Finance Committee.

- La Tierra Trails Resolution – Action Item

Chair Booth said the La Tierra Trails Master Plan was ready to go to the City Council. She said the resolution would adopt the Master Plan for use by the city as a guide to the development of the city wilderness trails and open space in the Northwest Quadrant. She said Leroy Pacheco was present to answer questions.

Ms. Guerrerortiz asked if all of the items were under the bond.

Mr. Chavez said putting a fence up wouldn't keep illegal use out. He asked Mr. Coriz to send him verbiage for a sign and he would have a sign made that stated the track was solely for BMX use. He said bullet points could be included with no RC cars, etc.

Mr. Coriz said also that maintenance had helped on rebuilding a section that was never finished. He asked if there could be a fence, a sign and Parks help to finish rebuilding the last section. He passed around pictures of the Albuquerque track.

Mr. Chavez asked Mr. Coriz to e-mail him when he would be at the track with his volunteers.

Mr. Ortega said Herb Martinez Park has two issues - the chain-link fence needs repair; basketballs roll through the temporary orange netting and kids were running into the street. Mr. Chavez asked he send him an e-mail.

Mr. Ortega said the second issue was the prairie dogs were gone but gophers had infested the schools and were coming into homes. He said resident's spent money on an exterminator that pushed the gophers out but they moved back and the resident's were looking for a solution.

Mr. Chavez said Parks was the only one trapping gophers and it was a circle from the Parks, to the schools to the homes. He suggested Mr. Ortega call the superintendent of the schools to discuss the issue.

Mr. Ortega agreed they could contact the schools but thought Parks should be aware.

Mr. Agard said he wanted to thank the Parks staff. He said the state baseball championship was to be held in Los Alamos and because of the fires the leagues switched to alternate parks with very short notice. He said Parks staff accommodated the leagues and that enabled them to host the Pro Fast Pitch Tournament in Santa Fe at Salvador Perez and Alto Parks.

Ms. Hansen suggested the Pacheco Canyon fire be included in the letter; Parks staged the camping areas at Ft. Marcy and MRC.

- Youth Report- Chair Booth

Chair Booth said a public meeting was proposed on the pump track on August 31 at 6 p.m. at the proposed site of Alire and Alameda. Flyers would be passed out door to door in the area. She invited everyone.

Mr. Chavez said Chair Booth had asked the Parks Division for a report in lieu of an inventory. He said that would be sent by Ms. Esparza via e-mail by the end of the week. He reviewed a page and explained how to read the report.

Mr. Chavez said if a "no" stated something wasn't done, a reason that the task wasn't completed was indicated with an asterisk. He said *Other Improvements* was what had been done in addition to the list. He said the Commission would see that a lot was done that was not identified on the first go around.

Approved by:

Bette Booth, Chair

Submitted by:

Charmaine Clair
Charmaine Clair, Stenographer



Agenda

CITY CLERK'S OFFICE

DATE 7-13-11 TIME 8:19am

SERVED BY Jessie Esparza

RECEIVED BY [Signature]

Parks and Open Space Advisory Commission

The Barn at Frenchy's Field

Agua Fria & Osage

Tuesday, July 19, 2011

3:00 -5:00 p.m.

1. Call to Order
2. Roll Call
3. Review and Approval of Minutes: June 2011
4. Approval of the Agenda
5. Old Business
 - Priority Recommendations for Parks, Open Space, Trails and Recreational Facilities Planning Process – Action Item
6. New Business
 - Parks Bond Update and Request of Reallocation of Parks Bond Funds — Action Item
7. Possible Reports:
 - Tom Agard: Organized Youth Sports and Survey / Workforce Development / Trails to Schools
 - Jessie Esparza: Community Gardens
 - Martin Ortega:
 - Anna Hansen: Art in Parks / MPO Meetings and MPO Bicycle Committee meetings / Disc Golf
 - Daniel Coriz: NW Quadrant / BMX
 - Oralynn Guerrerortiz: Tierra Contenta Master Plan
 - Joe Lehm: Bike paths and connections / Skate Parks
 - Patrick Torres: Community Gardens / Tree City
 - Sandie Taylor: Ten Park Histories on the Portal / Tree City
 - Bette Booth: Graffiti / Youth Involvement / Prairie Dogs
8. Public Comments
9. Confirm date and time for the next meeting

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

**MEETING MINUTES
FOR THE
PARKS AND OPEN SPACE ADVISORY COMMISSION**

TUESDAY, JULY 19, 2011

CALL TO ORDER

A regular meeting of the City of Santa Fe Parks and Open Space Advisory Commission was called to order by Bette Booth, Chair on this date at approximately 3:00 pm at Frenchy's Field, Osage and Agua Fria, Santa Fe, New Mexico.

ROLL CALL

Roll call indicated a quorum as follows:

Members Present

Bette Booth, Chair
Oralynn Guerrerortiz
Anna Hansen
Martin Ortega
Daniel Coriz
Tom Agard
Sandra Taylor

Members Absent

Patrick Torres (excused)
Joe Lehm (excused)

Staff Present

Fabian Chavez, Parks Director
Ben Gurule, Parks Division
Jesse Esparza, Parks Division

Others Present

See attached sign in sheet (Exhibit 1)
Charmaine Clair, Stenographer

Chair Booth welcomed the Parks and city staff members and said they appreciated it. She called the meeting to order and read the mandate that created POSAC (Parks and Open Spaces Advisory Commission.) She said that was the reason the Commission existed. The Commission was created to provide ongoing advice for all parks and open space related commissions including the acquisition of planning, development and operation and maintenance.

Chair Booth said Joe Lehm indicated that he didn't have the time to serve on the Commission and suggested Carlos Caldwell as a replacement. Chair Booth said she contacted Mr. Caldwell about the position and he would let them know by early August if his schedule would accommodate that.

- ✓ Youth — interviews/meetings with the Warehouse 21 Youth Advisory Committee, the Mayors Youth Advisory Committee and other youth leaders.
 - ✓ The "wheeled community": Constituencies who want to increase the use of skate, street bikes, mountain bikes, BMX, pump tracks and skate boards as both transportation and recreation.
 - ✓ Disc golf participants.
 - ✓ Prairie dog advocates.
 - ✓ Community gardens in parks parciantes.
- Conducted a Needs Assessment with 24 organized sports organizations to: 1) describe the current use of Santa Fe parks by organized sports, 2) identify current gaps and issues related to the use of SF parks by organized sports and 3) describe projected needs of organized sports in the next five – ten years.
 - Met with and initiated an on-going dialogue with other related institutions and groups including the County Parks and Open Spaces staff, the Metropolitan Planning Organization staff, the MPO Bicycle Committee and Art in Public Places and Zona.
 - Participated in public meetings for the proposed Southwest Regional Park, La Tierra Trails, the DeVargas Skate Park, Calle Lorca / Southside Park and Herb Martinez Park.

The Commission reviewed the draft: Ms. Hansen suggested Melendez Park should be added to the list of parks that would never be a park. Ms. Guerrerortiz said some parks were left out that had been added to the parks system in the Tierra Contenta area.

Chair Booth said another major change on the new draft was to establish a permanent source of funding for the maintenance of Santa Fe Parks and Open spaces and other priorities were divided into points: 1) bring the Southwest side of town to minimum standards for parks 2) co-manage parks with community users 3) complete the parks that were left out of the last bond 4) plan for obsolescence, i.e. playground equipment 5) make Santa Fe more "wheel" friendly to bring various constituencies together 6) listen to the organized sports organizations 7) resolve the prairie dog issue and create a prairie dog park with space for habitat and 8) plan for the future; in the next year and demographics for Santa Fe in 10 or 20 years and how to plan for climate change.

Ms. Guerrerortiz said park access safety should be added.

The Commission discussed the format of the draft and annex A and B; appendices were suggested after the first three pages.

- Mr. Agard said Herb Martinez, Monica Lucero and Candelero Park in District 4, had a lot of public input and needed more work. He suggested Candelero be added to the list of parks that were incomplete. He noted that Herb Martinez was expanded to include La Resolana and funds in the bond were spread thinner.
- Ms. Taylor suggested that *listen to organized sports* be Appendix C, etc.
- Ben Gurule said Ft. Marcy wasn't included and needs new irrigation, fence repairs etc. as well as Patrick Smith Park that needs irrigation.

Chair Booth said the Excel files contained all of the supervisors' suggestions. Ms. Hansen suggested the Excel files be attached electronically to the draft when sent to the city staff and City Councilors.

Mr. Chavez explained the formula for assigning labor costs. He said the first \$4 million was for parks construction workers and maintenance workers and Parks salaries. He said the Payroll Monitor was allowed to move a big block of money from all of the parks into a separate account and pull the maintenance and contract workers, construction crew etc. from that.

Mr. Chavez said expenses for each individual park were tracked and Ms. Martinez kept a spreadsheet on each park. He said payroll sent a report to her and she added the payroll in to the expenses.

Ms. Guerrerortiz said she was concerned long term. She said if Parks staff was paid by shifting people from the general bond to the Parks bond it would run out in a year. She asked how Parks staff would be supported; another bond wasn't in place. She asked if that set them up for a serious issue.

Mr. Chavez said that question has been asked and a solution would have to be found. He said the Parks in-house construction crew realized they are temporary and maintenance is classified as such.

Mr. Pino added that Mayor Coss made attempts to come up with revenue sources and his proposal for a property tax increase wasn't adopted by City Council. He said City Council would have to deal with the issue at some point because people expect the parks and trails and facilities to be maintained.

Ms. Guerrerortiz said people were sold a bond with certain capital improvements and it was very specific about what would be paid. She asked if the people got what they paid for or was the money used from the bond to cover daily maintenance on parks that they would have regardless. She said if the city went for another bond that question would have to be answered.

Mr. Gurule said everything in each park was done exactly to the Master Plan and all improvements to be done were complete and within budget. He said parks that were planned in the future would get everything the Master Plan stated and in fact be over and above that. He said the Master Plan had not taken into consideration that accessibility and cultural resources were extremely expensive. He said consumer safety required an audit and vendors for furniture in existing parks wasn't free. He said reports were done and all of the parks were brought into standard.

He added the prairie dogs were extremely expensive to capture and relocate and when relocated most of the neighbors wouldn't cooperate and their prairie dogs would move into the parks. He said all of that has impacted the bond and Parks still did what they said they would under or at budget.

Mr. Gurule said the question on why a park could go from \$20,000 to \$40,000 was that the money took them through payroll to the end of the bond in December 2012. Mr. Chavez added that the salaries were not just for parks but also facilities and trails and designers etc.

Chair Booth asked how parks could be charged that were already completed and that don't exist. She noted two parks where one was an empty lot and the other had been a playground and was now a building.

Ms. Jackie Martinez explained she was trying to determine labor and unfortunately several parks that she was unaware that didn't exist were in the mix. She said the maintenance for projects completed

Mr. Chávez said he reminded the Governing Body and the Parks Commission at the start of the process that recommendations were just that and priorities would be the detailed survey of what was needed. He gave an example where the plan stated ten benches and five were replaced. He said all were required to be ADA and the cost to install was three times the cost of a regular bench. He said he made it clear that ADA or cultural report requirements could not be ignored and watering had to be efficient. He said in some cases some improvements in the park didn't happen because of the cost of what was required.

Chair Booth said she talked with Judith Amir (?) who said the bond money could be used for improving acquired land and improving parks and she said that bond money could not be used for maintenance. Ms. Amir suggested the Commission could talk with the Auditing Committee.

Chair Booth asked the Commissioners what the next step should be.

Mr. Ortega suggested the Commission take a step back and look at the budget and the variances and what was ADA. He thought an audit was more financial.

Ms. Guerrerortiz said the Commission had a responsibility to advise City Council they were made aware that Park bond monies were used for maintenance and had a question about appropriateness. ~~She said it should be left to City Council as to how to go forward.~~ She said she was happy with what had occurred and understood the movement of money but mowing the lawn and pulling weeds wasn't capital improvement.

Mr. Agard agreed with Ms. Guerrerortiz and Mr. Ortega and said there was a gray area. He thought the public had received their money's worth. He said the Commission's job wasn't to oversee but to recommend and the Governing Body should resolve the issue. He said it should be clear in the future that maintenance and salaries could come from the bond. ~~He said it was imperative the Commission stand behind the work done and focus on renewing a bond.~~

Ms. Hansen agreed the public got their money's worth. She said an audit was not her responsibility but it was to make sure the public gets good parks. She said the parks are in much better shape than in 2008 and the trails were great and now there was a bicycle trail system.

Mr. Coriz said the bottom line was that the parks did get done. He said the skate parks had some help and Parks and Recreation helped more than he had ever seen. He said he was happy with everything done and thought most people were and to move forward the issues and questions need to be addressed for the next bond.

Ms. Taylor agreed with everyone's points but said she feared 2013. She said if there is no bond money, dedicated park employees might not get paid.

Chair Booth opened the discussion to the public.

Israel Cruz said his friends visit from out of town and walked through the park and e-mailed pictures of the prairie dogs back home. He said he has seen bull dozers, etc. at work and thought it disruptive.

Victor Tory said he saw some improvement with the solar lighting and beautification of the children's section but the prairie dogs were a part of the park. He said it was sad to see such a drastic change of the park.

Chair Booth told about the Friends of Frenchy's Field with about 600 members. She gave her e-mail address and said she would send the website link to Mr. Tory.

Mr. Chavez said he has received calls about rumors of the removal of the prairie dogs. He said there was no intent to do that. He said on the issue with the plants; three years ago the vegetation wasn't prairie dog food and a reseed effort to replenish things the prairie dogs could eat was done. He said the water conditions were not seen before and he had a quantified amount of money and water he could use.

Mr. Chavez said he talked to Paula Martin about the drill seeders being run over the field and was told many times that wouldn't disturb the prairie dogs if the equipment was run slowly. Ms. Martin said not to worry about the burrows that closed because they could be opened back up. He said he does have the list of seed supplied by Ms. Witlox-Becker and Plants of the Southwest and would check to see what was being seeded.

DATE AND TIME FOR NEXT MEETING: August 16, 2011

ADJOURN:

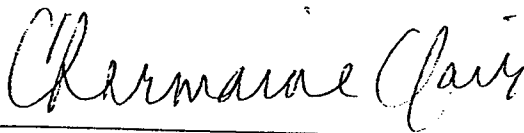
Ms. Hansen moved to adjourn the meeting. Ms. Guerrerortiz seconded the motion and it passed by unanimous voice vote.

Having no further business to discuss, the meeting adjourned at 5:00 p.m.

Approved by:

Bette Booth, Chair

Submitted by:



Charmaine Clair, Stenographer

**3D (Exhibit 4) November 30, 2011: City Council approval
the reallocation**

Refer to Public Hearings, Proposed Bond Issues, Item C, Page 47-49. This section, page 47, Councilor Dominguez moves (seconded by Councilor Romero) to approve Option 2 reallocation, page 48 Councilor Ortiz thanks staff and states that having their salaries referring to Parks staff tucked in to bond & work getting done is why he votes "yes" to reallocation.



Agenda

REGULAR MEETING OF
~~THE GOVERNING BODY~~
~~NOVEMBER 30, 2011~~
CITY COUNCIL CHAMBERS

AFTERNOON SESSION – 5:00 P.M.

CITY CLERK'S OFFICE

DATE 11/23/11 TIME 4:20 pm

SERVED BY

RECEIVED BY *Tracy Dominguez*

1. CALL TO ORDER
2. PLEDGE OF ALLEGIANCE
3. SALUTE TO THE NEW MEXICO FLAG
4. INVOCATION
5. ROLL CALL
6. APPROVAL OF AGENDA
7. APPROVAL OF CONSENT CALENDAR
8. APPROVAL OF MINUTES: Reg. City Council Meeting – November 9, 2011
9. PRESENTATIONS
 - a) 2011 Winners of the Common Ground Art Exhibit and Competition. (Julie Bystrom) (5 minutes) (Postponed at November 9, 2011 City Council Meeting)
 - b) 2011 MIX Makers Challenge Winners. (Kate Nobel) (5 minutes)
10. CONSENT CALENDAR
 - a) Request for Approval of Procurement Under State Price Agreement – Digital Ally In-Car Video Cameras for Police Vehicles; MHQ of New Mexico. (Police Chief Raymond Rael)
 - b) Request for Approval of Amendment No. 4 to Legal Services Agreement – Public Defender Services; Bea Castellano Lockhart. (Richard Mares)
 - c) Request for Approval of Renovation of Existing Army Aviation Support Facility on Santa Fe Municipal Airport Property; New Mexico National Guard Department of Military Affairs. (Jim Montman)
 - d) Request for Approval of Assignment of Amendment No. 1 to Santa Fe Municipal Airport Airline Terminal Lease Agreement – Lease Space at Santa Fe Municipal Airport; City of Santa Fe and American Eagle Airlines, Inc. to American Airlines, Inc. (Jim Montman)



Agenda

REGULAR MEETING OF
THE GOVERNING BODY
NOVEMBER 30, 2011
CITY COUNCIL CHAMBERS

- m) CONSIDERATION OF RESOLUTION NO. 2011-_____. (Councilor Dominguez, Councilor Wurzbarger, Councilor Calvert, Councilor Bushee and Councilor Romero)
A Resolution Directing Staff to Prepare Amendments to Local Preference Section 15.4 of 2011 Edition of the City of Santa Fe Procurement Code. (Robert Rodarte)

- n) Request for Approval to Publish Notice of Public Hearing on January 11, 2012:
Bill No. 2011-45: An Ordinance Amending Section 2-3.3 SFCC 1987 Regarding the Qualifications and Salary of the Municipal Judge. (Mayor Coss) (Judge Ann Yalman)

- o) Request for Approval of the Criteria for Evaluating Alternatives Under the Treated Effluent Management Plan Update. (Claudia Borchert)

- p) Request for Approval of Nominating Petition Verification Report for Candidates in the March 6, 2012 Regular Municipal Election. (Yolanda Y. Vigil)

11. CONSIDERATION OF RESOLUTION NO. 2011-_____. (Mayor Coss)
A Resolution Supporting the Efforts of the Community, Labor and Faith Organizations, the New Mexico Attorney General, the New Mexico Department of Workforce Solutions, and the United States Department of Labor to Eliminate the Practice of Wage Theft in New Mexico

12. MATTERS FROM THE CITY MANAGER

13. MATTERS FROM THE CITY ATTORNEY

EXECUTIVE SESSION:

Pursuant to City of Santa Fe Resolution No. 2010-24, Discussion of Threatened or Pending Litigation in which the City of Santa Fe is or May Become a Participant, in Accordance with §10-15-1(H)(7), NMSA 1978.

14. MATTERS FROM THE CITY CLERK

15. COMMUNICATIONS FROM THE GOVERNING BODY



Agenda

REGULAR MEETING OF
THE GOVERNING BODY
NOVEMBER 30, 2011
CITY COUNCIL CHAMBERS

- 2) CONSIDERATION OF RESOLUTION NO. 2011-_____.
(Councilor Dominguez, Mayor Coss, Councilor Trujillo and Councilor Romero)

A Resolution Calling a Special Election to be Held in the City of Santa Fe on March 6, 2012, in Conjunction With the Regular Municipal Election for the Purpose of Voting on the Issuance of General Obligation \ Bonds in an Aggregate Principal Amount of \$30,000,000; Describing the Purposes to Which the Bond Proceeds Would be Put; Providing the Form of the Bond Question; Providing for Notice of the Election; Prescribing Other Details in Connection With Such Election and Bonds; and Ratifying Action Previously Taken in Connection Therewith.

Resolucion Convoca una Eleccion Extraordinaria que Tendra Lugar en la Municipalidad de Santa Fe el Dia 6 de Marzo, 2012, Conjuntamente con la Eleccion Municipal Ordinaria con el Fin de Votar si se Emitiran Bonos de Obligacion General en Suma Principal Agregada de \$27, 800, 000; se Describen los Propositos para los Cuales se Dedicaran el Producto; Disponiendo las Formas de las Cuestiones de los Bonos; Disponiendo la Notificacion de la Eleccion; se Prescriben Otros Detalles en Relacion con Dicha Eleccion y Bonos; y se Ratifica la Accion Tomada Previamente en Relacion con lo Dicho.

~~Update on F.F.'s Bond and Request for Approval of Reallocation of Bond Funds. (Juan Chavez and Isaac Pino)~~

- 2) CONSIDERATION OF BILL NO. 2011-35: ADOPTION OF ORDINANCE NO. 2011-_____. (Councilor Ortiz and Councilor Wurzburger)

An Ordinance Amending Exhibits C and D of Chapter XXV SFCC 1987 to Authorize the Suspension of Santa Fe River Target Flows During "Water Warning - Orange" and "Water Emergency - Red" Implementation Stages. (Brian Snyder) (Postponed at October 26, 2011 City Council Meeting)

- 3) CONSIDERATION OF BILL NO. 2011-41: ADOPTION OF ORDINANCE NO. 2011-_____. (Councilor Bushee)

An Ordinance Amending Section 23-8.5 SFCC 1987 to Regulate the Types of Goods and Wares Street Performers May Sell; and Amending Section 23-8.7 SFCC 1987 Regarding Criminal Enforcement, Penalty; and Administrative Enforcement. (Aric Wheeler and Dr. Melville Morgan)



Agenda

REGULAR MEETING OF
THE GOVERNING BODY
NOVEMBER 30, 2011
CITY COUNCIL CHAMBERS

- 8) Request from Maribel Cardona, dba M & J Event Center, for a Waiver of the 300 Foot Location Restriction to Allow the Dispensing/Sale of Alcoholic Beverages at M & J Event Center, 1708-A Llano Street, Which is Within 300 Feet of De Vargas Middle School, 1720 Llano Street. The Request is for the Following Events: (Yolanda Vigil)

12/2/11 – Christmas Celebration; Luma Representatives	8:00 p.m. – 12:00 a.m.
12/9/11 – Annual Fundraising; Somos un Pueblo Unidos	6:00 p.m. – 11:00 p.m.
12/10/11 – Christmas Celebration; Luma Representatives	8:00 p.m. – 12:00 a.m.
12/16/11 Christmas Celebration; Luma Representatives	8:00 p.m. – 12:00 a.m.
12/30/11 – Private Event - Quinceañera; Jose Tapia	7:00 p.m. – 12:00 a.m.
12/31/11 – New Year's Eve; Maria Escamilla	8:00 p.m. – 12:00 a.m.

I. ADJOURN

Pursuant to the Governing Body Procedural Rules, in the event any agenda items have not been addressed, the meeting should be reconvened at 7:00 p.m., the following day and shall be adjourned not later than 12:00 a.m. Agenda items, not considered prior to 11:30 p.m., shall be considered when the meeting is reconvened or tabled for a subsequent meeting.

NOTE: New Mexico law requires the following administrative procedures be followed when conducting "quasi-judicial" hearings. In a "quasi-judicial" hearing all witnesses must be sworn in, under oath, prior to testimony and will be subject to reasonable cross-examination. Witnesses have the right to have an attorney present at the hearing.

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



Agenda

REGULAR MEETING OF
THE GOVERNING BODY
NOVEMBER 30, 2011
CITY COUNCIL CHAMBERS

- d) Request for Approval of Assignment of Amendment No. 1 to Santa Fe Municipal Airport Airline Terminal Lease Agreement – Lease Space at Santa Fe Municipal Airport; City of Santa Fe and American Eagle Airlines, Inc. to American Airlines, Inc. (Jim Montman)
- e) Request for Approval of Amendment No. 4 to Professional Services Agreement – 2012 Water Rate Evaluation Services for County Wholesale Services; Stepwise Utility Advisors, LLC. (Brian Snyder)
- f) Request for Approval of Proposed Change to Average Winter Consumption Used to Determine the Sewer Monthly Usage Fee for Customer and Not Connected to City Water and Proceed with Ordinance Modification to Decrease Monthly Usage Fee Based on New Value of 3,600 Gallons Per Month. (Bryan Romero)
- g) Request for Approval – City of Santa Fe Schedule for 2012 City Council and Council Committee Meetings. (Yolanda Y. Vigil)
- h) Request for Approval of Power Purchase Agreement – Photovoltaic System at Wastewater Management Division Composting Facility; MLH Cripple Creek Solar, LLC. (Nick Schiavo)
- i) Request for Approval of Power Purchase Agreement – Photovoltaic System at Santa Fe Community Convention Center; MLH Cripple Creek Solar, LLC. (Nick Schiavo)
- j) CONSIDERATION OF RESOLUTION NO. 2011-_____. (Councilor Bushee)
A Resolution Joining Santa Fe County to Strongly Urge the New Mexico State Legislature to Amend the Local Liquor Excise Tax Act to Include New Mexico Counties With a Population and Net Taxable Value Similar to Santa Fe County the Option to Impose a Local Liquor Excise Tax, Upon Approval by Santa Fe County Voters; and to Authorize the Use of The Tax Proceeds to Fund Social Service Programs to Serve Persons Impacted by Alcohol and Drug Abuse. (Terrie Rodriguez)
- k) Request for Approval of Southwest Activity Node Park Master Plan. (Mary MacDonald)
- l) Request for Approval of Consideration to Fill Vacant Positions. (Robert Romero)



Agenda

REGULAR MEETING OF
THE GOVERNING BODY
NOVEMBER 30, 2011
CITY COUNCIL CHAMBERS

EVENING SESSION – 7:00 P.M.

- A. CALL TO ORDER
- B. PLEDGE OF ALLEGIANCE
- C. SALUTE TO THE NEW MEXICO FLAG
- D. INVOCATION
- E. ROLL CALL
- F. PETITIONS FROM THE FLOOR
- G. APPOINTMENTS
- H. PUBLIC HEARINGS:
 - 1) Proposed Bond Issues: (Councilor Dominguez) (Robert Romero)
 - a) CONSIDERATION OF RESOLUTION NO. 2011-_____. (Councilor Dominguez, Mayor Coss, Councilor Trujillo, and Councilor Romero)
A Resolution Authorizing a Twenty Million Dollar (\$20,000,000) Gross Receipts Tax Revenue Bond Issue for Municipal Capital Projects That Will Create Jobs, Design and Improve Infrastructure, Provide for Economic Development Opportunities; Improve Water Security; Enhance Public Safety; and Promote a High Quality of Life for the Residents of the City of Santa Fe.
 - b) CONSIDERATION OF RESOLUTION NO. 2011-_____. (Councilor Dominguez, Mayor Coss, Councilor Trujillo, and Councilor Romero)
A Resolution Calling on the City of Santa Fe and The Community to Support Funding in the Amount of Thirty Million Dollars (\$30,000,000) for Municipal Capital Projects That Will Create Jobs, Provide for Economic Development Opportunities, Improve Water Security, Enhance Public Safety, and Promote a High Quality of Life for the Residents of the City of Santa Fe; and Proposing a \$30,000,000 General Obligation Bond Issue for Approval by the Voters of the City of Santa Fe at a Special Municipal Election to be Held in Conjunction with the March 6, 2012 Regular Municipal Election.
 - 1) Request for Approval of General Obligation Bond Questions.
(Kate Noble)



Agenda

REGULAR MEETING OF
THE GOVERNING BODY
NOVEMBER 30, 2011
CITY COUNCIL CHAMBERS

- 4) CONSIDERATION OF RESOLUTION NO. 2011-_____.
Case #2010-173. Corazon Santo General Plan Amendment. Monica Montoya, Agent for Anasazi MVJV LLC, Requests Approval of a General Plan Future Land Use Map Amendment to Change the Designation of 2.41± Acres of Land from Residential Low Density (3-7 Dwelling Units Per Acre) to Transitional Mixed Use. The Property is Located South and West of the Intersection of Agua Fria and Harrison Road. (Donna Wynant)
- 5) CONSIDERATION OF BILL NO. 2011-43: ADOPTION OF ORDINANCE NO. 2011-_____.
Case #2010-174. Corazon Santo Rezoning to MU. Monica Montoya, Agent for Anasazi MVJV LLC, Requests Rezoning of 2.41± Acres of Land from R-2 (Residential, 2 Dwelling Units Per Acre) to MU (Mixed Use). The Application Includes a Development Plan for Mixed Use For Up To 24 Residential Units And Up To 24,000 Sq. Ft. of Commercial Space. The Property is Located South and West of the Intersection of Agua Fria and Harrison Road. (Donna Wynant)
- 6) CONSIDERATION OF BILL NO. 2011-44: ADOPTION OF ORDINANCE NO. 2011-_____.
Case #2010-175. Corazon Santo Rezoning to R-6. Monica Montoya, Agent for Anasazi MVJV LLC, Requests Rezoning of 6.28± Acres of Land from R-2 (Residential, 2 Dwelling Units Per Acre) to R-6 (Residential, 6 Dwelling Units Per-Acre). The Application Includes a Development Plan for 40 Residential Lots. The Property is Located South and West of the Intersection of Agua Fria and Harrison Road. (Donna Wynant)
- 7) CONSIDERATION OF BILL NO. 2011-42: ADOPTION OF ORDINANCE NO. 2011-_____.
An Ordinance Repealing Articles 14-1 through 14-4 SFCC 1987 and Adopting New Articles 14-1 through 14-4 SFCC 1987; Repealing Section 14-5.1 SFCC 1987 and Adopting a New Section 14-5.1 SFCC 1987; Repealing Sections 14-5.3 Through 14-5.5 SFCC 1987 and Adopting New Sections 14-5.3 Through 14-5.5 SFCC 1987; Repealing Sections 14-5.7 Through 14-5.10 SFCC 1987 And Adopting New Sections 14-5.7 Through 14-5.10 SFCC 1987; Repealing Articles 14-6 Through 14-7 SFCC 1987 and Adopting New Articles 14-6 Through 14-7 SFCC 1987; Repealing Sections 14-8.1 Through 14-8.9 SFCC 1987 and Adopting New Sections 14-8.1 Through 14-8.9 SFCC 1987; Repealing 14-8.11 Through 14-8.16 SFCC 1987 and Adopting New Sections 14-8.11 SFCC 1987 Through 14-8.16 SFCC 1987; and Making Such Other Changes as are Necessary. (Greg Smith)



Agenda

REGULAR MEETING OF
THE GOVERNING BODY
NOVEMBER 30, 2011
CITY COUNCIL CHAMBERS

AMENDED – Item #H-8 and Item #12

AFTERNOON SESSION – 5:00 P.M.

CITY CLERK'S OFFICE

DATE 11/28/11 TIME 4:10 pm

SERVED BY _____

RECEIVED BY Tina Y. Dominguez

1. CALL TO ORDER
2. PLEDGE OF ALLEGIANCE
3. SALUTE TO THE NEW MEXICO FLAG
4. INVOCATION
5. ROLL CALL
6. APPROVAL OF AGENDA
7. APPROVAL OF CONSENT CALENDAR
8. APPROVAL OF MINUTES: Reg. City Council Meeting – November 9, 2011
9. PRESENTATIONS
 - a) 2011 Winners of the Common Ground Art Exhibit and Competition. (Julie Bystrom) (5 minutes) (Postponed at November 9, 2011 City Council Meeting)
 - b) 2011 MIX Makers Challenge Winners. (Kate Nobel) (5 minutes)
10. CONSENT CALENDAR
 - a) Request for Approval of Procurement Under State Price Agreement – Digital Ally In-Car Video Cameras for Police Vehicles; MHQ of New Mexico. (Police Chief Raymond Rael)
 - b) Request for Approval of Amendment No. 4 to Legal Services Agreement – Public Defender Services; Bea Castellano Lockhart. (Richard Mares)
 - c) Request for Approval of Renovation of Existing Army Aviation Support Facility on Santa Fe Municipal Airport Property; New Mexico National Guard Department of Military Affairs. (Jim Montman)



Agenda

REGULAR MEETING OF
THE GOVERNING BODY
NOVEMBER 30, 2011
CITY COUNCIL CHAMBERS

- m) CONSIDERATION OF RESOLUTION NO. 2011-_____. (Councilor Dominguez, Councilor Wurzbarger, Councilor Calvert, Councilor Bushee and Councilor Romero)
A Resolution Directing Staff to Prepare Amendments to Local Preference Section 15.4 of 2011 Edition of the City of Santa Fe Procurement Code. (Robert Rodarte)
- n) Request for Approval to Publish Notice of Public Hearing on January 11, 2012:
Bill No. 2011-45: An Ordinance Amending Section 2-3.3 SFCC 1987 Regarding the Qualifications and Salary of the Municipal Judge. (Mayor Coss) (Judge Ann Yalman)
- o) Request for Approval of the Criteria for Evaluating Alternatives Under the Treated Effluent Management Plan Update. (Claudia Borchert)
- p) Request for Approval of Nominating Petition Verification Report for Candidates in the March 6, 2012 Regular Municipal Election. (Yolanda Y. Vigil)
- 11. CONSIDERATION OF RESOLUTION NO. 2011-_____. (Mayor Coss)
A Resolution Supporting the Efforts of the Community, Labor and Faith Organizations, the New Mexico Attorney General, the New Mexico Department of Workforce Solutions, and the United States Department of Labor to Eliminate the Practice of Wage Theft in New Mexico
- 12. Consideration of Request of the Governing Body to Review the Decision of the Planning Commission in Case #2011-88, Entrada Contenta Final Subdivision Plat and Variances, with Respect to the Naming of Las Soleras Drive West of Cerrillos. (Councilor Dominguez)
- 13. MATTERS FROM THE CITY MANAGER
- 14. MATTERS FROM THE CITY ATTORNEY
- EXECUTIVE SESSION:
Pursuant to City of Santa Fe Resolution No. 2010-24, Discussion of Threatened or Pending Litigation in which the City of Santa Fe is or May Become a Participant, in Accordance with §10-15-1(H)(7), NMSA 1978.
- 15. MATTERS FROM THE CITY CLERK
- 16. COMMUNICATIONS FROM THE GOVERNING BODY



Agenda

REGULAR MEETING OF
THE GOVERNING BODY
NOVEMBER 30, 2011
CITY COUNCIL CHAMBERS

- 2) CONSIDERATION OF RESOLUTION NO. 2011-_____.
(Councilor Dominguez, Mayor Coss, Councilor Trujillo and Councilor Romero)
A Resolution Calling a Special Election to be Held in the City of Santa Fe on March 6, 2012, in Conjunction With the Regular Municipal Election for the Purpose of Voting on the Issuance of General Obligation \ Bonds in an Aggregate Principal Amount of \$30,000,000; Describing the Purposes to Which the Bond Proceeds Would be Put; Providing the Form of the Bond Question; Providing for Notice of the Election; Prescribing Other Details in Connection With Such Election and Bonds; and Ratifying Action Previously Taken in Connection Therewith.

Resolucion Convoca una Eleccion Extraordinaria que Tendra Lugar en la Municipalidad de Santa Fe el Dia 6 de Marzo, 2012, Conjuntamente con la Eleccion Municipal Ordinaria con el Fin de Votar si se Emitiran Bonos de Obligacion General en Suma Principal Agregada de \$30,000,000; se Describen los Propositos para los Cuales se Dedicaran el Producto; Disponiendo las Formas de las Cuestiones de los Bonos; Disponiendo la Notificacion de la Eleccion; se Prescriben Otros Detalles en Relacion con Dicha Eleccion y Bonos; y se Ratifica la Accion Tomada Previamente en Relacion con lo Dicho.

- c) Update on Parks Bond and Request for Approval of Reallocation of Bond Funds. (Fabian Chavez and Isaac Pino)
- 2) CONSIDERATION OF BILL NO. 2011-35: ADOPTION OF ORDINANCE NO. 2011-_____. (Councilor Ortiz and Councilor Wurzburger)
An Ordinance Amending Exhibits C and D of Chapter XXV SFCC 1987 to Authorize the Suspension of Santa Fe River Target Flows During "Water Warning - Orange" and "Water Emergency - Red" Implementation Stages. (Brian Snyder) (Postponed at October 26, 2011 City Council Meeting)
- 3) CONSIDERATION OF BILL NO. 2011-41: ADOPTION OF ORDINANCE NO. 2011-_____. (Councilor Bushee)
An Ordinance Amending Section 23-8.5 SFCC 1987 to Regulate the Types of Goods and Wares Street Performers May Sell; and Amending Section 23-8.7 SFCC 1987 Regarding Criminal Enforcement, Penalty; and Administrative Enforcement. (Aric Wheeler and Dr. Melville Morgan)



Agenda

REGULAR MEETING OF
THE GOVERNING BODY
NOVEMBER 30, 2011
CITY COUNCIL CHAMBERS

- 8) Request from Maribel Cardona, dba M & J Event Center, for a Waiver of the 300 Foot Location Restriction to Allow the Dispensing/Sale of Alcoholic Beverages at M & J Event Center, 1708-A Llano Street, Which is Within 300 Feet of De Vargas Middle School, 1720 Llano Street. The Request is for the Following Events: (Yolanda Vigil)

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12/31/11 – New Year's Eve; Maria Escamilla	8:00 p.m. – 12:00 a.m.

I. ADJOURN

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<u>ITEM</u>	<u>ACTION</u>	<u>PAGE #</u>
REQUEST FOR APPROVAL OF POWER PURCHASE AGREEMENT – PHOTOVOLTAIC SYSTEM AT WASTEWATER MANAGEMENT DIVISION COMPOSTING FACILITY; MLH CRIPPLE CREEK SOLAR, LLC.	Approved	6-9
REQUEST FOR APPROVAL OF POWER PURCHASE AGREEMENT – PHOTOVOLTAIC SYSTEM AT SANTA FE COMMUNITY CONVENTION CENTER; MLH CRIPPLE CREEK SOLAR, LLC.	Approved	9
CONSIDERATION OF RESOLUTION NO. 2011- 66. A RESOLUTION DIRECTING STAFF TO PREPARE AMENDMENTS TO LOCAL PREFERENCE SECTION 15.4 OF 2011 EDITION OF THE CITY OF SANTA FE PROCUREMENT CODE	Approved [amended]	98-10
***** END OF CONSENT CALENDAR DISCUSSION *****		
CONSIDERATION OF RESOLUTION NO. 2011- ____ A RESOLUTION SUPPORTING THE EFFORTS OF THE COMMUNITY, LABOR AND FAITH ORGANIZATIONS, THE NEW MEXICO ATTORNEY GENERAL, THE NEW MEXICO DEPARTMENT OF WORKFORCE SOLUTIONS, AND THE UNITED STATES DEPARTMENT OF LABOR TO ELIMINATE THE PRACTICE OF WAGE THEFT IN NEW MEXICO	Postponed to 12/14/2011	10
CONSIDERATION OF THE REQUEST OF THE GOVERNING BODY TO REVIEW THE DECISION OF THE PLANNING COMMISSION IN CASE #2011-88, ENTRADA CONTENTA FINAL SUBDIVISION PLAT AND VARIANCES, WITH RESPECT TO THE NAMING OF LAS SOLERAS DRIVE WEST OF CERRILLOS	Approved [amended]	10-12
MATTERS FROM THE CITY MANAGER	None	12
<u>MATTERS FROM THE CITY ATTORNEY</u>		
EXECUTIVE SESSION	Approved	12-13
MOTION TO COME OUT OF EXECUTIVE SESSION	Approved	13

ITEMACTIONPAGE #

CONSIDERATION OF RESOLUTION NO. 2011- 69.
A RESOLUTION CALLING A SPECIAL ELECTION
TO BE HELD IN THE CITY OF SANTA FE ON
MARCH 6, 2012, IN CONJUNCTION WITH THE
REGULAR MUNICIPAL ELECTION FOR THE
PURPOSE OF VOTING ON THE ISSUANCE OF
GENERAL OBLIGATION/BONDS IN AN AGGREGATE
PRINCIPAL AMOUNT OF \$30,000,000; DESCRIBING
THE PURPOSES TO WHICH THE BOND PROCEEDS
WOULD BE PUT; PROVIDING THE FORM OF THE
BOND QUESTION; PROVIDING FOR NOTICE OF THE
ELECTION; PRESCRIBING OTHER DETAILS IN
CONNECTION WITH SUCH ELECTION AND BONDS;
AND RATIFYING ACTION PREVIOUSLY TAKEN IN
CONNECTION THEREWITH

Approved a/a

46-47

RESOLUCION CONVOCA UNA ELECCION
EXTRAORDINARIA QUE TENDRA LUGAR EN LA
MUNICIPALIDAD DE SANTA FE EL DIA 6 DE MARZO,
2012, CONJUNTAMENTE CON LA ELECCION
MUNICIPAL ORDINARIA CON EL FIN DE VOTAR SI
SE EMITIRAN BONOS DE OBLACION GENERAL EN
SUMA PRINCIPAL AGREGADA DE \$30,000,000; SE
DESCRIBEN LOS PROPOSITOS PARA LOS CUALES
SE DEDICARAN EL PRODUCTO; DISPONIENDO LAS
FORMAS DE LAS CUESTIONES DE LOS BONOS;
DISPONiendo LA NOTIFICACION DE LA ELECCION;
SE PRESCRIBEN OTROS DETALLES EN RELACION
CON DICHA ELECCION Y BONOS; Y SE RATIFICA LA
ACCION TOMADA PREVIAMENTE EN RELACION CON
LO DICHO

Approved a/a

46-47

UPDATE ON PARKS BOND AND REQUEST FOR
APPROVAL OF REALLOCATION OF BOND FUNDS

Approved a/a

47-49

ITEMACTIONPAGE #

REQUEST FROM MARIBEL CORDONA, D/B/A M & J EVENT CENTER, FOR A WAIVER OF THE 300 FOOT LOCATION RESTRICTION TO ALLOW THE DISPENSING/ SALE OF ALCOHOLIC BEVERAGES AT M & J EVENT CENTER, 1708-A LLANO STREET, WHICH IS WITHIN 300 FEET OF DE VARGAS MIDDLE SCHOOL, 1720 LLANO STREET. THE REQUEST IS FOR THE FOLLOWING EVENTS: 12/2/11 - CHRISTMAS CELEBRATION; LUMA REPRESENTATIVES 8:00 P.M. - 12:00 A.M.; 12/9/11 - ANNUAL FUNDRAISING; SOMOS UN PUEBLO UNIDOS 6:00 P.M. - 11:00 P.M.; 12/30/11 - PRIVATE EVENT - QUINCEAÑERA; JOSE TAPIA 7:30 P.M. - 12:00 A.M.; AND 12/31/11 - NEW YEAR'S EVE; MARIA ESCAMILLA 8:00 P.M. - 12:00 A.M.

Denied

59-64

CONSIDERATION OF RESOLUTION NO. 2011-70. CASE #2010-173. CORAZON SANTO GENERAL PLAN AMENDMENT. MONICA MONTOYA, AGENT FOR ANASAZI MVJV LLC, REQUESTS APPROVAL OF A GENERAL PLAN FUTURE LAND USE MAP AMENDMENT TO CHANGE THE DESIGNATION OF 2.41± ACRES OF LAND FROM RESIDENTIAL LOW DENSITY (3-7 DWELLING UNITS PER ACRE) TO TRANSITIONAL MIXED USE. THE PROPERTY IS LOCATED SOUTH AND WEST OF THE INTERSECTION OF AGUA FRIA AND HARRISON ROAD

Approved

64-69

CONSIDERATION OF BILL NO. 2011-43: ADOPTION OF ORDINANCE NO. 2011-40. CASE #2010-174. CORAZON SANTO REZONING TO MU. MONICA MONTOYA, AGENT FOR ANASAZI MVJV LLC, REQUESTS REZONING OF 2.41± ACRES OF LAND FROM R-2 (RESIDENTIAL, 2 DWELLING UNITS PER ACRE) TO MU (MIXED USE). THE APPLICATION INCLUDES A DEVELOPMENT PLAN FOR MIXED USE FOR UP TO 24 RESIDENTIAL UNITS AND UP TO 24,000 S. FT. OF COMMERCIAL SPACE. THE PROPERTY IS LOCATED SOUTH AND WEST OF THE INTERSECTION OF AGUA FRIA AND HARRISON ROAD

Approved

69

MINUTES OF THE
REGULAR MEETING OF THE
GOVERNING BODY
Santa Fe, New Mexico
November 30, 2011

AFTERNOON SESSION

A regular meeting of the Governing Body of the City of Santa Fe, New Mexico, was called to order by Mayor David Coss, on November 30, 2011, at approximately 5:00 p.m., in the City Hall Council Chambers. Following the Pledge of Allegiance, Salute to the New Mexico flag, and the Invocation, roll call indicated the presence of a quorum, as follows:

Members Present

Mayor David Coss
Councilor Rebecca Wurzbarger, Mayor Pro-Tem
Councilor Patti J. Bushee
Councilor Christopher Calvert
Councilor Miguel Chavez
Councilor Carmichael A. Dominguez
Councilor Matthew E. Ortiz
Councilor Rosemary Romero
Councilor Ronald S. Trujillo

Others Attending

Robert Romero, City Manager
Geno Zamora, City Attorney
Yolanda Y. Vigil, City Clerk
Melessia Helberg, Council Stenographer

6. APPROVAL OF AGENDA

Robert Romero noted that this is an Amended Agenda which adds Item H(8) and Item 12.

MOTION: Councilor Ortiz moved, seconded by Councilor Trujillo, to approve the Amended Agenda as presented.

VOTE: The motion was approved on a voice vote with Councilors Bushee, Calvert, Chavez, Dominguez, Ortiz, Romero, Trujillo and Wurzbarger voting for the motion and none against.

- j) CONSIDERATION OF RESOLUTION NO. 2011-65 (COUNCILOR BUSHEE). A RESOLUTION JOINING SANTA FE COUNTY TO STRONGLY URGE THE NEW MEXICO STATE LEGISLATURE TO AMEND THE LOCAL LIQUOR EXCISE TAX ACT TO INCLUDE NEW MEXICO COUNTIES WITH A POPULATION AND NET TAXABLE VALUE SIMILAR TO SANTA FE COUNTY, THE OPTION TO IMPOSE A LOCAL LIQUOR EXCISE TAX UPON APPROVAL BY SANTA FE COUNTY VOTERS; AND TO AUTHORIZE THE USE OF THE TAX PROCEEDS TO FUND SOCIAL SERVICE PROGRAMS TO SERVE PERSONS IMPACTED BY ALCOHOL AND DRUG ABUSE. (TERRIE RODRIGUEZ)
- k) REQUEST FOR APPROVAL OF SOUTHWEST ACTIVITY NODE PARK MASTER PLAN. (MARY MacDONALD)
- l) REQUEST FOR APPROVAL OF CONSIDERATION TO FILL VACANT POSITIONS. (ROBERT ROMERO)
- m) *[Removed for discussion by Councilor Calvert]*
- n) REQUEST FOR APPROVAL TO PUBLISH NOTICE OF PUBLIC HEARING ON JANUARY 11, 2012: BILL NO. 2011-45: AN ORDINANCE AMENDING SECTION 2-3.3 SFCC 1987, REGARDING THE QUALIFICATIONS AND SALARY OF THE MUNICIPAL JUDGE (MAYOR COSS). (JUDGE ANN YALMAN)
- o) REQUEST FOR APPROVAL OF THE CRITERIA FOR EVALUATING ALTERNATIVES UNDER THE TREATED EFFLUENT MANAGEMENT PLAN UPDATE. (CLAUDIA BORCHERT)
- p) REQUEST FOR APPROVAL OF NOMINATING PETITION VERIFICATION REPORT FOR CANDIDATES IN THE MARCH 6, 2012 REGULAR MUNICIPAL ELECTION. (YOLANDA Y. VIGIL)

8. APPROVAL OF MINUTES: REGULAR CITY COUNCIL MEETING – NOVEMBER 9, 2011

MOTION: Councilor Dominguez moved, seconded by Councilor Chavez, to approve the minutes of the Regular City Council meeting of November 9, 2011, as presented.

VOTE: The motion was approved on a voice vote with Councilors Bushee, Calvert, Chavez, Dominguez, Ortiz, Romero, Trujillo and Wurzbarger voting for the motion and none against.

CLARIFICATION OF THE MOTION BY THE CITY ATTORNEY: Geno Zamora asked, "For clarification, I just wanted to make sure that what you meant was that it goes out for RFP in time to have the next contract in place at the end of the 6 months."

Councilor Ortiz said this is correct, noting this contract is only extended for a 6 month period, and there is a reduction in the amount of money for the contract, and the direction to staff is to begin the RFP process, so potentially a new contract will be in place after the RFP process.

VOTE: The motion was approved on the following Roll Call vote:

For: Councilor Bushee, Councilor Calvert, Councilor Chavez, Councilor Dominguez, Councilor Ortiz, Councilor Romero, Councilor Trujillo and Councilor Wurzbarger.

Against: None.

10 (e) REQUEST FOR APPROVAL OF AMENDMENT NO. 4 TO PROFESSIONAL SERVICES AGREEMENT – 2012 WATER RATE EVALUATION SERVICES FOR COUNTY WHOLESALE SERVICES; STEPWISE UTILITY ADVISORS, LLC. (BRIAN SNYDER)

Councilor Chavez said this for Amendment #4, so there may not be much the City can do to address his concern that StepWise is an out-of-state company from Colorado. He hopes at some point we can find companies in New Mexico to do this work. He said, "If we have to, let's start growing these companies here in the State, because I know we talked a lot about keeping the money here in the local economy. And I go through our packets, and sometimes we miss the mark, so I just wanted to pull it off to make that point."

MOTION: Councilor Calvert moved, seconded by Councilor Romero, to approve this request.

VOTE: The motion was approved on the following Roll Call vote:

For: Councilor Bushee, Councilor Calvert, Councilor Chavez, Councilor Dominguez, Councilor Ortiz, Councilor Romero, Councilor Trujillo and Councilor Wurzbarger.

Against: None.

Mr. Schiavo said no. He said Positive Energy will be building, setting it up and maintaining it, while Cripple Creek will be doing the financing.

Councilor Chavez asked who will get the loan. He said the packet indicates "Wastewater Management Division will loan will loan Positive Energy and MCCS a portion of the funding that is necessary to construct a PV System." He asked the amount of the loan, the term of the loan and the interest rate on the loan. He said the packet indicates payment of principal and interest over the 20 year term of the loan, but there are no dollar amounts in the Memo in the packet.

Mr. Schiavo said each loan is slightly different, and this loan is for approximately \$260,000, the interest rate is fixed 2%, and the money is being loaned to MLH Cripple Creek in San Francisco for a term of 20 years.

Councilor Chavez said then Positive Energy will construct, own and operate the PV system at the compost facility, and Mr. Schiavo said this is correct.

Councilor Chavez asked if the loan is just for this one facility.

Mr. Schiavo said the \$260,000 loan, Item 10(h) is just for that facility.

Responding to Councilor Chavez, Mr. Schiavo reiterated that the cost is \$260,000, noting it is written in the contract along with the interest rate and the term, and the interest rate is a fixed rate of 2% for the term of the loan.

Councilor Chavez asked if the Wastewater Division is comfortable lending this money at that rate, and Mr. Schiavo said this is correct.

Councilor Chavez noted the amounts didn't "jump up at me," and there was no FIR in the packet, and the reasons for his questions about the loan, interest and payout.

Councilor Chavez asked how much of the components for the PV systems are produced in "the states."

Mr. Schiavo said most of the racking system will be purchased from UniRack out of Albuquerque, noting there is no one in Santa Fe who makes racking. He said the PV panels "more than likely will come from Asia."

Councilor Chavez said Asia is a broad area, but we do know they aren't produced in the United States.

Councilor Bushee said one contract is for 15 years and the other is for 20 years, and asked the reason and advantages in purchasing the system, commenting that there are no dollar figures. She asked if it is anything like the solar array at Buckman.

MOTION: Councilor Wurzbarger moved, seconded by Councilor Calvert, to approve this request, with the observation that we should be thrilled to be getting 2% interest, since most of our investments are producing only 0.1% at this time.

VOTE: The motion was approved on the following Roll Call vote:

For: Councilor Bushee, Councilor Calvert, Councilor Chavez, Councilor Dominguez, Councilor Ortiz, Councilor Romero, Councilor Trujillo and Councilor Wurzbarger.

Against: None.

**10 (i) REQUEST FOR APPROVAL OF POWER PURCHASE AGREEMENT –
PHOTOVOLTAIC SYSTEM AT SANTA FE COMMUNITY CONVENTION CENTER; MLH
CRIPPLE CREEK SOLAR, LLC. (NICK SCHIAVO)**

Responding to Councilor Chavez, Mr. Schiavo said the cost of this system is roughly \$260,000 with a 2% fixed interest rate.

MOTION: Councilor Bushee moved, seconded by Councilor Romero, to approve this request.

VOTE: The motion was approved on the following Roll Call vote:

For: Councilor Bushee, Councilor Calvert, Councilor Chavez, Councilor Dominguez, Councilor Ortiz, Councilor Romero, Councilor Trujillo and Councilor Wurzbarger.

Against: None.

**10 (m) CONSIDERATION OF RESOLUTION NO. 2011- 66 (COUNCILOR DOMINGUEZ,
COUNCILOR WURZBURGER, COUNCILOR CALVERT, COUNCILOR BUSHEE AND
COUNCILOR ROMERO). A RESOLUTION DIRECTING STAFF TO PREPARE
AMENDMENTS TO LOCAL PREFERENCE SECTION 15.4 OF 2011 EDITION OF THE
CITY OF SANTA FE PROCUREMENT CODE. (ROBERT RODARTE)**

Councilor Calvert said he pulled this item to offer a slight amendment on page 4 of the Resolution.

MOTION: Councilor Calvert moved, seconded by Councilor Wurzbarger, to adopt Resolution No. 2011-66 with an amendment on page 3, line 1, as follows: "2. *Development of guidelines, training and pre-qualification meetings that will assist local contractors and local sub-contractors in meeting pre-qualification requirements, and working together to bid on City capital improvement projects.*"

Mayor Coss said this is just a vote to reconsider.

Councilor Bushee said she would have liked to have something in writing, commenting there was nothing on her desk.

Councilor Ortiz said this is just a procedural motion, so we can decide yes or no.

Councilor Bushee would like a discussion of the reasons we should reconsider, commenting "I know nothing about this without something to read."

Councilor Dominguez said we can discuss it now, or when we reconsider the action. He said the Planning Commission took action to name a road by Walmart, to name the entire road from the east side of Cerrillos to the west side of Cerrillos one street name. He said the request is to reconsider that action by the Planning Commission, the name change, "so we could name one side Las Soleras Drive, and a different name on the other side of the street. The purpose is because there is a potential that people could get confused, and with the health facility going on the east side, if the street goes all the way to the west side, they could get confused and go somewhere they're not supposed to, and really, just disagreement with staff's recommendation."

Councilor Ortiz said then if we vote yes on this, we would hear the merits and have a discussion on this one issue.

Councilor Dominguez said this is correct.

Responding to Councilor Bushee, Councilor Dominguez said the Planning Commission made a recommendation to go with staff's recommendation with which he disagrees.

Ms. Vigil asked if there will be another motion to set a date for hearing.

SUBSTITUTE MOTION: Councilor Wurzbarger moved, seconded by Councilor Ortiz, to approve this request, and to hear this item at the next Council meeting.

DISCUSSION ON THE SUBSTITUTE MOTION: Councilor Dominguez asked if we are in conformance with the timelines that have been established.

Mr. Zamora said within 30 days of the Planning Commission's decision, you have the opportunity to call it up for reconsideration – you are calling it up by this motion and there will be reconsideration in the future. He said pursuant to Section 14-2.2, "If within 30 days of any final order or determination by the Planning Commission, the Governing Body decides to review any such Order or determination, notice of proposed review shall be provided in the manner prescribed by 14-3.1(H)." He said, "So you would call it up this evening and then staff would make sure it complies with the notice provisions of Chapter 14." Therefore, you don't need to set it for the next available meeting.

VOTE: The motion was approved on the following roll call vote:

For: Councilor Bushee, Councilor Calvert, Councilor Chavez, Councilor Dominguez, Councilor Ortiz, Councilor Romero, Councilor Trujillo and Councilor Wurzburger.

Against: None.

The Council went into Executive Session at 5:45 p.m.

MOTION TO COME OUT OF EXECUTIVE SESSION

MOTION: At 5:55 p.m. Councilor Calvert moved, seconded by Councilor Wurzburger, that the City Council come out of Executive Session and stated that the only items which were discussed in executive session were those items which were on the agenda, and no action was taken.

VOTE: The motion was approved unanimously on a voice vote with Councilors Bushee, Calvert, Chavez, Dominguez, Ortiz, Romero, Trujillo and Wurzburger voting for the motion and no one voting against.

15. MATTERS FROM THE CITY CLERK

Yolanda Vigil, City Clerk, said she certified 5 candidates yesterday to be the first participating candidates to receive public campaign financing funds: Patti J. Bushee, Peter N. Ives, Bob Sarr, Christopher M. Rivera and Carol Robertson Lopez.

16. COMMUNICATIONS FROM THE GOVERNING BODY

A copy of "Bills and Resolutions scheduled for introduction by members of the Governing Body," for the Council meeting of , is incorporated herewith to these minutes as Exhibit "1."

Councilor Chavez

Councilor Chavez introduced a Resolution granting City staff the authority to prepare an agreement between the City and the Railyard Corp and Warehouse 21 to permit Warehouse 21 to apply the excess services it provides to offset ground lease payments to the Railyard Corp that are in arrears and for future ground lease payments and to forgive amounts due to the City from the Railyard on account of such offsets. A copy of the Resolution is incorporated herewith to these minutes as Exhibit "2."

Councilor Dominguez

Councilor Dominguez had no communications.

Councilor Calvert

Councilor Calvert said he attended the grand opening of the new location of Luchesse on the Plaza several weeks ago, and the Luchesse staff were complimentary of City staff, and their help and cooperation in getting the new store opened. He said they specifically mentioned Georgia Urioste, David Rasch and City Manager Robert Romero.

Councilor Calvert introduced the following:

1. A Resolution directing staff to review the possibility of entering into a public-private partnership with new energy economy to fund and construct a photovoltaic system at Fire Station No. 3. A copy of the Resolution is incorporated herewith to these minutes as Exhibit "7."
2. A Resolution directing staff to explore the National League of Cities Service Line Warranty Program, administered by Utility Service Partners, Inc., as an option for property owners in the City of Santa Fe to purchase water and sewer line protection. A copy of the Resolution is incorporated herewith to these minutes as Exhibit "8."
3. A Resolution supporting federal legislation to enact the *Sensible Accounting to Value Energy Act* (the "Save Act"). A copy of the Resolution is incorporated herewith to these minutes as Exhibit "9."

Mayor Coss

Mayor Coss thanked Councilor Wurzbarger for turning on the Plaza lights on his behalf, and Councilor Calvert for attending the Luchesse event.

Mayor Coss introduced the following:

1. A Resolution directing staff to begin the process for the City to acquire St. Catherine's Indian School campus for the public purposes of historic preservation, promoting arts education in the City and leasing the property to the New Mexico School for the Arts, a New Mexico State Charter School. A copy of the Resolution is incorporated herewith to these minutes as Exhibit "10."

EVENING SESSION

A. CALL TO ORDER AND ROLL CALL

The Evening Session was called to order by Mayor David Coss, at approximately 7:10 p.m. Following the Pledge of Allegiance, salute to the New Mexico Flag, and Invocation, Roll Call indicated the presence of a quorum as follows:

Members Present

Mayor David Coss
Councilor Rebecca Wurzbarger, Mayor Pro-Tem
Councilor Patti J. Bushee
Councilor Christopher Calvert
Councilor Miguel Chavez
Councilor Carmichael A. Dominguez
Councilor Matthew E. Ortiz
Councilor Rosemary Romero
Councilor Ronald S. Trujillo

Others Attending

Robert P. Romero, City Manager
Geno Zamora, City Attorney
Yolanda Y. Vigil, City Clerk
Melessia Helberg, Council Stenographer

F. PETITIONS FROM THE FLOOR

David McQuarie, 2997 Calle Cerrado, said he is here to talk about the Transition Plan, under which a public entity may not deny the benefit of activities, etc. [inaudible]. He said the reason he brings this up because the City was to upgrade the intersection of Alameda/Paseo de Peralta for safety and it did not. He said the DOJ specifically states that the head of the entity is responsible, who is Robert Romero. He may designate a department head, because some of these barriers are not physical, and may come under safety and may come under Police or the City Engineer. He said the City needs to pay attention. [Inaudible] Something about the grievance procedure. [Inaudible] The other part is a person with disabilities, and the appeal is heard by the City Manager. He said appeals from the H-Board are heard by the Council. He said persons with disabilities are being discriminated against.

Tom Agard, 2218 Brillante, said City staff has proposed amendments to City Ordinance 2006-16, section 23-7. He said the amendments as presented to the Youth Sports League in October 2011, propose user fees per sport for every child that participates in organized youth sports to play on athletic fields and parks. He said tonight the City is considering \$50 million in bond issues. He said, "I urge you to please find the funds to allow our children to play for free on well maintained fields, and abandon this poorly written City Code."

infrastructure of connectivity possible with the least amount of money. She said BTAC has recommended that it be adopted in whole, rather than building a single expensive project that doesn't create connectivity throughout our entire City. She said Santa Fe received Bronze Level Bicycle Friendly City, and congratulated the Council on its courage in making all of the "moves to get us to that point." She said the League has invited her to look at how to get to Silver, and among them were the adoption of the MPO's \$5 million plan for how to spend the bond monies. She encouraged the City Council to endorse that plan.

Susan Odeseus, Member Justice and Peace Committee of St. Bede's Church, Board Member of Interfaith Worker Justice as well of Founding Chairman Interfaith Community Shelter. She said she has attended a lot of Council meetings, and sees everything they have to go through in making decisions. She said, in particular, when there was talk of curtailing bus service, she saw how important bus service on a regular basis is important bus service is to low wage workers, other works, and the homeless. She wrote a letter to The Santa Fe New Mexican, pointing out the importance of bus transportation and not curtailing it. She received an overwhelming number of phone calls saying increased bus service is needed. She said she hopes bus transportation will be part of the bond. She said as a citizen she supports the bonds. She asked that we don't have buses with 500,000 mileage running on Santa Fe streets.

Owen Conley, 733 Dunlap, Chair, Chainbreakers Santa Fe, said he works for affordable transportation and accessible transportation. He is here to support the CIP bond proposal to replace aging buses because our community members are too important to risk their jobs and lives over unreliable public transit. He said, "Transportation is a right. We need to keep that in mind. As we all know, you can't get to work if you can't get to work, so it's the idea we want you to please support working families in our community."

Patricio Larragoite, 812 Cleveland, member of SF Coalition for Good Government, and concerned citizen, said he is here to speak in general opposition to the General Obligation bond and CIP bond issues. He said the City needs to have a five-year financial strategic plan in place to guide the City of Santa Fe, that indicates the growth index of when, where and why we need to increase taxes, commenting that the G.O. bond does increase taxes to people. He said this obligation affects his children and possibly his grandchildren which is unacceptable without a financial plan in place. He said, "I urge members of this Governing Body to vote this bond issue down at this point in time, until we have a better grasp of the financial strategic plan it can present to the voting citizens of Santa Fe."

Houston Johansson, 514 Rio Grande, said he has strong commitment for bonds because of his deep commitment to the community and a strong desire to see Santa Fe grow and prosper today and into the future. He said things are difficult for many members of the community. There is not enough economic opportunity and the future doesn't look much brighter. He said, "However, we have a tremendous opportunity right now, to begin reversing this downward trend. These bonds give us the opportunity and the means to grow these jobs and the economy now, while setting the stage for future long term growth. These bonds do this by making needed investments in public safety, enhancing our use of renewable

John Dressman, 5 Cerro Gordo Road, said he is speaking as a representative of the Santa Fe Downtown Merchants Association, that's speaking in favor of the historic Santa Fe Plaza. He said the bond issue from 2008 left a structure defacing the Plaza, a 7 ft. 3 in. tall electric utility box. He said at that time, after construction, assurances were made that something could be done about this. He said the Historic Design Review Board, Downtown Merchants Association and other groups asked that it disappear, but it has not. He said there are 26 items for parks improvement in this bond issue, at \$3 million, but there are no funds for the Plaza Park. He said there is \$420,000 for a water feature suggested by Councilor Trujillo for the Ragle Park area, but no definition of what a "water feature" is. He said he contends that unless a priority is set for fixing the error made on the Plaza 2½ years ago, as opposed to adding a water feature to an already developed park, that "you won't get the support of the 70 members of the Downtown Merchants Association for the bond issue." He understands there may be a movement to ameliorate the situation, to put a little money trying to reduce the electric box in size. However, we had that same discussion more than 2 years ago, and "we thought it was a little bit like putting lipstick on a pig. We really want to get rid of the pig, and the only way to do that is to actually spend the money as the Historic Design Review Board said – make it disappear."

Bernard Archuleta, Agent for Labor Local 16, said although he doesn't live here he does support Labor Local 16. He said we are in a deep hole of unemployment. By passing these bonds, the City will help increase our tax base and help everyone in the area, and requested that the Council pass it on to the March 2012 election.

George Hannaley, Chainbreakers Collective Cooperative, said he is here to speak in favor of the projects generally covered by the bond, specifically public transportation, for the usual reasons. He personally uses the bus and a bicycle to get around, for social and ecological reasons – global warming, pollution, resource wars. He said, "The whole thing isn't rocket science and seems like a no brainer. I just hope the people who do decide on allocation of public funds, which we don't, which I guess is you, I hope you use the minimum amount of brains necessary and vote for public transportation."

Stephen Mays, Co-Coordinator of Move on Santa Fe, representing many many people in Santa Fe, said he and all of their members strongly support the bond issue. He said of course we need to do something for our community. We need to pay it forward for our children. He said, "We don't need to double down on failure and we don't need to slice and dice language what's in this, and worry about some inflexibility here and there which I've heard in other Committee hearings. I think we have a professional City staff that takes care of all that. I believe in the vision that's been shown and the projects that we need, and so we strongly urge you to vote yes tonight so all of the people in Santa Fe can have a choice to vote on this in our democracy."

Mitch [inaudible] Co-Coordinator, Santa Fe Move On, said he is in support of this bond issue and asked the Governing Body to put it on the Ballot. He said some of the previous speakers "stole my thunder," but he can live with that. He said Ray Baca is someone we should listen to, because he represents a segment of our population that has really been hit by the bad economic picture, and

Mike Gomez, Marketing Representative, Local 49, said New Mexico is the 6th worst construction State in the country right now. He said construction families are losing their houses, their cars and losing hope. He said this bond would give families hope for a future where they can make sure their kids are fed, and he is in support of the bond, and hopes the Council will consider it very strongly.

Gretchen Grogan, 2677 Chelsea Lane, Member of BTAC, said she would echo Kathryn Downing's comments, and ask the Council to support the G.O. bonds, specifically the list of trail projects put together by the MPO, which would make the difference in trail connectivity for all residents, noting they spent the last 18 months talking to all stakeholders throughout the City. She asked the Council to support the CIP bond, specifically the amendments approved by Finance Committee which included \$250,000 for sharrows and other on-road bicycle improvements. She said there are 380 total sharrows throughout the City. She said she and another BTAC member assessed the sharrows over the summer, and found that fully half are no longer visible, and 1/4 of those which are visible need to be replaced immediately. She said BTAC feels strongly that we need to protect the City's investment in the sharrows by reinvigorating that program. She said, in addition to the League of American Cyclists giving Santa Fe bronze designation as Bicycle Friendly Community, the International Mountain Biking Association is bringing its Annual Summit to Santa Fe in 2012. She said it will bring 700 cyclists. She said Santa Fe is starting to get energy as a bicycle destination. She would love to see the Council pass these bonds which she feels would keep that energy going.

Tomas Rivera, Chainbreaker Collective, an environmental and justice organization with 200 dues paying members, of whom are mostly transit dependent bus riders and bicyclists. Mr. Rivera read testimony from **Matthew Trujillo, 2863 Corte Court**, "I support the bond proposal to support aging buses because public transportation, if correctly maintained, is essential to the economy and the safety of the public and buses. Mr. Rivera read testimony from **Lillia Diaz, 1C Montoya Circle**, "Many people depend on buses and we deserve a fleet that is new and reliable. People depend on these buses to get to work and to school. If buses are old and unreliable, that impedes their ability to get where they need to go." He said both of these people support the bond.

Mr. Rivera translated for **Alva Leyba, 3154 Jemez Road**. Ms. Leyba said he is here to ask for new buses. She said sometimes the buses break down, come late and it makes her late to work. She said some of the buses have no heat, and they want expanded services, especially on weekends because a lot of people work on the weekends.

Mr. Rivera translated for **Jasmine Munoz**, who asked the Council to please, please buy new buses and extend hours on the weekend so she doesn't have to walk all the way to the mall from her house.

Mr. Rivera translated for **Elias Morales, Chamisa Apartments, Apartment #12**. Mr. Morales said he is asking for extended service. He rides a bicycle, but sometimes it gets a flat and he has to ride the bus. He said he is a member of Chainbreakers, and they work to help kids get new bicycles and to fix up

30% unemployment rate in construction jobs throughout the State. He said the resources are slim, and his job is to try to get resources for these unemployed families. He said, for example, he administers the Emergency Food Shelter Program for the State set-aside for several counties. He said last year the program received \$200 million in federal funds, and this year received \$120,000 million. He said last year Santa Fe County got \$65,000 and this year \$14,000, which is typical state-wide. He said these funds are to provide assistance for rent and food families. The resources aren't available and we just need jobs. He encouraged the Council to support both bond issues.

Shelley Robinson, 122 Barranca Drive, encouraged the Governing Body to vote yes on the CIP Bond and the GO Bond for the March ballot, specifically in support of parks and trails. She is a bicycle commuter and advocate for a bicycle friendly City, and urged the Governing Body to support their funding needs to continue to build a progressive, healthy, safe and attractive infrastructure for all who ride bicycles in Santa Fe. She is a member of BTAC and knows what a great achievement it is that Santa Fe has received bronze status Bicycle Friendly City designation from a national organization – we're on a roll. She said there is also the guidance of a comprehensive master bicycle plan done by the MPO which outlines the funding needed to achieve Phase 1, noting this funding is included in the two bonds. The bonds will ensure that we can continue this important work for all bicyclists.

Richard Ellenberg, 1714 Canyon Road, speaking individually, and not on behalf of any organization, said it is important that City, like any business, maintain its infrastructure, and commented that we have lost a lot of State and federal funds as a result of the current economy. It is important to do everything possible to continue to invest in our infrastructure to keep it up and running. He said Mr. Perkins and Mr. Larragoite spoke about transparency and clarity in terms of getting financial information and its importance in being able to get this bond issue approved in March. He said it is important, if we are asking the taxpayers to approve the proposed bond, to spend the funds on Santa Feans.

Glen Wikle, 2006 Conejo Drive, appearing as an individual. He thanked the Chainbreaker people for their advocacy, and that they are working for solutions other than automobile based transit. He said he wants to speak about the need for infrastructure for high speed communications. He said he works for a technology firm which works with very large data bases and move data in/out of Santa Fe on a regular basis. He said the fastest way for him to get a data set is via FedEx. He said there is an issue in sending hard drives because they get lost or are damaged or are delayed which costs money. He said the solution for the many small firms is higher speed – ultra fast – internet connection. He said it is available in the center of Albuquerque for about \$70 per month, however in Santa Fe it costs \$1,200 to \$1,400 per month, which his business can't afford and the reason they're using FedEx. Santa Fe is a technology friendly City in many ways, but not for this. He said if the City could help to bootstrap and market and introduce competition by approving this part of the bond, it will make Santa Fe a more technology-friendly City and small technology companies can grow without the need to move out of town.

The Public Hearing was closed

Councilor Dominguez thanked City staff and the Finance and Public Works Committees for the work they have done on the bonds. He said he especially wants to thank the public for its participation. He said there have been 5 public hearings during the Committee process. He said "I'd like to say there has been overwhelming support for the bonds." He said very few, if any, have spoken against these initiatives.

MOTION: Councilor Dominguez moved, seconded by Councilor Trujillo, to adopt Resolution No. 2011-67, Item H(1)(a), and to accept the recommendation of the Finance Committee, to increase the amount from \$21 million to \$22 million, to include \$1 million for broadband, which takes \$1 million from the G.O. Bond and puts it in the CIP Bond.

DISCUSSION: Councilor Chavez said he wanted to point out that there are two items, and the \$22 million CIP bond won't be on March ballot; and asked if this is correct.

Mayor Coss said this is correct.

Councilor Chavez said the G.O. Bond will be on the ballot, but the CIP Bond won't be on the ballot, because we do "that as a matter of conducting business every two years. Every two years, we issued A CIP bond until the economy turned bad, and we held off, which was the right thing to do." He said we were cautious in how we moved forward. He said we haven't issued a CIP Bond for the past 3 years, so we're playing catch up, and that's okay. He said he wanted to take a few minutes to explain that so we're all clear and to touch a little on some of the questions that were asked regarding our financial liability as it relates to issuing the CIP Bonds.

Councilor Chavez read Paragraphs 1 and 2, page 1 of a Memorandum from Dr. Melville Morgan, Finance Director [Exhibit "14"], which states in part:

"Historically, the City Council has engaged in the issuance of ½% CIP GRT bonds every two years. While we have five outstanding bond series, the last of which will not be retired until 2035, through careful financial management, we have been able to meet obligations and maintain the flexibility of being able to issue new bonds. This remains the case. However, given the continuing financial concerns and challenges of our City, state, nation and the global economy, careful management and financial prudence would be recommended. It should be noted that issuing bonds to stimulate projects and provide work for citizens is a noble goal. Maintaining that goal over time and over the life of the bond series may be a challenge because the risk remains that the more debt incurred inside the fund, the less flexibility will be available in future years."

Councilor Wurzburger read Paragraph 4 from the Memorandum [Exhibit "14"], as follows:

"The bottom line is the question about whether or not we can afford to engage in a new bond issue given the weak global and national economy, and whether or not it would be prudent to do so."

Councilor Wurzburger said she would comment later on that matter on which the Council has been subjected to over the few months. She continued to read from Paragraph 4 of the Memorandum [Exhibit "14"]:

"The answer is in two parts: Yes, City Council can afford to issue a new bond series; but, through the issue careful and wise strategies need to be employed to manage the funds and the amount of debt service in future years."

Councilor Bushee asked if we should deal with the \$1 million for the Interfaith Shelter, saying at one point it was "included in one of these, and I just want to know where that is or isn't at this point."

Robert Romero said the City used cash from the CIP fund to pay for that at the time, and there is still a balance in the fund. He said we went through the process and that was taken off the list because it's been paid for.

Councilor Bushee said she thought they used reserves and required that it be paid back.

Mr. Romero said it is CIP GRT funds and during this process, the payback on that \$1 million.....

Councilor Bushee said, "Wait, wait, wait. You're saying... and this is making me crazy, Robert... when did we decide to not have to be paying that back."

Mr. Romero said, "I believe during this process, this was on the last list and sometime...."

Councilor Bushee said, "It was on the list.... but never did we vote not to pay that back."

Mayor Coss said he thought that was done at Public Works.

Councilor Bushee pointed out that wasn't done at Council.

Mayor Coss said it is before the Council now.

Councilor Bushee said it disappeared when it got to Finance. She said, "I'm just asking where is that going to come from. You can't... we already... that was the condition of the approval of that... moneys that didn't exist in the first place. We said, okay when we do a CIP bond, we'll pay it back, so is there some other fund... you can't just say it went away at Public Works."

Councilor Wurzbarger said it was paid back, so we never saw it at Finance and the reason we're surprised by it. She said, "Point of clarification directed to Councilor Dominguez. So it was paid back through a decision by Public Works from reserves in the current capital improvement program. Is that correct. Whether we agree or not, that's where we are right now."

Mr. Romero said yes.

Councilor Bushee said, "Not to throw a kink in here, but I don't want another million dollars tacked onto this thing. I think we've got plenty, but paying it back out of reserves was not the condition that we approved."

Mayor Coss said, "Let me try another way of explaining it. When the \$1 million was approved to acquire the Resource Opportunity Center, there were projects in the CIP that money had been allocated to. A lot of those projects have now been finished, or we can see how much they will cost when they are finished. We have always, always had a CIP allocation, because our staff is very good, and some of the project we estimate at one price, and when they're done, they come in lower. And then you have the CIP reallocation. Right now there is \$600,000, I think in the CIP reallocation. If we pay back \$1 million, there will be \$1.6 million in the CIP reallocation. But not paying it back doesn't jeopardize any of the projects that the CIP, 3 years ago, was intended to pay for. So, essentially, efficiency in implementing those projects saved \$1.6 million over what was budgeted 3 years ago, and we can put a million back and just have it there, but it's not needed to complete a project that was anticipated in the old CIP."

Councilor Bushee said, "Mayor, I'm very familiar with what we call the 'fishes and loaves' fund, the CIP reallocation fund, but, in all honesty, you just said we're not paying it back."

Mayor Coss said, "I'm saying at Public Works, the decision was made, why have \$1.6 million in reserves when you have all these needs that just grew again tonight. I mean, if the Council wants, you can pay it back and you'll have \$1.6 million instead of \$600,000 in that fund."

Councilor Bushee said, "The condition was put on the purchase."

Mayor Coss said, "It was put on by the Council and it can be changed by the Council."

Councilor Wurzbarger said, "I'm uncomfortable that we didn't hear it at Finance, but I understand what you've done, and to have it just sitting there in CIP, the \$1.6 million, isn't worthwhile. I'm uncomfortable with it not being heard by Finance, but having said that, what Public Works decided to do with respect to this, in fact it was repaid. It's no longer there as something that's owed, and we still have that balance there to move forward with the projects that are proposed. I am comfortable with that moving forward, rather than putting \$1 million there and thinking about how we're going to do it."

Councilor Chavez said he remembers this conversation well, and he didn't support the proposal to buy the building because we didn't have the money, and we were going to have to pay it back. And we're discussing that now – how did we – and reallocation. He said, "Again, if we're going to tell the public that

maintenance. And those come out to about \$1.3 million, or Dr. Morgan is it higher, like \$1.6. It's like \$1.6 or \$1.8. What the Finance Director is saying is the only way we can do a CIP reallocation is if we use all of the GRT to pay the debt service, and the only way we can do that is to come up with another \$1.6 million plus the \$400,000 being tacked on because it's \$22 million, for a couple of pet projects. That \$2 million is \$2 million that we didn't have last year that we don't have now that is going to be short of making significant cuts. It's going to be another tax increase or another tax proposal that's going to be coming from some members of this Governing Body. That is an idea that hasn't been talked about. That's an idea that, when you see what happens with our CIP, and you see it here with this discussion that we will have at Finance, as to whether or the Government decides that they want to see come out of reserves or not. That's what we do all the time."

Councilor Ortiz continued, "Just today, the Mayor dropped the Resolution that talks about giving staff the authority to begin the acquisition and purchase of the St. Catherine's property. The only place that property's going to be purchased is from reallocation monies from some of these projects that get done here, or from a property tax increase. Those kinds of questions, down the line, are questions that a future Governing Body will have to answer to the public, because that's the stage we're setting here today, by going forward with a \$22 million CIP operation. We had a possibility, we had a good and active discussion at Finance Committee about whether or not we wanted to take out some of these projects and substitute in some of these projects. The decision was made just to tack it on."

Councilor Ortiz continued, "We never got any clarification on what exactly were the costs of some of the other items that are in CIP. The \$4 million for street, not repaving, but just for street rehabilitation. We never got the details on the \$2 million for dirt road improvements. All of those items, we didn't get a list of those roads. They're not in our packet."

Councilor Bushee said we did, and Councilor Ortiz asked what page they are on, and Councilor Bushee said hers were on the desk, noting there is "a whole pile right at the beginning."

Councilor Ortiz continued, "Because if we were really serious about this bond cycle, we would have cut back on some of the items that were cut. We're not doing that. Instead, what we are doing, we're going to adopt this CIP project and we're adopting it specifically with the Finance Director telling us we have to come up with another source of revenue for all those operating costs that are now being tucked into the ½% GRT CIP. Those amounts are going to mean either serious crunch and deliberations, or more than likely, another property tax idea that is going to be floated to support next year's fiscal year. That's not to be taken lightly. That's not to include any of the jobs that I've heard people talking about."

Councilor Ortiz continued, "You know the New Deal was about creating jobs and creating programs because it was detailed and it was specific and it had a particular dollar amount to it, and it guaranteed putting people to work. This CIP issue, I would say that at least 50% is going to be spent internally, that is it is going to be spent to buttress General Fund positions and General Fund work. It's always been that case. And so, by going at \$22 million and not \$20 million, we are risking another \$400,000 in debt service. I think that's untimely."

money left over from projections, noting we ask staff to make the best projections they can make, and what is left over isn't reserves and it's our choice to determine how to spend those funds, and this case the choice was the homeless shelter. She said she isn't in favor of putting it into the bond when it's already taken care of. She said they reconciled the fund and made the decision to pay for the homeless shelter.

Mayor Coss said, "I want to comment on the \$20 million versus the \$22 million. Because I think first, to say that you haven't had the details when the details are in our packet, and we're on the 6th or 7th public hearing, people perceive things differently, but the details are in the packet. I wanted to say, yeah, we've been doing it this way. We've been passing the CIP Bond since the mid-1980's. That's how we built the Genoveva Chavez Center. That's how we built the Southside Center. It's how we fixed up the Plaza. It's how we've done so many of the projects for this community that has made Santa Fe a great community."

Mayor Coss continued, "Now Councilor Ortiz says that we raided this fund to balance the budget, but I want to point out that we've cut about \$5 million in expenditures from our General Fund budget in the last three budget cycles. We still used \$3 million in reserves in the last cycle to balance the budget, but that was independent of the CIP. We're paying off one of these CIP Bond issues, so I don't think it's accurate to say that we have to cut our operating budget \$1.8 million next year if we pass a \$22 million CIP Bond. And I'm going to ask Robert if I'm understanding this right, or incorrectly."

Mr. Romero said that is correct. There is a bond that is expiring this year, so the debt service to pay the old bond will now pay this bond, so we're in basically the same situation we were in last year, commenting he doesn't know what year the bond was sold.

Mayor Coss said, "Then it's absolutely true – the use of the ½% for the Southside Library, the Municipal Recreation Complex and the Genoveva Chavez Center. And we looked at this very carefully when Public Works was putting this together, and we can do \$22 million with existing revenues without cutting \$1.8 million, or anything out of next year's operating budget. And we can provide some projects that are very much needed and very well detailed and have been through 6 public hearings now."

Councilor Ortiz said, "Mayor, on that point, we have in this \$22 million, because these were amendments that got put forward at the Finance Committee, an amount of \$800,000 for Affordable Housing. Where's that detail in this packet; \$200,000 for a Solar Loan Program, where's that information in this packet; 230,000 for Paseo de Peralta which is some project we have on the basis of an MPO member that can be done for that amount, where's that detail in the packet; and \$250,000 for road sharrows based on the testimony on some members of the BTAC Committee. So, those details, the details that you say that we have in this item are not here on the jump between \$20 and \$22 million. And we had these amendments that came forward at Finance Committee."

Councilor Ortiz continued, "So to say that we have the details here to make a decision, is to say that we're going to continue to just go along with what we need to have to go along with. In just the last 6 years, we went from... well not 6 years, 8 years, we went from a policy in which a Finance Director said we could not have positions in the CIP Budget, that was told to me directly, and then two years later, that very same

DISCUSSION ON MOTION TO AMEND: Councilor Ortiz asked which \$2 million.

Councilor Bushee said it is the \$2 million for Parks & Medians which we're going to try to put over in the G.O. Bond under Parks.

Councilor Ortiz said, "Then you're keeping in your amendments what you proposed at Finance."

Councilor Bushee said, "I don't care how you rearrange it. This just seems easier. I think we should get back to the \$20 million. And I know Councilor Wurzbarger also wants to see the Broadband in this bond. And I know others wanted to make sure the Affordable Housing Down Payment Assistance.... and that cannot go out to a G.O. Bond because it's not bricks and mortar. So, I think the easiest one to put in there is that Parks and Medians that can be used, just easily transitioned over into the Parks Bond section of the G.O. Bond. I am saying you are correct, Councilor Ortiz, in that we shouldn't be compounding a situation that's not sustainable."

Councilor Dominguez said he has a problem or concern with the motion. He said in talking about maintenance, we talk about maintaining our infrastructure, and this does that. Keeping this money in Parks & Medians does that without any second thought, really. It just happened to be this and staff making sure that it happens. It's part of our regular operations, and he doesn't support taking it out because it's one of the things we have to do as well, as well as part of the cost of doing business and being sure we maintain this City and keep it as beautiful as it is.

Councilor Bushee said, "The list says its \$400,000 for Park Improvements, \$96,000 for MRC improvements and \$20,000 for security cameras and \$1.5 for labor for Parks which can be allowed to be used. We've had that discussion. It's not maintenance and it's actually easily moved over. I think it's an easy way to keep us from getting further in the hole on the operational side of CIP. It's like living on your credit card, the way we're operating."

Councilor Calvert thinks that's a big gamble, as much as he supports the G.O. Bond. He said if you put this in the Parks G.O. Bond and it doesn't pass, you have immediately created a \$1.5 million hole in the General Fund by the next year. He doesn't think this is a good proposition.

Mayor said, "I just want to comment on Councilor Bushee's 'the situation that we're in' phrasing. The situation that we're in, is that we can do a \$20 million CIP Bond, we could do a \$22 million CIP Bond, without raising the GRTs or any other tax, without cutting the current operating budget. And you know, an amendment to the Parks increases the size of the G.O. Bond, increases the size of the property tax."

Councilor Bushee said it doesn't if you remove the \$1 million in broadband.

Mayor Coss said, "It still makes it a bigger bond question on the other side. By taking out the broadband and the Affordable Housing and putting it in here, it lowers the overall impact of the G.O. Bond property tax if they pass."

should be doing things. That's why we're in this situation that we're in. It's been pointed out. I think I tried to point out earlier that what we're doing is not sustainable. The reoccurring money cannot continue to come from our CIP bonds or G.O. Bond. It just can't. We've gotten away with it too long, but we're not going to be able to continue too much longer. I'm going to vote for this now, because we've been holding back on doing this, and I hope that we can keep some of our workers employed. The CIP, this is a very narrow list. It's not going to cast the net very broad, but let's see what we can do to keep the buses running and at least keep our streets maintained and our parks maintained. That's the minimum we can do. So I vote yes."

Explaining his vote: Councilor Dominguez said, "I would say that much we're talking about tonight I don't disagree with, but it's my feeling that much of that needs to be taken care of during the budget cycle, during our budget hearings, because that is a lot of what we're talking about, so I vote yes."

Explaining his vote: Councilor Ortiz said, "Well fidelity to the *status quo* of things to minimize what are very tough decisions in very tough and difficult times, is very admirable in deciding on votes like this, but it is foolish and it is not sound financial decision-making and it's not wise business decision-making and that's what we're doing here, which is what we've always done here, and so I don't pity the next Governing Body for making very hard decisions in the face of some of the decisions that are being made tonight, and I vote no."

Explaining her vote: Councilor Bushee said, "You know I started out this evening very in favor of the Bond, but through the discussion and the way we've been doing business, I don't think we should do it up to the tune of \$22 million, so I'm going to have to vote no."

- b). **CONSIDERATION OF RESOLUTION NO. 2011-68 (COUNCILOR DOMINGUEZ, MAYOR COSS, COUNCILOR TRUJILLO AND COUNCILOR ROMERO). A RESOLUTION CALLING ON THE CITY OF SANTA FE AND THE COMMUNITY TO SUPPORT FUNDING IN THE AMOUNT OF THIRTY MILLION DOLLARS (\$30,000,000) FOR MUNICIPAL CAPITAL PROJECTS THAT WILL CREATE JOBS, PROVIDE FOR ECONOMIC DEVELOPMENT OPPORTUNITIES, IMPROVE WATER SECURITY, ENHANCE PUBLIC SAFETY AND PROMOTE A HIGH QUALITY OF LIFE FOR THE RESIDENTS OF THE CITY OF SANTA FE; AND PROPOSING A \$30,000 GENERAL OBLIGATION BOND ISSUE FOR APPROVAL BY THE VOTERS OF THE CITY OF SANTA FE AT A SPECIAL MUNICIPAL ELECTION TO BE HELD IN CONJUNCTION WITH THE MARCH 6, 2012, REGULAR MUNICIPAL ELECTION.**

- 1) **REQUEST FOR APPROVAL OF GENERAL OBLIGATION BOND QUESTIONS. (KATE NOBLE)**

think it will make that trail connectivity on the River Trail better and safer for both pedestrians and bicyclists, and I think the list I saw from the MPO just happened to come in at \$6 million, the list I saw, and I think any list where you ask people how you would spend \$6 million and they can give you a list to fill it up. We actually need all of those on a priority basis I guess I have some question over."

Councilor Calvert continued, "I think that the St. Francis grade separated crossing at Alameda can be done for less than \$2 million and the rest could go toward prioritization of the BTAC-MPO list."

Councilor Chavez said he appreciates Councilor Calvert's openness in advocating for safety at a particular intersection. He said, "Your intersection of concern is St. Francis and West Alameda. My safety concern is St. Francis and Cerrillos, and I don't see one being more important than the other. So, you're really disrespecting me in the process that BTAC has put out, because I've been to BTAC meetings and the public has discussed both at-grade safety improvement and they've both been waiting to be on the list. So, I can't support this motion either."

Councilor Dominguez said he just wants to point out that BTAC is still getting \$4 million for its priorities it identifies on its list. He said it is going to cost \$15 million to build the SWAN Park, but he will compromise to take a little less and not take it all. He thinks what we've come up with is a compromise. It's been discussed at Committee, it's been brought up many times, and it's not like this is the first time. He said he looks forward to the safety conditions which are going to improve just via the \$4 million that will be allocated. He said, "I will say that some of that \$4 million is going to be used to connect the south side to the rest of the City. It's not going to be nearly the kind of connections that exist in other parts of the community. But, nonetheless, it's going to create some of that connectivity and there's still a lot of work that needs to be done with that." He thanked the members of the Council who serve on those committees and the work they've done. He said, "It is what it is."

Councilor Bushee said, "It just points out the horse trading that goes on up here, and I'm glad this goes to the voters, but I have to tell you the details do not go to the voters. The reason the voters gave us the \$30 million the last go-around was it was a grass roots process. Volunteers went out and pitched projects. It went through committee after committee and it was sold to the voters and it got approved. Never once have we discussed a crossing at Alameda, at MPO or BTAC or anywhere else. I'm probably the one who rides a bike most often of these Councilors and I live off West Alameda. And sure, but do you want to stop... it just, it shows the process here. We've had myriads of discussions about trying to cross at St. Francis and connecting our Railyard, our new projects, making sure we're safe at the busier worst intersections. We've spent a long time... we were trying to improve what you were sending out to the voters and getting BTAC excited by taking the MPO project the professional staff had put together. It leveraged a lot of little projects that connected throughout the town, all over town."

Councilor Bushee continued, "BTAC is a very diverse committee. We have people from all over the Districts in the City. We try to make the projects happen for the least amount of money. It's just insane at this level now that we'll say, yeah I have to keep my 5 votes. Usually they come in with 5 or 6 and we horse trade. And I don't get to horse trade really, I'm outside of this corral, but I will say that it's really unfortunate the

want to call it – top-down, not grassroots or whatever – all of the Councilors on this Governing Body, at different points in time made these kinds of compromises, and the fact that some Councilors do not have those relationships any more, is a function of those Councilors' relationships with the Governing Body and not some kind of nefariousness to what is actually compromised in the political process. And, so I support this question and I'm going to vote for this question, number one, I still have questions about, but let's not be too critical about compromise."

Councilor Bushee said, "Let's just be clear though about this bond. It started out with a price tag and then the projects came before it. It wasn't like this was the same process as that last Park Bond by any means, Councilor."

Councilor Ortiz agreed, saying, "By no way."

Councilor Bushee said, "By no... not even. It started out, well let's call it an Opportunity Bond, put the price tag out there and see how many projects we can stick special interest to, so people will go out and vote for this. That's pretty much what we have. And I referred to it as horse trading, because it's at the last minute we're sitting there going all right, and apparently Councilor Calvert really wanted to get that crossing, which is fine. I would love to see a crossing there some day. Is it a priority. I'm just voicing what I can voice which is tonight, right now. It's going to go to the voters. I would hope that they would get the details. You may have lost an advocacy group to go out there and sell that part of your bond. That's all I'm saying."

Councilor Ortiz said, "Rupert did a lot of work and good presentations."

VOTE: The motion was approved on the following Roll Call Vote:

For: Councilor Ortiz, Councilor Romero, Councilor Wurzbarger, Councilor Calvert, Councilor Dominguez and Councilor Trujillo

Against: Councilor Bushee and Councilor Chavez.

Explaining her vote: Councilor Bushee said, "I'm going to vote no just because of the process."

MOTION: Councilor Dominguez moved, seconded by Councilor Romero, with respect to with respect to Item H(1)(b)(1) that the Governing Body approve the \$3,800,000 for Sustainable Environmental initiatives as shown in the portfolio.

VOTE: The motion was approved on the following Roll Call Vote:

For: Councilor Romero, Councilor Trujillo, Councilor Wurzbarger, Councilor Calvert, Councilor Dominguez,

homework on this, and as Councilor Bushee said, we should have come up with the title and number and then projects to fit the bill. And so this question, while well intentioned, while sounding good, is an amalgam of 3 different things. It should have been broken up to go to the public, or it should have had more work to it, so this isn't ready for prime time. I've got to vote no."

Yolanda Vigil said the Council now needs to go back and vote on the Resolution (H(1)(b)).

Councilor Bushee asked if we want to vote on Question #5.

Councilor Calvert said it isn't being proposed.

Councilor Romero said there are only 3 questions.

Councilor Bushee asked if the other projects are going away.

Mayor Coss said the broadband was moved into the CIP Bond and there is no motion to approve the multi-modal center, so there will just be 3 questions.

Councilor Bushee asked the total amount of the G.O. Bond, and Mayor Coss said approximately \$22 million. Councilor Bushee asked what this would mean in terms of the property tax.

Mayor Coss said if it was \$70 on a \$300,000 home, it will be something less than \$70 per year, but we will get that information for sure.

Responding to Councilor Bushee, Mayor Coss said two questions would be deleted from the Resolution.

MOTION: Councilor Dominguez moved, seconded by Councilor Trujillo, with respect to Item H(1)(b), to adopt Resolution No. 2011-68, as amended.

VOTE: The motion was approved on the following Roll Call Vote:

For: Councilor Trujillo, Councilor Wurzbarger, Councilor Calvert, Councilor Dominguez and Councilor Romero.

Against: Councilor Chavez, Councilor Bushee and Councilor Ortiz.

Explaining her vote: You know, I want to vote for 1 and 2 at this point, but I don't want to vote for 3, so no."

Responding to Councilor Chavez, Councilor Dominguez said that amendment is already incorporated into the proposed Resolution.

VOTE: The motion was approved on the following Roll Call Vote:

For: Councilor Trujillo, Councilor Wurzburger, Councilor Calvert, Councilor Dominguez, Councilor Ortiz and Councilor Romero.

Against: Councilor Chavez and Councilor Bushee.

Explaining her vote: Councilor Bushee said, "As grateful as I am that they are going to the voters, I think that we could have done better work on the questions, particularly #3, and so I vote no."

Explaining his vote: Councilor Chavez said, "I'm going to vote no. I think I'm consistent. I've been concerned about the impact, not on those property owners that can pay the property tax, but on those people that don't own property but will still be impacted where it is a pass through. I have concerns about working families, those on fixed incomes and this could be of impact on them, so I vote no."

Explaining his vote: Councilor Calvert said, "Well I guess there's always room for improvement, I don't care who you are, even if you've been here for a long time, so I vote yes."

UPDATE ON PARKS BOND AND REQUEST FOR APPROVAL OF REALLOCATION OF BOND FUNDS (FABIAN CHAVEZ AND ISAAC PINO)

MOTION: Councilor Dominguez moved, seconded by Councilor Romero, to approve Option 2 set forth in the Memorandum dated November 23, 2011, to the Mayor and Council from Gabriel Rios, Director, Public Works Department. With this to the Council, there is \$750,000 available for the following: \$500,000 allocated to the SWAN Park Engineering & Design (\$200,000) utilized for security cameras for parks and trailheads throughout the community; \$300,000 allocated to the Eastside Park and \$100,000 allocated to Plaza improvements including efforts to reduce the size, not eliminate the utility box on the Plaza.

CLARIFICATION OF THE MOTION: Councilor Wurzburger asked for clarification if the cameras were for the parks and trailheads and not just for parks. Councilor Dominguez said this is correct - for parks and trailheads.

Councilor Calvert said, "I guess I had been led to believe that we were not going to reallocate the \$750,000 this evening. I guess that was my misperception."

here we're talking about this box again. And I can honestly tell you, I've gone to the Plaza so many times and when I talk to tourists who are visiting our town – you know what that big box is there, most of them say they wouldn't have noticed it unless he mentioned it. He said, "Even us locals don't notice it. I cannot see spending as much as \$300,000 on it. You know how many pocket parks I could build in District 4 for that amount of money. A lot of them. I'm going to vote yes on this, but I do have my reservations about spending that kind of money on something that's already there."

Explaining her vote: Councilor Bushee said, "Yes on this option. I like it better than the direction we were taking before. But I will say if you just make it general \$100,000 for the Plaza, you're not going to get a lot to fix that thing. So is it just generally for the Plaza." Councilor Dominguez noted it was \$100,000 for Plaza including reducing the size of the box, not eliminating it. He said his motion is clear that it is to improve the Plaza and what we can to reduce the size. Councilor Bushee said, "Okay, I'll vote yes."

BREAK 9:45 P.M. TO 9:55 P.M.

MOTION: Councilor Ortiz moved, seconded by Councilor Calvert, to hear Item H(7) next on the Agenda and approve the Amended Agenda as amended.

VOTE: The motion was approved on a voice vote with Councilors Bushee, Calvert, Chavez, Dominguez, Ortiz, Romero, Trujillo and Wurzburger voting for the motion and none against.

- 7) **CONSIDERATION OF BILL NO. 2011-42: ADOPTION OF ORDINANCE NO. 2011-37. AN ORDINANCE REPEALING ARTICLES 14-1 THROUGH 14-4 SFCC 1987 AND ADOPTING NEW ARTICLES 14-1 THROUGH 14-4 SFCC 1987; REPEALING SECTION 14-5.1 SFCC 1987 AND ADOPTING A NEW SECTION 14-5.1 SFCC 1987; REPEALING SECTIONS 14-5.3 THROUGH 15-5.5 SFCC 1987, AND ADOPTING NEW SECTIONS 14-5-3 THROUGH 14-5.5 SFCC 1987; REPEALING SECTIONS 14-5.7 THROUGH 14-5.10 SFCC 1987 AND ADOPTING NEW SECTIONS 14-5.7 THROUGH 14-5.10; REPEALING ARTICLES 14-6 THROUGH 14-7 SFCC 1987, AND ADOPTING NEW ARTICLES 14-6 THROUGH 14-7 SFCC 1987; REPEALING SECTIONS 14-8.11 THROUGH 14-8.16 SFCC 1987 AND ADOPTING NEW SECTIONS 14-8.11 SFCC 1987 THROUGH 14-8.16 SFCC 1987; AND MAKING SUCH OTHER CHANGES AS ARE NECESSARY. (GREG SMITH)**

A copy of *Proposed Amendments to Bill No. 2011-42, Repealing and Adopting Various Articles of Chapter 14 (Staff Amendments)* is incorporated herewith to these minutes as Exhibit "15."

Ms. Bane continued, "There are some things I think are different than I had seen now. The public has not seen a presentation of this. You all have met one-on-one. I had thought that you would have a study session where maybe the public could sit in on it, and that hasn't happened. I think that was probably much more efficient. However, the end result to it is, again, here we are again. At Finance, when they were going to make a presentation, there were only two Councilors there, so that didn't happen."

Ms. Bane continued, "And I just wish there was an opportunity, as I always do, wish that there was an opportunity for the public to understand at least the bigger issues, not the housekeeping issues obviously. And I would be wrong not to thank Matt and Chris and Greg for the huge amount of work that they did and the huge thought processes that we discussed while I was there, so I join everyone in thanking them. But, if there would be an opportunity, if not tonight, another time, for there to be a chance for discussion if the public had some questions on different things. That would be very helpful. Thank you."

Stefanie Beninato, 604-604 ½ Galisteo said "I too agree with what Marilyn Bane had to say. There needs to be some more public education and input. Although they had subcommittee meetings that were open to the public, I don't think many people actually came and sat through these things, much of which was technical. And I do think there have been some major changes, particularly with the centralization of power within the staff and taking it away from boards, which I think citizens should be aware of in knowing what's been going on and how it's been changed. Having attended the Network, the Neighborhood Network meetings, and heard about changes over the past several years, I think it would be a very fruitful time to give people a chance to know really how Chapter 14, which affects so many people, is going to change, particularly in terms of appearing before boards, what powers boards have now, as opposed to the head of the Land Use Department, etc., which I think are some of the major policy issues which have not been openly discussed and that citizens are unaware of. Thank you."

The Public Hearing was closed

MOTION: Councilor Wurzburger moved, seconded by Councilor Romero for purposes of discussion, to adopt Ordinance No. 2011-37 with the amendments which are in the Council packet, and with the staff amendments handed out this evening [Exhibit "15"].

DISCUSSION: Councilor Romero said she seconded for discussion purposes. She said the small Land Use Subcommittee started to look at this 3½ years ago, so she has had the opportunity to look at a lot of information that has come forward. She asked Mr. O'Reilly to speak to the issue of centralization of power which has come from several people, commenting she didn't see it that way and saw it differently.

Mr. O'Reilly said there has been no centralization of power, and no power has been taken away from committees and given to staff. He said the Chapter 14 project is best described as a cleanup. He said there were references to all kinds of different staff members scattered throughout Chapter 14, some heads of divisions which no longer exist. He said all of those, at one time or another, probably reported to the Land Use Director. He said to make this simple and clean, rather than specifying lots of individual staff

Mr. O'Reilly said the Historic Design Review Board reviews project that fall under the Historic Ordinance, and not under any other ordinance. He said a land use ordinance is taken to the Planning Commission and to the appropriate Council committees, and those generally aren't taken to any other body. He said, "One of the things that is made clear in this rewrite is that, if we're rewriting the Historic Ordinance, the H-Board has jurisdiction over those changes. If we're rewriting the Archaeological Ordinance, the Archaeological Committee gets to have jurisdiction over those changes, because those are what they specialize in. But we generally don't bring land use ordinances in front of the Historic Design Review Board, or the Archaeological Committee or the Board of Adjustment."

Council Bushee said a lot of the issues have to do with, for example, height, and it doesn't make sense to send it just to the Planning Commission.

Mr. O'Reilly said then she is speaking about land use projects. He said the H-Board's purview and expertise, for example, is applying the Historic Preservation Ordinance, and that Ordinance currently is being rewritten, and has been worked on for about two years by an H-Board subcommittee. He said that Ordinance isn't included in what is before the Council this evening, and will come forward as a separate item, and probably won't go to the Planning Commission and will just go to the H-Board and then to Council.

Mr. O'Reilly said it is staff's recommendation that cases which would have gone to the BCD DRC should go to the Planning Commission. He said most projects in the BCD DRC also are in the Historic District, so the H-Board and Planning Commission will act on those projects. He said, "So, it's really just a substitution of the Planning Commission for the BCD DRC and we're not eliminating the H-Board's ability to review those projects."

CLARIFICATION OF THE MOTION WITH RESPECT TO PROPOSED STAFF AMENDMENTS: Mr. O'Reilly asked if the motion includes the yellow highlighted staff Amendment Sheet which was handed out [Exhibit "15"], and Councilor Wurzbarger said yes.

VOTE: The motion was approved on the following roll call vote:

For: Councilor Bushee, Councilor Calvert, Councilor Chavez, Councilor Dominguez, Councilor Ortiz, Councilor Romero, Councilor Trujillo and Councilor Trujillo.

Against: None.

Explaining her vote: Councilor Wurzbarger said, "Yes. And I would like to give direction to staff to work with the public in terms of information and give them the opportunity in terms of a presentation [inaudible]."

Explaining her vote: Councilor Bushee said, "I'm going to vote for this. It's years of work, and I would like to add Jeanne Price to the list of folks that shepherded this and deserves a lot of credit. But I will say that you are going to want to reexamine just sending all these cases off to the

Mr. Jacobi continued, "The thing we're concerned with is that if you are to proceed with this bill, that, with the weather conditions, we have suggested that you amend the language in the proposal, to change the wording from 'shall be suspended,' to 'may be suspended' under those two conditions, the warning and the emergencies. The use of the word 'may' gives a little more opportunity for discussion. I would hope that we don't get to a critical point where our minimum 300 afy becomes necessary for survival of the City, because that's 73% of the City's water budget if you want to look at it that way, which is about a 10 days supply. So, anyway, I would like Richard Ellenberg... he's going to talk a little about this too. Thank you for your time.

Richard Ellenberg, 1714 Canyon Road, said, "The reason for proposing in the target flows that are coming forward from staff and the River Commission that there be a minimum of 300 afy released in most cases, is not to have water in the River. It is to protect the City's investment in foliage and trees. I'm specifically going back, a little history. We had two public hearings at Audubon with an *ad hoc* group that was put together. That was really a strong group. I was privileged to be in it. And some of those people knew a lot about water and trees and how it flowed; and what they needed to keep alive. We had two concerns to look at with regard to minimum and maximum flows. One was the concern for conjunctive use and resting our well fields over time. With to what staff recommended, we made some changes from what we had been thinking about in high flow times to allow more water to be built up to be used in other periods and rest the wells more, and recommended the 300 afy was something we could be comfortable with having put in the River, even in the driest times. The other question being asked, was what it would take to protect the trees. Now we're spending lots of money in various projects planting things, and a large part of the target flow used was aimed at a couple of surges to plant seeds, cottonwood seeds, etc., to spread a green belt all the way to 599, and the end of the presumptive City limits. Obviously some monitoring would be needed and some adjustments we'll probably need, once we've done the monitoring."

Mr. Ellenberg continued, "I think the opinion of the people in the room, that are in a much better position to know, I imagine, if we had anybody that knew, was that the target flows allow us to work at adopting a green belt all the way to the end of the presumptive City limits. And then the 300 afy is designed to be released in two surges, which in the opinion of the folks that knew a lot, would be enough to keep the green belt alive, even in dry times. You don't see a lot of that. Apparently, we learned very quickly, a lot of the water will flow underground, so the visible release is not a factor we were aiming at in this. It is the flow that we expect to happen underground that will reach all the way to the end of the presumptive City limits and keep the foliage alive."

Mr. Ellenberg continued, "That then is what went to the public hearings and that's where the 300 afy feet came from that you approved for this last summer. There is in process planning a detailed monitoring program that will include monitoring the water flow below the surface to see exactly how close we came to the projections of the experts and whether that will take some changes in modification to reach the target flow. The target flows in dry times [inaudible] to get there to have more in wet times. In good times, they are designed to keep water running through the City to help the tourist market and everything else, but the dry time flows are designed simply to protect the investment in trees."

Councilor Ortiz said we lost the trees because we were applying a badly worded ordinance to ourselves to try and set the example in the community – the community had to sacrifice and so did we. He said it wasn't because we didn't have the resources and couldn't water, it was because we had a bad ordinance at the time that we had to follow.

Councilor Ortiz said when we did the BDD there was a lot of discussion that it was meant, along with the surface water coming through the River, to allow resting of the Buckman Well Fields. He said, to say that we are going to pump those wells so we can have target flows in the Santa Fe River, is a complete break from the City's water policy to 2007. He said he is totally in agreement that the Santa Fe River should be flowing in good years. He said we could put a question before the voters about putting in place an infrastructure to provide a green belt to 599 which talks about use of effluent with some conjunctive use of the Santa Fe River – get a price and sell it to the public. He said this is the kind of comment which is needed for the River, and perhaps this is what the River Commission should focus on, instead of guaranteeing water flows in the River in any given year.

VOTE: The motion was approved on the following roll call vote:

For: Councilor Bushee, Councilor Calvert, Councilor Chavez, Councilor Dominguez, Councilor Ortiz, Councilor Romero, Councilor Trujillo and Councilor Wurzburger.

Against: None.

Explaining her vote: Councilor Bushee said, "I was hoping you'd separate the questions out, but I generally agree with the concept. I'm a little concerned that we may be over-reacting. I think we can have both. I think we can mine the aquifer and have the pulses that they worked out, but I will vote yes in this case."

Explaining his vote: Councilor Calvert said, "Yes. I'm concerned that, regardless of how it happened in the past in some of the Parks and stuff, we ended up sacrificing things that we lived to regret, and I'm afraid we might do that here, but I'll hope for the discretion and judgment of the staff on this, and vote yes."

Councilor Wurzburger departed the meeting

- 8) REQUEST FROM MARIBEL CORDONA, D/B/A M & J EVENT CENTER, FOR A WAIVER OF THE 300 FOOT LOCATION RESTRICTION TO ALLOW THE DISPENSING/SALE OF ALCOHOLIC BEVERAGES AT M & J EVENT CENTER, 1708-A LLANO STREET, WHICH IS WITHIN 300 FEET OF DE VARGAS MIDDLE SCHOOL, 1720 LLANO STREET. THE REQUEST IS FOR THE FOLLOWING EVENTS: 12/2/11 – CHRISTMAS CELEBRATION; LUMA REPRESENTATIVES 8:00 P.M. – 12:00 A.M.; 12/9/11 – ANNUAL FUNDRAISING; SOMOS UN PUEBLO UNIDOS 6:00 P.M. - 11:00 P.M.; 12/30/11 – PRIVATE EVENT – QUINCEAÑERA; JOSE TAPIA 7:00 P.M. - 12:00 A.M.; AND 12/31/11 – NEW YEAR'S EVE; MARIA ESCAMILLA 8:00 P.M. – 12:00 A.M. (YOLANDA VIGIL)

A Memorandum dated November 30, 2011, with attachments, to Mayor Coss and City Councilors, from Yolanda Y. Vigil, City Clerk, is incorporated herewith to these minutes as Exhibit "16."

The staff report was presented by Yolanda Vigil, City Clerk, noting all events will be required to have 4 security personnel in addition to the 5 employees of the M & J Event Center. She said there is a letter in the Council packet from Bobbie J. Gutierrez, Superintendent, Santa Fe Public Schools, stating they have no objections to these requests.

Public Hearing

Maria Bautista, 996 Camino Rizo, was sworn. Ms. Bautista said she is concerned about this request. She said, "The Director of Alcohol and Gaming said to me that this is not the purpose for special permits. The purpose for special permits was set up so that you could have an event here or there in different locations. What we have going on here is an event that's going on every single weekend in the same location. I'd like to say that I'm talking about the events that you have listed here, events that have been held prior to this and events scheduled into 2012. All of these people here I know. They're my friends. I don't have anything against them. I'm talking about alcohol and not about people, so I want to make that very clear."

Ms. Bautista continued, "A Quinceanera doesn't need alcohol service when a young woman comes of age, it's like a Bar Mitzvah in a Jewish community or any other community that wishes to honor someone's coming of age. If a Quinceanera needs alcohol, go to a bar. I'm really, really beginning to see a pattern here at this one location. Because if you'll look at what they've scheduled here and what they're asking permission for, either grant a waiver forever or have them get a liquor license. Because what's going on is that there's a DJ in-house. There's a deal going on with Kelly Liquors, so when the application is made, the license-holder will be the liquor distributor and the individual that signs-off is the building owner, which leaves us kind of in limbo if somebody gets hurt. Who's responsible – Kelly or the building manager or the City Council. Who's going to grant the permit... well the waiver so they can get these permits."

Ms. Bautista continued, "There's two waiters that usually take care of the large crowd that go there and 4 security guards. Alcohol and economic development. We're back to that agin. And, it's really

I'm hoping that will be the case here. Another gentleman who was speaking to the bond issues, tell you the people entrusted you to make hard decisions. I know this is a hard decision, but once again, we're approaching the season of joy and giving and some frustration and stress I'm sure with shopping, but please for this Christmas season just say no."

Shelley Mann-Lev, SF Public Schools, was sworn. Ms. Mann-Lev said she is here as the Safe Schools Health Coordinator for the SF Public Schools. She said the Superintendent has attached a letter to the application, so she is not here to speak for or against that. She said Superintendent Gutierrez has said that the District will not object to this particular waiver, and what we're recognizing, and she feels is also becoming a burden too frequently over and over again to be asked for a waiver for this particular event hall. She said "we" hope as you look at this particular issue, that we can address it in a different way as we move forward. She said Superintendent Gutierrez has had some private discussions with the owner of the event space and looks forward to talking to her more and taking a look at how we can move forward to address this issue.

Stefanie Beninato was sworn. Ms. Beninato said she is against this waiver because it is repeatedly asked, every two weeks. She said it seems to her this business should go forward and get some of license, even a private club license, which is easier to obtain than an establishment full liquor license. She said, "In essence, this business is serving liquor as a part of its business plan and therefore it should be up-front about what it's doing and do it legitimately, rather than coming through the back door every two weeks to get waivers. I think you would be in a stronger position. We talked about this when the Super Walmart was under discussion, and there was this idea that there are too many liquor establishments on the south side of town, and should be limited. There needs to be a rationale for doing that. So there needs to be some kind of plan put into place which limits liquor establishments in an area and perhaps the number of waivers to any business any given year, so we don't have this constant, really running a liquor business, but not being up front about it. Again, I think, having a rationale, having a plan about liquor distribution and dealers within this City would be something important to address the problem and would be Constitutionally defensible, because you would have a plan, you would have a rationale. It wouldn't be on a case-by-case basis which could be interpreted as subjective and not rational."

Maribel Cardona was sworn. Ms. Cardona thanked the Council for its support. She said even in these hard times, she is willing to take a risk. She said they are trying to follow the rules and regulations for the City and the State. She is from Mexico, and she wants to be in compliance with all the laws and regulation of this country. She said she met with the State and with the City, and she thanked Yolanda Vigil for trying to help them understand the laws and regulations. She asked the Council for their continued support. She said they don't require liquor every weekend, but most of the time the people are requesting liquor. She said she her family went to the liquor classes to see how they can manage this in a proper way so people won't be drunk at the event center. They are trying to be sure everything is fine. She said people don't need to be drunk to have a good time. She said their business needs to be clean. She asked for the Council's continued support until they can find a permanent liquor license.

The Public Hearing was closed

Councilor Dominguez said this is a loophole. He said we need to see how supportive the State is for these initiatives, because it really is a State problem in terms of State Policy. He said with regard to the applicant for a Quinceanera in September, he didn't have a problem with it because he didn't realize it was going to be an on-going issue. He said his problem isn't that it is a Quinceanera in the Application, but that they are essentially operating a bar, and they're just getting a special permit from a different vendor – they're essentially opening a bar there and this is his concern.

FRIENDLY AMENDMENT: Councilor Dominguez asked to amend the motion to direct the City manager to notify the Superintendent and the Board of Education about our concerns in writing. **THE AMENDMENT WAS FRIENDLY TO THE MAKER, BUT NOT TO THE SECOND.**

CONTINUATION OF DISCUSSION: Councilor Romero said she agrees in principle, noting Somos is a non-profit which is counting on the funds from the fundraiser. She understands and agrees with Councilor Trujillo, saying a Quinceanera is, in essence, a birthday party for a 15-year old, and she is clear about that, but she is hesitant not to approve Somos. She said she will look at these issues later, but not for this situation.

Councilor Bushee said it does seem that this is an inappropriate use of a waiver and picnic license. She asked, if the nearby school has concerns, will it be happy that this business is applying for a beer and wine license. She doesn't want the applicant to think all they need to do is to apply for a license, if the School has objections. She said there have been very few businesses that have sold alcohol at this venue over the years. She said if we approve this request, we are sending a mixed message, because this isn't how waivers and licenses should be used. She is inclined to vote against these requests.

Councilor Dominguez said he is looking at the Somos un Pueblos website and it says nothing about this being a fundraiser and says it is a celebration. He said these are ongoing events and we'll probably continue to get requests for more events. He doesn't know what transpired with the Superintendent, and said she probably thought, as he did, it would be just one event. He said if the Governing Body wants to move forward with the current motion, he will vote against it. He said we need to put the onus on the State and let the State approve these applications, because that's where it will be appealed. He said we don't have to accept the applications, so the State can approve it if it wants to.

Mayor Coss said we are put in a position many times to send lots of mixed messages. However, as he sees this particular business, the City has done more variances for this business than we ever did for El Museo or Site Santa Fe or any of the other non-profits for community events. He has attended lots of Somos un Pueblos events, and they never had alcohol before, and doesn't think alcohol would be a make or break for this event. However, he doesn't want to treat them differently than anyone else on the list. He said we are in a position where a business is using a loophole, and they've done so many of these "it really is time to say if you want a beer and wine license, go through that process." He said this really isn't working as the law intends or the Governing Body would like to see. He said, however, voting against it

A copy of a Memorandum prepared November 17, 2011 for the November 30, 2011 City Council Meeting, with attachments, to the City Council, from Donna Wynant, Senior Planner, Current Planning Division, regarding Corazon Santo General Plan Amendment and Rezoning, is incorporated herewith to these minutes as Exhibit "17."

A copy of Donna Wynant's power point presentation, *Corazon Santo, General Plan Amendment, Rezoning to MU and Rezoning to R-6*, is incorporated herewith to these minutes as Exhibit "18."

A copy of the General Plan Amendment, Rezoning Plan and Master/Development Plan Submittal for 2.41 Acres – MU; and Rezoning Plan, Development Plan and Preliminary Plat Submittal for 6.17 Acres – R-6, is incorporated herewith to these minutes by reference, and copies are on file with and can be obtained from, the Planning and Land Use Department of the City of Santa Fe.

The staff report was presented by Donna Wynant via power point. Please see Exhibit "18" for the specifics of this presentation.

Councilor Romero said she spent some time with Ms. Wynant today on this case and was pleased to see Harrison Road became more of a neighborhood because of the way the houses face. She was surprised to see how long this project had been in the making. She said the good thing is that it creates a seamlessness with the adjoining neighbors. She said it seemed the ENN meetings were well attended and the staff worked hard to address all of the issues brought by the public. She said she is pleased with what she saw.

Councilor Calvert asked Ms. Wynant to give a brief view of the circulation for the project, using the map of the project and how it will work.

Ms. Wynant said the circulation essentially is that Harrison Road provides a north-south access. There is a right turn only in and out because of the proximity to the intersection "here." She said there is a median that controls for that. The access comes in either from Harrison and the movements there aren't restrictions and you can turn into Calle Corazon and make your way up Calle Corazon the north-south route – the main route through the development and right in/right out on Agua Fria. She said there is a 20 foot wide alley which will be signed.

Councilor Calvert asked if somebody is approaching from "that direction," and wants to get onto the project, they'll have to go down Harrison, come down Calle Corazon and all the way up Paseo Corazon to get there, and Ms. Wynant said this is correct.

Councilor Calvert said then the people in the back in the residential part might be subjected to a considerable amount of the other part of the project's traffic. He understands the right in/right out, but it will create more traffic on some of the other streets.

She said one of the wonderful things about the development is that it is in close proximity to public transportation, shopping and eating, and it will be a wonderful addition to the local economy because it will feed the local shops. She said their main intent was to integrate with Harrison Road, so the front yards would be facing Harrison Road, not the back yards.

Ms. Montoya presented architectural renderings of what the homes will look like via the overhead. She said they are proposing a combination of pitched roofs and flat roofs, commenting they don't intend to be a cookie cutter development. There will be different architectural styles, and varying setbacks along the streets. They designed additional parking which is over and beyond the minimal parking required by Code, and will have 3 on-site parking spaces, and in addition off-site parking.

Speaking to the request

Daniel Vigil, 1103 Harrison Road, was sworn. Mr. Harrison said he is on the corner of Harrison Road and Agua Fria, and he has been concerned about the traffic throughout the whole project, and this seems to be the best of what there is. He said on every plan there are setbacks, and they hope that works out well, but he does want to commend the project manager and the owner for working with them, commenting they have given quite a bit. He said during the planning process he had asked them to extend the sidewalk through the Baca property and wants to be sure that was done. This would allow people to walk down Harrison Road, noting there currently are no sidewalks and they walk in the middle of the road.

The Public Hearing was closed

Councilor Romero said the sidewalk through the Baca property is an off site issue, and asked staff to speak to this issue, and Ms. Wynant said she does remember this coming up, and asked to defer to Ms. Montoya.

Ms. Montoya said it is an off-site improvement, and they have agreed to construct a sidewalk because it will benefit their residents as well, and gives additional walkway as well. She said there is ROW outside the Baca property, but they may have to ask the Bacas to give up part of their property to construct the sidewalk, but it is designated as right-of-way on plats, noting they have done the research. She said they are willing to construct it, if it is possible.

Councilor Romero said the key words are "if it is possible," and working with the Baca family.

Ms. Montoya said, "If it's totally within the right-of-way, then yes. Of course, we do want to be sensitive with the Bacas as well, so if it is possible, we will definitely build it."

MOTION: Councilor Chavez moved, seconded by Councilor Romero, to adopt Resolution No. 2011-70, approving Case #2010-173, Corazon Santo General Plan Amendment, with all conditions of approval as recommended by staff.

Mr. Bush said all of the roads and the infrastructure will go in originally, but the development of the structures themselves will be phased.

VOTE: The motion was approved on the following roll call vote:

For: Councilor Calvert, Councilor Chavez, Councilor Dominguez, Councilor Ortiz, Councilor Romero and Councilor Trujillo.

Against: None.

Absent for the vote: Councilor Bushee and Councilor Wurzbarger.

- 5) **CONSIDERATION OF BILL NO. 2011-43: ADOPTION OF ORDINANCE NO. 2011-40. CASE #2010-174. CORAZON SANTO REZONING TO MU. MONICA MONTOYA, AGENT FOR ANASAZI MVJV LLC, REQUESTS REZONING OF 2.41± ACRES OF LAND FROM R-2 (RESIDENTIAL, 2 DWELLING UNITS PER ACRE) TO MU (MIXED USE). THE APPLICATION INCLUDES A DEVELOPMENT PLAN FOR MIXED USE FOR UP TO 24 RESIDENTIAL UNITS AND UP TO 24,000 S. FT. OF COMMERCIAL SPACE. THE PROPERTY IS LOCATED SOUTH AND WEST OF THE INTERSECTION OF AGUA FRIA AND HARRISON ROAD. (DONNA WYNANT)**

MOTION: Councilor Chavez moved, seconded by Councilor Romero, to adopt Ordinance No. 2011-40, approving Case #2010-174 Corazon Santo Rezoning to MU, with all conditions of approval as recommended by staff.

VOTE: The motion was approved on the following roll call vote:

For: Councilor Calvert, Councilor Chavez, Councilor Dominguez, Councilor Ortiz, Councilor Romero and Councilor Trujillo.

Against: None.

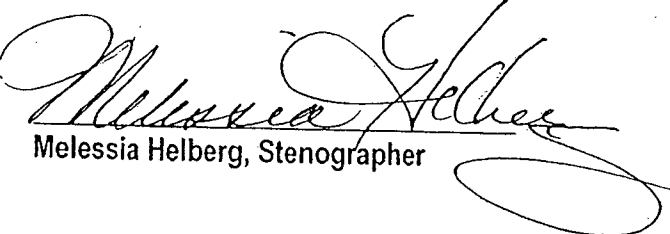
Absent for the vote: Councilor Bushee and Councilor Wurzbarger.

- 6) **CONSIDERATION OF BILL NO. 2011-44; ADOPTION OF ORDINANCE NO. 2011-41. CASE #2010-175. CORAZON SANTO REZONING TO R-6. MONICA MONTOYA, AGENT FOR ANASAZI MVJV LLC, REQUESTS REZONING OF 6.28± ACRES OF LAND FROM R-2 (RESIDENTIAL, 2 DWELLING UNITS PER ACRE) TO R-6 (RESIDENTIAL, 6 DWELLING UNITS PER ACRE). THE APPLICATION INCLUDES A DEVELOPMENT PLAN FOR 40 RESIDENTIAL LOTS. THE PROPERTY IS LOCATED SOUTH AND WEST OF THE INTERSECTION OF AGUA FRIA AND HARRISON ROAD. (DONNA WYNANT)**

ATTESTED TO:

Yolanda Y. Vigil, City Clerk

Respectfully submitted:


Melessia Helberg, Stenographer

City of Santa Fe, New Mexico

memo

DATE: November 21, 2011

TO: Mayor and Council

FROM: 
Isaac J. Ping, P.E., Public Works Dept. Director

RE: Action regarding allocation of Parks Bond funds

SUMMARY:

In the reconciliation of the project management and labor costs incurred with the 2008 Parks Bond, it is recommended by the Finance Committee that the following option (captioned as Option 2 on November 10 memo to Finance Committee) be adopted:

Option 2 – Allocate \$4,357,780.00 from the Parks bond for project management and labor costs and allocate an additional \$750,000.00 from the proposed CIP/GRT bond funds for a total of \$5,107,780.00.

ACTION:

For your consideration and approval.

xc: Robert Romero, City Manager

ACTION SHEET
CITY COUNCIL MEETING OF 11/30/11
ITEM FROM FINANCE COMMITTEE MEETING OF 11/14/11

ISSUE:

23. UPDATE ON PARKS BOND AND REQUEST FOR APPROVAL OF REALLOCATION OF BOND FUNDS (FABIAN CHAVEZ AND ISAAC PINO)

FINANCE COMMITTEE ACTION: APPROVED AS DISCUSSION ITEM

Item 23 became Item 20.

SPECIAL CONDITIONS OR AMENDMENTS:

Approved Option 2 - With the anticipated approval of the CIP/GRT bond proposal currently under review, \$750,000.00 of these funds can be allocated to the labor and project management costs projected through June 2013. This would reduce the amount (described in option 1) by \$750,000.00 resulting in a total of \$4,357,780 that would be allocated from the Parks Bond.

STAFF FOLLOW UP:

VOTE:	FOR	AGAINST	ABSTAIN
COUNCILOR WURZBURGER	excused		
COUNCILOR ROMERO	X		
COUNCILOR BUSHEE	X		
COUNCILOR DOMINGUEZ	X		
CHAIRPERSON ORTIZ			

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house labor and project management that has resulted in stretching Park bond funds available for construction beyond that which would have been possible if all the labor and project management had been contracted.

ACTION:

It is recommended that both Options be considered. When an option is chosen and approved, the funds will be applied appropriately.

Projects	Total Bond Amount	Payroll Spent 9/30/11	Payroll Reduced By \$150,000 CIP Allocation	Payroll (Admin. & Maintenance) (\$607,500)	WTP Land Cost (\$729,400)	WTP Design (\$729,600)	WTP Const. (\$729,700)	Remodel Replace (\$723,500)	PROPOSED REALLOCATION
Olando Fernandez	17,875	16,084	21,855	25,617		19,012	285,132	14,725	40,342
Patrick Smith	210,000	23,192	13,474	15,793				5,730	325,667
Paradise Park	6,250	2,163	39,701	46,534				3,750	50,284
Plaza Park	600,000	34,475	49,060	57,504			572,796	13,734	644,034
Power Plant	700,000	53,204	38,565	45,203		17,838	652,530	96	715,667
Prince Park	67,650	21,486	60,655	71,094				40,590	111,684
Pueblos Del Sol Trails - Phase 1	1,100,000	185,794	161,276	189,034	5,000	15,000	840,000	92,500	1,144,034
Rugle	2,305,762	319,595	208,200	244,034		122,461	1,950,740	32,561	2,349,796
Rancho del Sol	24,375	607	45,886	53,784				14,625	68,409
Salvador Perez	325,687	50,426	54,631	64,034		31,500	264,187	10,000	369,721
SP River Parkway	2,297,500	248,817	157,010	184,034	36,400	155,000	1,807,500	58,600	2,241,534
Sunnylope Meadows	20,500	35,717	20,362	23,867				12,300	36,167
Thomas Macalone Park	24,000	28,140	45,758	53,634				14,400	68,034
Torteeon	92,125	40,298	60,902	71,384				64,775	136,159
Villa Caballero Park	33,250	25,395	48,915	57,334				19,950	77,284
Villa Linda Park	107,490	56,056	74,251	87,030				64,494	151,524
Young	70,375	36,213	34,994	41,017	900			37,325	79,242
Alto Bicentennial Pool	15,875	2,644	37,568	44,034				15,875	59,909
Ft. Marcy Complex	500,000	108,032	120,046	140,708		5,338	330,570	67,418	544,034
GCCC Facility	921,250	111,208	115,346	135,199		48,784	505,504	275,797	965,284
Salvador Perez Pool	85,000	51,405	34,695	40,667			60,000		100,667
Park Projects Total	18,157,926	3,339,863	3,295,569	3,862,780	194,273	1,102,485	12,709,688	2,066,567	19,946,293
Trails									
Rail Trail - All Segments City Limits	3,768,000		0						0
Acequia Trail	2,388,250	75,730	41,003	48,060	100,000		451,940		600,000
Acequia Trail Crossing @ St. Francis/Carrillos Rd.	1,740,000		173,889	203,817	100,000	300,000	153,562		757,379
Arroyo Chamiso E. St. Francis to Museum Hill	2,341,320	46,845	34,169	40,050		50,000	409,950		500,000
Arroyo Chamiso E. Underground Xing @ St. Francis	1,166,680	17,789	170,845	200,250			2,299,750		2,500,000
Arroyo Chamiso W. Rodeo to Nava Ade & Wagon Rd	1,224,365		0						0
River Trail - Camino Allie to Frenchys	3,232,000	75,052	205,014	240,300			2,759,700		3,000,000
Available Funding	-6,714,869		0						0
Trail Project Totals	9,145,746	213,416	624,920	732,477		350,000	6,074,902	0	7,357,379
Park & Trail Projects Totals	18,157,926	3,553,279	3,920,489	4,595,257		1,452,485	18,784,590	2,066,567	27,303,672
Northwest Quadrant Open Space	2,965,328	232,990	437,290	512,523		350,000	2,002,805	100,000	2,965,328
GRAND TOTAL:	30,269,000	3,786,269	4,357,780	5,107,780		1,802,485	20,787,395	2,166,567	30,269,000

PARKS MASTER PLAN REVISION

Revised 06/25/08

Parks Advisory Committee Recommendation	
District	Amount:
1	2,218,579
2	2,117,375
3	2,038,675
4	2,601,325
Sub Total	8,975,954
Regional Parks	
SF River Parkway	2,297,500
Archuleta Property	30,500
Franklin E. Miles	2,151,273
GCCC	921,250
MRC	1,150,000
Ragle	2,305,762
Salvador Perez	325,687
Sub Total	9,181,972
Parks Districts & Regional Grand Total	18,157,926

Current BTAC Projects	Capital Improvement Costs
Rail Trail - All Segments withing City Limits - (District 1, 2 3 & 4)	3,768,000
Acequia Trail (District 3)	2,388,250
St. Francis/Cerrillos Road Pedestrian Overpass	1,740,000
Arroyo Chamiso East - St. Francis To Museum Hill (District 2)	3,508,000
Arroyo Cahmiso West - Rodeo to Nava Ade & Wagon Rd. (District 4)	1,224,365
River Trail - Camino Alire to Frenchy's Field (Districts 1 & 3)	3,232,000
Sub Total	15,860,615
Note: This factor is already included in estimates Design & Contingencies @ 25%	0
Total:	15,860,615
Available Funds:	6,714,869
Unfunded Total:	9,145,746

Total:
27,303,672.00

Northwest Qaudrant Open Space/Trails Request
2,965,328.00

Grand Total:
30,269,000.00

PW Committee Approval 06/09/08
Finance Committee Approval 06/16/08
City Council Approval 06/25/08

2008 Parks Bond Finance Committee 01/09

Parks Advisory Committee Recommendation	
District	Amount:
1	2,218,579
2	2,117,375
3	2,038,675
4	2,601,325
Sub Total	8,975,954
Regional Parks	
SF River Parkway	2,297,500
Archuleta Property	30,500
Franklin E. Miles	2,151,273
GCCC	921,250
MRC	1,150,000
Ragle	2,305,762
Salvador Perez	325,687
Sub Total	9,181,972
Parks Districts & Regional Grand Total	18,157,926

Current BTAC Projects	Capital Improvement Costs
Rail Trail - All Segments within City Limits - (District 1, 2, 3 & 4)	3,768,000
Acequia Trail Phase 1 (District 3) - Otowi Dr to Felipe Pl	1,469,125
Acequia Trail Phase 2 (District 3) - Felipe Pl to St. Francis Dr	919,125
Community College Trail (SF County & District 4) *	4,740,000
St. Francis/Cerrillos Road Pedestrian Overpass *	1,740,000
Arroyo Chamiso East Phase I - St. Francis To Museum Hill (District 2)	1,500,000
Arroyo Chamiso East Phase II - Underground Crossing @ St. Francis	2,232,365
Arroyo Chamiso West - Rodeo to Nava Ade & Wagon Rd. (District 4)	1,000,000
River Trail - Camino Alire to Frenchy's Field (Districts 1 & 3)	3,232,000
Sub Total	15,860,615
Note: This factor is already included in estimates Design & Contingencies @ 25%	
Total:	15,860,615
Available Funds:	6,714,869
Unfunded Total:	9,145,746

Total:
27,303,672.00

Northwest Quadrant Open Space/Trails Request
2,965,328.00

Grand Total:
30,269,000.00

PARKS MASTER PLAN REVISION

Revised 06/25/08

Parks Advisory Committee Recommendation		Amount:
District		
1		2,218,579
2		2,117,375
3		2,038,675
4		2,601,325
	Sub Total	8,975,954
Regional Parks		
SF River Parkway		2,297,500
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Current BTAC Projects		Capital Improvement Costs
Rail Trail - All Segments within City Limits - (District 1, 2 3 & 4)		3,368,000
Acequia Trail (District 3)		2,388,250
St. Francis/Cerrillos Road Pedestrian Overpass		1,740,000
Arroyo Chamiso East - St. Francis To Museum Hill (District 2)		3,508,000
Arroyo Chamiso West - Rodeo to Nava Ade & Wagon Rd. (District 4)		1,224,365
River Trail - Camino Alire to Frenchy's Field (Districts 1 & 3)		3,082,000
	Sub Total	15,360,615
Note: This factor is already included in estimates Design & Contingencies @ 25%		0
	Total	15,360,615
	Available Funds	6,714,869
	Unfunded Total	9,145,746

Total:	27,303,572.00
Northwest Quadrant Open Space/Trails Request	2,965,328.00
Grand Total:	30,269,000.00

PW Committee Approval 06/09/08	
Finance Committee Approval 06/16/08	
City Council Approval 06/25/08	

City of Santa Fe, New Mexico

memo

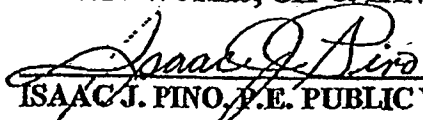
DATE:

JUNE 27, 2011


TO:

PUBLIC WORKS, CIP & LAND USE COMMITTEE

VIA:


ISAAC J. PINO, P.E. PUBLIC WORKS DEPT. DIRECTOR

FROM:

FABIAN CHAVEZ, PARKS DIVISION DIRECTOR 
BEN GURULE, PW PROJECT ADMINISTRATOR BG
FRANK ARCHULETA, PW PROJECT ADMINISTRATOR F.A..
JACKIE GONZALES, CONTRACT ANALYST JLG

ISSUE:

Parks Bond Update and Request of Reallocation of Parks Bond Funds.

SUMMARY:

In 2002 the city experienced an extreme drought conditions that affected all the city parks. In 2008 the City of Santa Fe passed a property tax bond for \$30,269,000.00 to support an initiative to renovate 58 of 100 city parks and construct 7 trails with the anticipated completion date of December 2012. (See Attachment 1)

The Park Bond renovation work has had a positive impact on our community. The Parks, Open Space & Trails and Facilities Divisions have employed 35 skilled laborers and have supported many local businesses during a time of economic strain. The Parks Bond renovation, remodel and new construction projects have also provided beautiful and accessible parks, recreation facilities and trails that have improved the quality of life in Santa Fe.

In an effort to proceed - it is necessary to adjust and re-allocate balances to cover for allowable construction and administrative costs. All parks, trails, facilities and open space projects will be complete per the approved Parks Master Plan. (See Attachment 2)

ACTION:

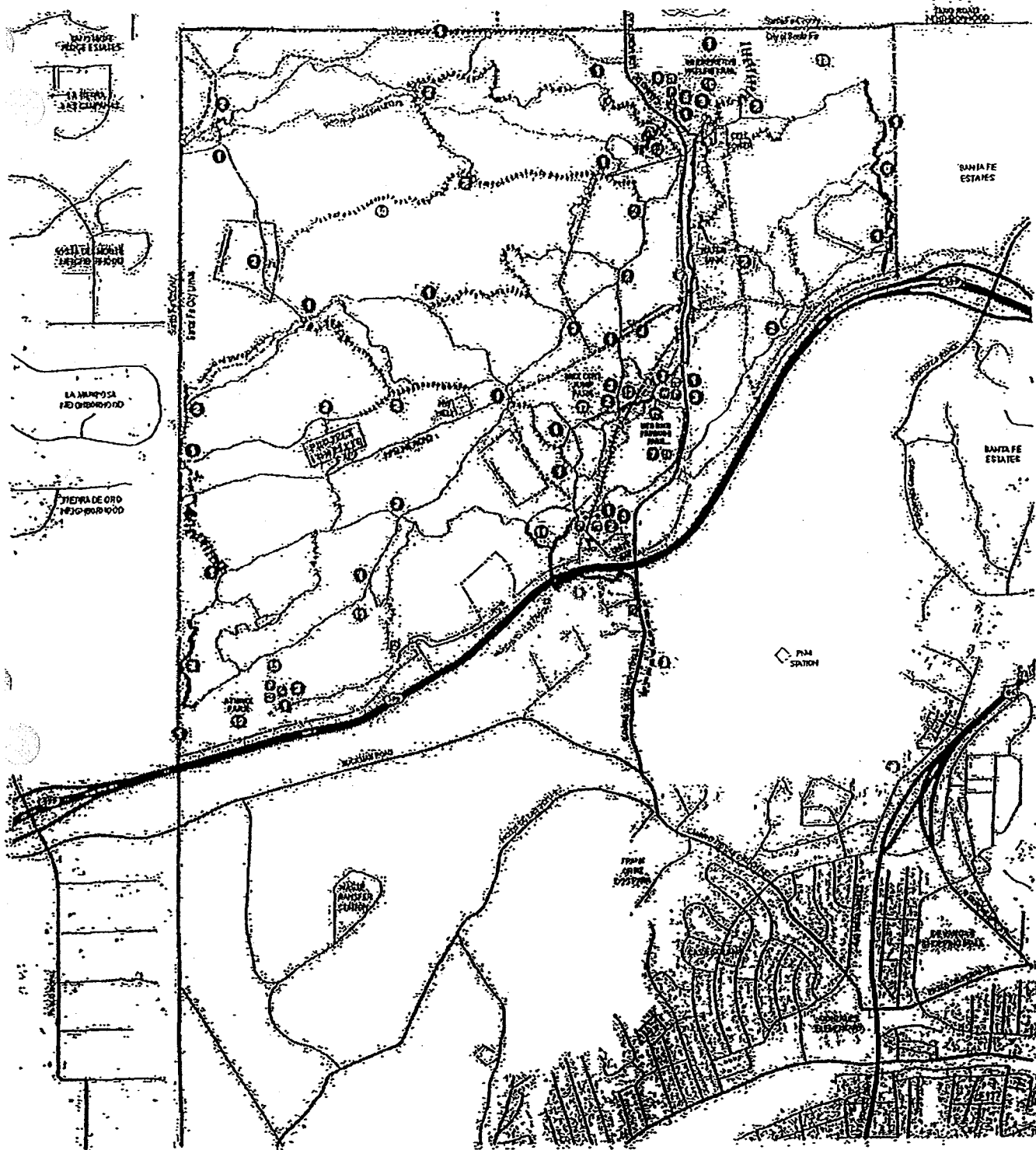
Please recommend to the Finance Committee approval to re-appropriate Parks Bond Funds as recommended (See Attachment 2).

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District 1	Approved 01/20/09	Proposed
Adam Gabriel Armijo	40,000	55,667
100/Bicentennial Outdoor Pool	15,875	59,909
Bicentennial Park	0	0
Canada Gardens	0	0
Cathedral Park	38,500	54,167
City Hall Park	0	0
Cross of the Martyrs	43,750	87,784
Ft. Marcy Complex	500,000	544,034
Frank S. Ortiz (Dog Park)	72,621	88,288
Frank S. Ortiz Park	78,608	94,275
Guadalupe Neighborhood	0	0
John F. Griego Park	23,075	38,742
La Arboleda Park	0	0
Mager's Field	582,625	598,292
Melendez Park	11,000	26,667
Monica Roybal Facility	0	0
Monica Roybal Park	2,000	46,034
Peralta Park	6,250	50,284
Plaza Park	600,000	644,034
Prince Park	67,650	111,684
Railyard Park	0	0
SF Estates	0	0
SF Estates (North)	0	0
SF River Park Downtown West	0	0
SF River Park West (Archuleta)	0	0
SF River Park	0	0
SF Riverside	0	0
Winnyslope Meadows	20,500	36,167
Thomas Macalone Park	24,000	68,034
Leon	92,125	136,159
Totals:	2,218,579.00	2,740,221.00

See Regional Parks
See Regional Parks
See Regional Parks
See Regional Parks

District 3		Approved 01/20/09	Proposed
1	Arroyo Sonrisa	0.00	0.00
2	Ashbaugh	452,000.00	496,034.00
3	Baca Street Railyard Parcel	0.00	0.00
4	Cielo Vista	300,000.00	344,034.00
5	Espinacitas Park	4,879.00	20,546.00
6	Frenchys	652,532.00	696,566.00
7	Gregory Lopez	97,750.00	113,417.00
8	Kiva Center	0.00	0.00
9	Larragoite	250,000.00	265,667.00
10	Las Acequias	150,000.00	165,667.00
11	Las Acequias Phase 4	0.00	0.00
12	Los Milagros	65,800.00	81,467.00
13	Maclovía Park	41,339.00	57,006.00
14	Rancho del Sol	24,375.00	68,409.00
15	South Meadows	0.00	0.00
16	The Commons	0.00	0.00
Totals:		2,038,675.00	2,308,813.00



LEGEND

- Master Plan Project Boundary
- Proposed Property Line
- City of Santa Fe Boundary
- Major Road
- Minor Road
- Major Road Improvement
- Proposed Access Road Improvement
- Property Line
- Unimproved Property Line
- Building Footprint

La Tierra Open Space Area

- Prop
- Proposed
- Other Overpass
- Source Gate

- Proposed Trail Improvements
- Existing Walking Trail
- Existing Horse Trail
- Trail Designation System
- Trail Designation Project (1)
- Trail Designation Project (2)
- Trail Designation Project (3)

Proposed Trail Construction Projects

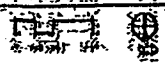
- Trail Construction Project (1)
- Trail Construction Project (2)
- Trail Construction Project (3)
- Trail Construction Project (4)
- Trail Construction Project (5)
- Trail Construction Project (6)
- Trail Construction Project (7)
- Trail Construction Project (8)
- Trail Construction Project (9)
- Trail Construction Project (10)

Proposed Trail Construction Projects

- Trail Construction Project (1)
- Trail Construction Project (2)
- Trail Construction Project (3)
- Trail Construction Project (4)
- Trail Construction Project (5)
- Trail Construction Project (6)
- Trail Construction Project (7)
- Trail Construction Project (8)
- Trail Construction Project (9)
- Trail Construction Project (10)

DRAFT - PROPOSED TRAIL IMPROVEMENTS MAP

TRAILS MASTER PLAN





4. November 16, 2009: Public Works approval:

Refer to Discussion Item 13, page 3. The agenda & minutes help to answer POSAC's question #5 in regards to the MRC projects. Staff took recommendations to POSAC & they concurred with changes.



Agenda

CITY CLERK'S OFFICE

DATE 11-12-09 TIME 9:45

SERVED BY Jill Newman

RECEIVED BY [Signature]

PUBLIC WORKS/CIP & LAND USE COMMITTEE

MEETING

CITY COUNCIL CHAMBERS

MONDAY, ~~NOVEMBER 16, 2009~~

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 OCTOBER 26, 2009 PUBLIC WORKS COMMITTEE MEETING

PUBLIC HEARING

6. REQUEST FOR CONCEPT APPROVAL OF SALE OF REAL ESTATE CONTAINING APPROXIMATELY 5071 SQUARE FEET LOCATED ALONG THE WESTERLY BOUNDARY OF 1301 CALLE JOYA BY CERVANTES "BUDDY" ROYBAL AND IRENE ROYBAL (EDWARD VIGIL)

CONSENT AGENDA

7. REQUEST FOR APPROVAL OF AMENDMENT NO. 1 FOR SANTA FE CONCESSION, LLC FOR THE LEASE OF FOOD AND BEVERAGE FACILITY AT MARTY SANCHEZ LINKS DE SANTA FE GOLF COURSE FOR AN ADDITIONAL THREE YEARS (LARRY LUJAN)
8. REQUEST FOR APPROVAL OF AMENDMENT NO. 2 TO THE PROFESSIONAL SERVICES AGREEMENT WITH THE STATE OF NEW MEXICO, DEPARTMENT OF CULTURAL AFFAIRS AND RANDY WALKER (D.B.A. WALKER DESIGN STUDIO) INCREASING COMPENSATION BY \$1,500 TO BE PAID BY THE STATE (DEBRA GARCIA Y GRIEGO)
9. RAILYARD PARK AND PLAZA
 - REQUEST FOR APPROVAL OF A PROFESSIONAL SERVICES AGREEMENT WITH THE TRUST FOR PUBLIC LAND FOR THE PLACEMENT OF BOLLARDS IN THE SANTA FE RAILYARD IN THE AMOUNT OF \$114,970 (ROBERT SIQUEIROS)
10. REQUEST FOR APPROVAL OF A RESOLUTION RECOGNIZING AND CELEBRATING ARBOR DAY, THIS YEAR AND EACH YEAR FORWARD, AS THE LAST FRIDAY IN APRIL; AND DIRECTING STAFF TO TAKE THE NECESSARY STEPS TO QUALIFY THE CITY OF SANTA FE AS A MEMBER OF THE NATIONAL ARBOR DAYS FOUNDATION'S TREE CITY USE (TCUSA) PROGRAM (COUNCILORS CALVERT AND BUSHEE) (ROBERT WOOD)
 - REQUEST FOR APPROVAL OF A RESOLUTION AMENDING RESOLUTION NO. 2007-22 WHICH ESTABLISHED THE PARKS AND OPEN SPACE ADVISORY COMMISSION

SUMMARY INDEX

PUBLIC WORK, CIP & LAND USE COMMITTEE

November 16, 2009

ITEM	ACTION TAKEN	PAGE(S)
2. ROLL CALL	Quorum Present	1
3. APPROVAL OF AGENDA	Approved as published	1
4. APPROVAL OF CONSENT AGENDA	Approved as amended	2
5. APPROVAL OF MINUTES - Oct 26, 2009	Approved as presented	2
PUBLIC HEARING		
6. Real Estate Sale by Buddy and Irene Roybal	Approved	2
CONSENT AGENDA LISTING		
	Listed	2-3
DISCUSSION AGENDA		
13. Parks Master Plan Update	Approved as presented	3-8
14. Boys & Girls Club Park Renaming	Approved as presented	8-9
15. Sidewalks, Curbs, Gutters in Historic Districts	Approved as presented	9-11
16. Water Service Ordinance	Approved as presented	11-12
17. Matters from Staff	None	12
18. Matters from the Committee	One request	12
19. Next Meeting	Set for Dec. 7, 2009	12
20. Adjournment	Adjourned at 6:30 p.m.	12

4. APPROVAL OF CONSENT AGENDA

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

5. APPROVAL OF MINUTES FROM OCTOBER 26, 2009, PUBLIC WORKS COMMITTEE MEETING

Councilor Romero moved to approve the minutes of October 26, 2009 as presented. Councilor Trujillo seconded the motion and it passed by unanimous voice vote.

PUBLIC HEARING

6. REQUEST FOR CONCEPT APPROVAL OF SALE OF REAL ESTATE CONTAINING APPROXIMATELY 5071 SQUARE FEET LOCATED ALONG THE WESTERLY BOUNDARY OF 1301 CALLE JOYA BY CERVANTES "BUDDY" ROYBAL AND IRENE ROYBAL (EDWARD VIGIL)

Mr. Vigil presented this request to the Committee.

Mr. Roybal thanked the Committee for considering their request for sale of ROW. He said it had been a real problem for them when they did a survey and found out they had encroached on City property. The buyers were from out of town and did not realize they could have a ROW easement.

There were no further speakers from the public regarding this request.

Chair Bushee asked if this was the appraised value the Committee was approving.

Mr. Vigil said it was not. They would soon have the appraisal and would provide notice to property owners within 200' of the subject property. He added that the proposed trail would be on the other side.

Councilor Calvert moved to recommend approval to the Governing Body. Councilor Trujillo seconded the motion and it passed by unanimous voice vote.

CONSENT AGENDA LISTING

- 7. REQUEST FOR APPROVAL OF AMENDMENT NO. 1 FOR SANTA FE CONCESSION, LLC FOR THE LEASE OF FOOD AND BEVERAGE FACILITY AT MARTY SANCHEZ LINKS DE SANTA FE GOLF COURSE FOR AN ADDITIONAL THREE YEARS (LARRY LUJÁN)**
- 8. REQUEST FOR APPROVAL OF AMENDMENT NO. 2 TO THE PROFESSIONAL SERVICES AGREEMENT WITH THE STATE OF NEW MEXICO, DEPARTMENT OF CULTURAL AFFAIRS AND RANDY WALKER (D.B.A. WALKER DESIGN STUDIO) INCREASING COMPENSATION BY \$1,500**

suggestions to the Parks Advisory Commission and they concurred with those changes.

He said they had spent to date about half of the \$19 million allocated to parks. The only hitches had been prairie dogs and HDRB but they were learning as they went.

Chair Bushee asked if some of the extra money should be used for the plaza.

Mr. Romero felt they should finish all on the list first and then allocate the remainder. The Parks Advisory Commission wouldn't recommend any changes until they finished this list.

Chair Bushee said it would be good to hear from the Parks Advisory Commission.

Councilor Trujillo asked if they would have any natural grass at Las Estrellas, noting that they had discussed native grass and flowers there.

Mr. Chávez agreed. They had been doing a heavy seeding program and stopped it last week but would include the Las Estrellas area soon. Any area under construction that was not in the contractor's scope they would go back and seed.

Councilor Trujillo asked when they would complete Franklin Miles.

Mr. Chávez said they expected to finish by the second week in December.

Councilor Trujillo asked if there were any trees to take down in parks or if they could save some as sculptures.

Mr. Chávez said they didn't have a lot of trees that were old but when they saw one of those or if they had a constituent come forward, they would top it at about ten feet and bring that forward and look for funding for sculpting it.

Chair Bushee thought they did some improvements at the dog park. Mr. Chávez agreed.

Chair Bushee reported that some of the water fountains for dogs were not working.

Mr. Chávez said that was correct. They had to do some environmental testing and now were cleared for it and moving forward. The in-house architect was working on it now for both the dog park and recreation park.

Chair Bushee asked if there were areas where the City could put bag holders since now all they had were piles of Albertsons bags to blow around.

Mr. Chávez agreed. They added two more and would add two more with these improvements going forward.

Chair Bushee asked if they were just doing sod at Torreon.

grass and flowers.

Councilor Chávez asked if the work there was compatible with the closing of Siler Road.

Mr. Romero said the closing was just of the road but both the County and City were concerned about a turnaround there. There would still be bicycle and pedestrian access but it needed a turnaround for emergency vehicles.

Councilor Calvert said it had to be in District 3.

Councilor Chávez noted they were in second phases on many of these projects and that was good. He also knew staff was going back into the neighborhoods to keep them on board with the work so they were part of the process. That had been a good help.

Councilor Romero appreciated all the work that was done and the Master Plan was an incredible job. The issue of reallocation would have to be revisited. The minutes didn't indicate some of these like Amelia White Park. It needed a public process to go back to folks in the district. So the process of reallocation needed to be looked at.

She also hoped they would discuss the roles and responsibilities of the Parks Advisory Commission, reminding them they had agreed to look at them in a year.

Thirdly she noted the report card to the public. In the minutes, Councilor Ortiz noted it was a public matter too. So something like a small ad in the paper should be done to get it out to the public. The web site was good but something short and snappy in the newspaper would be better.

She reminded the Committee of the purpose included open space and thought they could look at the Northwest Quadrant for the open space requirement.

Mr. Chávez agreed. He said he met with the Parks Advisory Commission Chair, Betty Booth, last week and they realized that roles and goals needed to be discussed. She also volunteered to write an op-ed on behalf of Parks.

Councilor Romero thanked him for all his hard work. He said they needed to just look carefully at how to spend the extra money.

Mr. Chávez clarified that under Mr. Romero's leadership staff had already discussed having a public process before moving forward.

Councilor Calvert asked for clarification in the memo in their packet concerning whether these monies were in the original budget.

Mr. Romero explained that for Pueblo del Sol no extra money would be spent. They just rearranged the budgets but the overall amount didn't change.

Councilor Romero moved for approval of the request.

Mr. Romero clarified that the way the agenda was worded was misleading. He explained that it was not the Master Plan but the implementation plan update that needed to be approved.

Councilor Romero restated her motion to approve the implementation plan update. Councilor Calvert seconded the motion.

Councilor Chávez asked if she could include in the motion that the amount of funding for the two projects together was unchanged. Councilor Romero agreed and the motion passed by unanimous voice vote.

14. REQUEST FOR APPROVAL OF A RESOLUTION DIRECTING STAFF TO SOLICIT NAMES OF INDIVIDUALS FOR THE PURPOSE OF RENAMING THE BOYS AND GIRLS CLUB PARK LOCATED ON ALTO STREET ACROSS FROM THE BOYS AND GIRLS CLUB (COUNCILOR BUSHEE) (FABIAN CHÁVEZ)

Mr. Chávez presented this request.

Chair Bushee explained that it didn't have a specific name yet. Constituents wanted to name it for former mayor Luis Montañó but there might be other names considered.

Mr. Chávez agreed they had not decided yet.

Councilor Chávez thought the motion and resolution were appropriate but there were so many individuals involved in the early days. He wondered if the resolution could include recognition of those people who helped. It might overlook others who were involved. Perhaps a plaque that could include other names later.

Chair Bushee clarified that this was just a resolution to gather names.

Councilor Chávez said he would vote for the resolution and if there was merit to consider someone else, which was okay.

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

15. REQUEST FOR APPROVAL OF AN ORDINANCE AMENDING SECTIONS 14-9.2(F)(1(J) AND 14-0.2(H) SFCC 1987 REGARDING SIDEWALKS AND CURB AND GUTTERS IN THE CITY'S HISTORIC DISTRICTS (COUNCILORS BUSHEE AND WURZBURGER) (JEANNE PRICE)

Ms. Price presented this request. David Rasch was also present.

Councilor Chávez commented that whether it was just grey and mix yourself or ready mixed - a lot of property owners didn't know that it was their responsibility to replace them. So many of them didn't have that in their budget. The Planning Commission recommended that City CIP program look at a sidewalk replacement program. The added cost in H District was what it was but he was not sure every property owner would be able to bear that cost.

Chair Bushee said she was not suggesting the City do that. She said tinting a sidewalk would cost less than repairing a mullion.

Councilor Calvert moved to approve with direction to staff to determine an appropriate threshold. Councilor Romero seconded the motion.

Councilor Romero agreed with that direction and it was for staff and contractors and it would give them direction too.

Ms. Price asked if the threshold would apply to private owners and not for Public Works.

Chair Bushee offered that it could be in consultation with HDRB staff and with percentages.

Mr. Romero said he would prefer that HDRB staff make that decision and not his staff. He pointed out that the project sheet already included a signature line for Historic Preservation staff to sign off on it. He didn't have a problem leaving it up to Mr. Rasch.

Chair Bushee asked Ms. Price if she could you deal with it that way.

Ms. Price said they could work it out and bring it back to Public Works.

Councilor Chávez agreed it should come back to Public Works. He didn't think it would be counterproductive to consider a sidewalk replacement program -

Mr. Romero said such a program would probably be a \$50 million undertaking. Staff notified the property owner and they usually take care of it. City resources were scarce.

Councilor Calvert agreed and noted they had already borrowed against CIP.

Councilor Chávez countered that the City already approved a municipal tree board - that was more money. He understood they were spread thin but it was a safety issue.

Councilor Trujillo asked Mr. Rasch what the percentage of grey was compared with earth tone in the Historic District now.

Mr. Rasch said grey was about 15-20%. There were several places where there was one grey amid brown.

Councilor Trujillo said that low percentage changed his mind then.

19. NEW MEETING: MONDAY, DECEMBER 7 2009

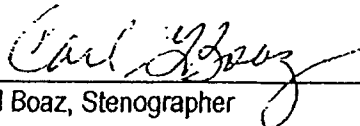
20. ADJOURN

Having completed the agenda and with no further business to come before the Committee, the meeting was adjourned at 6:30 p.m.

Approved by:

Patti J. Bushee, Chair

Submitted by:



Carl Boaz, Stenographer



5. POSAC Packet: dated 12/17/13

- **Executive Summary**
- **Questions & Answers**
- **Individual Park Summaries**
- **Spreadsheet #1**

City of Santa Fe, New Mexico

memo

Date: December 17, 2013

To: Chairwoman Hansen & Members of POSAC

From: The City of Santa Fe, Public Works Department

Re: Report in Response to fifteen Questions with additional sub-questions regarding 2008 General Obligations Bonds for Park Improvements (the "Report")

EXECUTIVE SUMMARY:

This Report was prepared by the City's Public Works Department in response to 15 specific questions with additional sub-questions, submitted by the members of POSAC regarding the use of funds from the 2008 General Obligation Bond ("Bonds") that were approved by the voters and issued by the City "to acquire land for, and to improve public parks, trails and open space for recreational purposes."

The Report provides numerous, specific facts regarding which park projects were implemented; which park projects were completed; how much money was spent per park project; and why and how much money was reallocated from certain park projects to other park projects. The money has been expended on park projects in accordance with designations by City committees and with the approval of the City Council. In a few instances, a particular park project that was originally designated to be completed could not be, due to a variety of factors such as unsuitability of a location for a park or benches not being needed at another park. In those cases, the money was reallocated to another City-designated park project that could be completed. Every such reallocation and budget adjustment request was approved by the appropriate City committee and the City Council. Finally, the Bonds were used to pay for the salaries of certain City employees who worked *directly* on implementing these park projects, either as laborers or project managers, in accordance with advice from the City's bond counsel that is a proper use of bond proceeds. In addition, use of City staff saved the City substantial sums of money.

In conclusion, the Report evidences that the City improved 58 city parks/facilities, and 7 trails in critically important ways that enhanced the quality of life for the City's residents and park users. In accordance with Resolution 2013-80, all projects funded by the 2008 Bonds and completed by the end of FY2013 will be externally audited as part of the City's regular annual external financial audit.

Questions from POSAC regarding the 2008 Final Bond Report

1. **Question:** Could we please be provided the excel spreadsheet that shows the line items of the various costs for each project (salaries, materials, etc.) Most of the following questions could probably be answered easily with this spreadsheet.

Answer:

Please see the attached Spreadsheet #1 which contains final, audited costs/expenditures for each project.

2. **Question:** How can Bond monies have been spent on projects that were cancelled? How can these cancelled projects have funding reallocated to them if they were never implemented?

- Espinacita's
- Melendez
- Peralta

Park	Budgeted Amount	Reallocation	Reported Expenditure
Espinacitas	5,500.00	4,831.00	10,331.00
Melendez	11,000.00	2,529.00	13,529.00
Peralta	6,250.00	13,383.00	2,163.00

Answer:

These projects were not summarily "cancelled." The City paid for the initial investigation costs and subsequently determined they were infeasible for specific reasons set forth below. Since these projects were infeasible, the funds for these 3 projects were reallocated to other parks projects that were able to be completed.

Regarding the Espinacitas project, City staff conducted initial design and demolition work. After the initial work, it was determined that the Housing Authority was going to use the site for something other than a park.

Regarding the Melendez Park project, the City initially had the in-house construction crew complete demolition and clean up. We also conducted a survey and historic review of the site. It was determined that this area was a street easement and not suitable for a park.

Regarding the Peralta Park project, City staff investigated purchasing a historical style bench. It was determined that existing benches were adequate at this location.

3. **Question:** What was the formula for reallocating additional budget/BARS to each project? Why is there such a discrepancy between projects - from less than 1% for MRC and Franklin Miles to 1,252% for Monica Roybal? It doesn't appear to be by amount of labor needed for each project as most of the larger projects have the lowest increase in reallocation/BARS and many of the smallest projects have the largest increase in reallocation/BARS?

Parks with lowest increase in reallocation/BARS in comparison to the original Bond budget

MRC: \$1,137,577.00 / less than 1%

Franklin Miles: \$1,137,577.00 / less than 1%

Mager's Field: \$582,220.00/ 2%

Power Plant: \$700,000.00 / 2%
GCCC Facility: 921,250.00 / 5%
Fort Marcy Complex: \$500,000.00 / 5%
Larragoite: 250,000.00 / 8%
Salvador Perez: \$327,687.00 / 11%

Parks with Highest Increase in Reallocation/Bars in comparison to the original Bond budget

Monica Roybal: \$2,000.00 / 1,252%
Alto BiCentennial Pool \$15,575 / 237%
Peralta Park \$6,250.00 / 214% (cancelled Project)
Rancho del Sol \$24,375.00 / 210%
Cross of the Martyrs \$43,750.00 / 162%
Torreon: \$92,125.00 / 130%
Candelero 131,425.00 / 78%
Adam Armijo \$40,000.00 / 104%
Cathedral Park: \$38,500.00 / 96%
Sunnyslope Meadows: \$20,500.00 / 104%
Maclovia \$32,000.00 / 55%

Why do some projects have a negative amounts of reallocation/BARS?

Amelia White (34,100.00)
Cornell (16,902.00)
E. DeVargas (1,019.00)
Frenchy's Field (20,888.00)
Gregory Lopez ((8,081.00)
Las Acequias (20,576.00)
Las Estancias (15,333.00)
Marc Brandt Park (5,839.00)
Nava Ade (61,069.00)

Answer:

No. There was no set "formula" for reallocation of Bond funds. Original budgeted amounts were estimates. After the original budgeting process, each individual site was evaluated in detail and, based upon a site by site analysis, the City reallocated funds as needed.

Regarding "negative amounts of reallocation", this indicates that a particular project was completed under budget. That would result in a balance that the City could transfer to another project that may have had a shortfall.

A report containing specific information on each individual park Project is in the process of being completed and will be made available to POSAC and the public.

Also see Park Master Plan revised October 2009.

4. Question: Pueblos de Sol Trails: The Bond Master Plan obligated \$1,100,000.00 for 2.9 miles of trails (\$450,000.00 per mile). In the 2011 Parks Bond re-obligation approved by the City Council, that amount was increased to 1,114,086.00. How many miles of trail were repaved? Did the City Council or Finance Committee give consent for this reallocation? Why wasn't POSAC consulted or informed?

Answer:

To clarify, the correct amount allocated to Pueblos del Sol was \$1,116,276. The Pueblos del Sol Trails project was completed and 2.9 miles of trails were paved to meet ADA accessibility requirements. The total amount spent on the Pueblos del Sol Trails project was \$641,976.70.

The remaining \$500,000 was reallocated to other park projects. In particular, \$474,299 was reallocated as follows: Herb Martinez park project: \$86k, Acequia Trail project: \$127,958, Arroyo Chamiso trail project: \$99,146; St. Francis crossing project: \$49,318; River Trail project: \$111,877.

Regarding committee and City Council consent for these reallocations, it is standard operating procedure of the City to have BARs approved by Finance Committee and City Council on a quarterly basis. To answer your question, "Yes" July 27, 2012, the Finance Committee approved the BAR and consented for the reallocation.

Regarding informing POSAC, the City understands that POSAC was informed.

5. Question: MRC: The Parks Bond Master Plan provided 1.5 million dollars to "construct 4 hardball fields and sporting lighting". In the 2011 Parks Bond re-obligation approved by the City Council, that amount was increased to 1,114,086.00. This project represents a significant amount of money - 6% of the total Bond allocated for parks). The 2008 Parks Bond Final Report says that \$1,137,577.16 was spent on "safety improvements, irrigation and pathway. Upgrades at soccer valley & concession bldg. facelift". What are the detailed costs for these improvements? When did the City Council or Finance Committee give consent for this reallocation?

Answer:

See Spreadsheet #1 and see also Individual Project Summaries attached.

Regarding committee and City Council consent for this reallocation, the answer to your question is "yes" in November 2009 Finance Committee approved the change in scope of work and determined Council did not need to approve this change in scope of work.

6. Question: E. and W. DeVargas: The Bond Master Plan provided \$512,000.00 for this project. The 2008 Bond Final Report states that \$256,000.00 was budgeted and \$254,980.00 was spent. What happened to the remaining \$256,000.00 that was originally budgeted?

Answer:

E. DeVargas park project was originally allocated ½ of the \$512,000 (\$256,000), this amount increased by \$12,105 totaling \$268,105. Out of this fund, the City spent approximately \$254,980 on this project which was completed in March of 2009 and the remainder (\$13,124) was reallocated.

W. DeVargas project was originally allocated ½ of the \$512,000 (\$256,000), this amount increased by \$35,132 totaling \$291,132. Out of this fund, the City spent approximately \$66,000 on this project and the remainder was allocated to the network of SF River Park projects. The W. DeVargas project became part of the SF River Park projects.

7. Question: Completed Projects with Changing Expenditures: Why have expenditures changed after projects are already completed?

- On January 20, 2009, Parks Division presented a report to the City Finance Committee of the status of the Bond Implementation. Three projects were reported completed at that time with the following reported expenditures.
- On June 27, 2011, the Parks Department presented a *Parks Bond Update and Request of Reallocation of Parks Bond Funds* to the Finance Committee. Twenty-eight park projects were reported completed with the following expenditures.
- The 2008 Final Report presented to POSAC at their October meeting shows a different expenditure.

Completed Projects	Reported Completed Expenditures 1/20/09	Reported Completed Expenditures June 2011	Final Report Expenditures October 2013
Adam Gabriel Armijo		55,667.00	80,691.00
Amelia White		115,667.00	65,900.00
Cathedral Park		54,167.00	78,418.00
Cornell		76,352.00	43,672.00
DeVargas East		271,667.00	254,980.00
Don Diego	6,250.00	21,917.00	11,148.00
Espinacitas		20,346.00	10,330.76
Franklin Miles		2,167,244.00	2,151,847.00
Frank Ortiz Dog Park		88,288.00	122,264.00
Frank Ortiz Park		94,275.00	91,803.00
GCCC Facility		965,284.00	933,046.00
John Griego		38,742.00	47,581.00
Las Acequias		163,667.00	129,463.00
Los Milagros		81,467.00	90,690.00
Maclovia		57,006.00	49,622.00
Larragoite Park		265,667.00	269,486.00
Mager's Field		598,292.00	592,220.00
Las Acequias		163,667.00	129,463.00
Las Estancias	50,000.00	65,667.00	34,667.00
Los Milagros		81,467.00	90,690.00
Maclovia	32,000.00	57,006.00	49,622.00
Marc Brandt		50,467.00	28,961.00
Martin Luther King	32,000.00	47,667.00	33,495.00
Melendez Park		26,667.00	13,529.00
Orlando Fernandez		40,342.00	28,267.00
Patrick Smith		325,667.00	320,314.00
Plaza Park		644,034.00	634,517.00
Power Plant		715,667.00	714,400.00
Salvador Perez Pool/Patio Area		100,667.00	76,446.00
Sunnyslope Meadows		36,167.00	42,500.00
Young Park		79,242.00	74,246.00

Answer:

The above referenced spreadsheet entitled "2008 Final Report" was not a final report and only contained very preliminary estimates of total expenditures for projects that may have been substantially complete, but not finally complete. That distinction is important because what that means is when a project was substantially complete, and safe for the public, the City would open the park, but that did not mean the original scope of work was finally complete. For these parks, there was still work to be completed that was part of the original scope of work. The City, in Spreadsheet #1, is now presenting POSAC and the public with audited financial information.

8. Question: How do projects compare by supervisor and by team in terms of budget and total expenditures? Could Parks please provide the information on the excel sheet?

Answer:

Each project's final costs, as compared to budgeted costs, will vary based upon the complexity of each project as it evolves towards completion. Costs change throughout the life of a project as the scope of work changes due to unanticipated circumstances. These changes may either increase or decrease the originally budgeted and estimated project costs. That accounts for why certain projects were under budget and why certain project were over budget. Please see Spreadsheet #1.

Under Budget

Amelia White
Cornell
E. DeVargas
Frenchy's
Las Acequias
Las Estancias
MRC
Nava Ade
Ragle
Ft. Marcy Facility
Salvador Perez Pool

Highest Overruns

Adam Armijo 102%
Cathedral Park 104%
John F. Griego 106%
Monica Roybal 1252% Rancho del Sol
210%
Sunnyslope Meadows 108%
Thomas Macione 92%
Torreon 127%

9. **Question:** How much of the Bond monies were spent on City staff salaries? Exactly which staff were paid out of Bond monies? In 2011, the City Council approved paying the following employees out of Bond monies. Were any other City employees paid out of Bond monies? If so, whom?

FY 09 – 10	Salary:
Parks Supervisor	58,278.00
Engineer Supervisor	119,227.00
PW Project Administrator	106,569.00
River & Watershed Coordinator	<u>100,098.00</u>
Total:	384,172.00

FY 12 -13	Salary:
Parks Supervisor	58,278.00
Engineer Supervisor	119,227.00
PW Project Adm.	106,569.00
River/Watershed Coord.	100,098.00
PW Project Administrator	94,510.00
Contract Analyst	<u>81,091.00</u>

Total: 559,773.00

FY 10 – 11	Salary:
Parks Supervisor	58,278.00
Engineer Supervisor	119,227.00
PW Project Administrator	106,569.00
River & Watershed Coordinator	100,098.00
PW Project Administrator	<u>94,510.00</u>
Total:	478,682.00

FY 11 – 12	Salary:
Parks Supervisor	58,278.00
Engineer Supervisor	119,227.00
PW Project Administrator	106,569.00
River & Watershed Coordinator	100,098.00
PW Project Administrator	94,510.00
Contract Analyst	<u>81,091.00</u>
Total:	559,773.00

Answer:

Please refer to Spreadsheet #1. As stated previously, a more detailed individual project report is being prepared based upon Spreadsheet #1 as requested by Finance Committee at its December 2, 2013 meeting.

9. **Question:** Were any Bond monies spent on projects, properties or activities that were not included in the Parks Bond Master Plan?

Answer:

Yes. In particular, the SWAN, Trail cameras, Botanical Gardens and Plaza projects and these reallocations were approved at City Council, November 30, 2011 meeting as part of the \$750,000 approved reallocation.

10. **Question:** Specifically, were any Bond monies spent for Marty Sanchez Golf Course – either operational costs or staff (salaries/benefits, etc.)?

Answer: Yes. Bond funds were spent on the Marty Sanchez Golf Course however the part of Spreadsheet #1 entitled "MRC" encompasses both the golf course and the sports complex. Beginning in 2009 to present, operational funding in the amount of \$45,520 per year was budgeted to improve/maintain the Marty Sanchez Golf Course facility.

11. **Question:** 2011 Re-obligation: In November 2011, the City Council voted to reallocate \$750,000.00 of Bond funding - \$500,000.00 for the SWAN Park Engineering and Design, \$100,000.00 for security cameras in parks and trailheads, \$50,000.00 for the Botanical Gardens and \$100,000.00 for Plaza improvements to reduce the size of the utility box. These line items aren't included in the final report. What is the status of these projects? Since this \$750,000.00 isn't included in the final report, wouldn't the reported balance actually be (\$440,426.00) rather than \$309,574.51?

Answer: Please refer to Spreadsheet #1. Regarding the SWAN project, the design for SWAN is complete and there is an amendment for cost administration. Regarding the Trail Cameras project, it is 80% complete. Regarding the Botanical Gardens project, payments have been issued to the nonprofit that is contracted to operate the gardens. Regarding the Plaza project, the City lacks sufficient funds to complete electrical work.

12. **Question:** New Parks: As we look forward, we need to get an idea of what new parks cost. Why are there such differences between parks with similar features?

Project	Total Acres	Cost per acre	Total Cost	Scope
Cielo Vista	1.1	361,816.00	396,989.00	Includes playground equipment, community garden and paved path around the park.
GCCC Park	??		230,599.00	Includes large playground equipment
Maclovia	.2	248,105.00 (?)	49,621.00	Includes playground equipment, community garden and paved path.
Nava Ade	5.28	99,557.00	525,659.00	Includes large and small ramada buildings as well as paved paths.
Villa Caballero	4.83	\$7,542.00	36,430.00	Includes playground equipment and paved path.

Answer: Please refer to Spreadsheet #1 and see below.

- **Generally, “cost per park per acre” varies considerably depending on scope of work, park amenities, whether it is an existing park or new park. Condition of irrigation/electrical systems, whether amenities and systems are salvageable or require replacement; whether the parks requires boundary/topographical surveys, archaeology to clear the site of cultural resources, prairie dog removal, accessibility and safety of park amenities and many other factors including available funding. The best method to prepare estimates is to conduct a thorough inventory, inspection and research on whether the park site will require other services, such irrigation design, archaeology, prairie dog removal and safety upgrades.**
- **Regarding the 2 new parks designed and constructed “in-house,” Cielo Vista required cultural resource clearance, new electrical and water service. At GCCC park we were able to connect to the GCCC Facilities’ irrigation system.**
- **Other differences affecting per acre cost include:**
 - **Cielo Vista has paved pathways, GCCC pathways are compacted crusher fines**
 - **Cielo Vista has a larger playground than GCCC (playgrounds are one of the most expensive park amenities).**
 - **Cielo Vista has a basketball court, GCCC does not.**
 - **Cielo Vista has community Gardens, GCCC does not (community gardens are typically an expensive endeavor).**
- **Regarding Maclovia Park, the high cost is primarily for the required ADA upgrades, play equipment and community garden. Community Gardens require a potable water source which some parks do not have.**

- *Regarding Villa Caballero Park, the work was primarily "in house" labor and materials to perform required improvements to comply with ADA.*
- *Nava Ade (Dancing Ground) Park has very unique features plus all the pathways were constructed with colored concrete.*

13. Question: Did any staff's family members directly benefit from the Bond?

Answer: No.

14. Specific park questions.

Answer: See below in bold and italics.

Name of Park	Master Plan Scope	Budgeted Amount	Reallocation/BARS	Expended Amount	Note
Monica Roybal	Tree replacement	2,000.00	27,083.00	27,032.60	There are no new trees at Monica Roybal Park? <i>This is correct. Adding trees would have required a cost prohibitive irrigation upgrade.</i>
Martin Luther King (La Villa Serena)	Only a basketball court was in the Master Plan. The Park was already built in the 2007 photos.	32,000.00	1,496.00	33,495.00	2008 Bond Final Report says "Walking paths, shade structure, park furniture ADA"? <i>A basketball court and the associated access pathways were completed.</i>
Atalaya Park	Upgrade back flow preventer, install water fountain, re-surface tennis courts, install city and park ordinance signs	36,250.00	35,439.00	28,559.00	Only the tennis courts were completed. The rest of the park was destroyed during school construction? <i>In addition to the tennis courts, the RPA was also upgraded for the existing drinking fountain in good condition. The remaining playground features on City leased property were removed and the area cleared prior to SFPS renovations. SFPS has partially demolished the access ramp to the tennis courts. Tables, trees and trash drums remain intact.</i>

Name of Park	Master Plan Scope	Budgeted Amount	Reallocation/BARS	Expended Amount	Note
Don Diego	Plant more trees	6,250.00	4,899.00	11,419.00	2008 Bond Final reports says trees, shrubs, irrigation upgrades, drinking fountain and signage. 2007 photos show this park had already been built. 2013 Photos don't show any difference? <i>No trees were added due to continued vandalism of existing trees.</i>
Orlando Fernandez	Upgrade irrigation system. Install four park benches. Install park and city ordinance signs	17,875.00	13,465.00	28,267.00	Photos show park grass looks worse than in 2007? No new benches? <i>The irrigation system was remodeled. Installation of new benches would have required cost prohibitive accessibility improvements.</i>
Prince Park	Remove bollards hydro seed open field, 2 tables, 2 benches, ADA requirements	67,650.00	27,282.00	93,824.00	2008 Bond Final Report includes "Fort Marcy Exhibit" which wasn't in the Master Plan. Did the Parks Bond pay for that or did someone else? <i>The exhibits were paid out of the bonds and reimbursed by the NPS.</i>
Herb Martinez	Remove 11 cottonwood trees, replace 11 trees, resurface tennis courts, install 8 picnic tables, reseed/resod, convert baseball field to passive open space turf area, backflow preventer.	248,810.00	132,194.00	379,004.00	Trees? <i>Yes.</i> Picnic tables <i>Yes.</i> New turf area, irrigation and backflow upgrades? <i>Yes: inclusive of La Resolana area as well.</i> Photos show baseball field area looks much worse than in 2007? <i>The field was improved. Prairie Dogs migrating from adjacent properties are a continuing stress on the turf and general field condition.</i>
Larragoitte	Pave parking lot?				<i>Northern parking lot was paved.</i>
La Resolana	Not in the Master Plan?				Not in the final report? Looks great – where did the money come from? <i>This park was mislabeled "Rancho Siringo" in the</i>

Name of Park	Master Plan Scope	Budgeted Amount	Reallocation/BARS	Expended Amount	Note
					<i>Master Plan. It was included under the Herb Martinez scope.</i>
Thomas Macione	Upgrade irrigation to ICC Controller System, Upgrade Backflow preventer with hot box, install a new water fountain along with backflow preventer, install park signs	24,000.00	21,964.00	45,963.00	<p>2008 Parks Final Report says "Replace irrigation system and backflow prevention. Install new water fountain and backflow. There isn't a drinking fountain in this park.</p> <p><i>The drinking fountain was not installed due to the associated access and archeology requirements being cost prohibitive.</i></p>

Individual Park Summaries

<div> <div>MRC</div> <div>Council District 3</div> <div>Acreage 428</div> </div>		Capital Improvement Costs
Master Plan SW Community - Page 6		
Construct two youth baseball fields - Parks		180,000.00
Construct a Gymnasium for Basketball & Volleyball Courts - CIP		2,000,000.00
Provide more & equestrian non-motorized trails & trailhead. At this point, major repairs are needed to existing trails - assume 9 miles, reconstructed by locals, 8' wide, stabilized base course trails at \$50 if, plus an estimated 5 miles of equestrian trails at \$8,000/mile.		2,416,000.00
	Sub-total	4,596,000.00
	Design & Inflation Contingencies @ 25%	1,149,000.00
	Total:	5,745,000.00
2007 Park Assessment Needs		
Adequate		
Construct a Gymnasium for Basketball & Volleyball Courts - Parks		2,000,000.00
Construct two youth baseball fields - Parks		180,000.00
Post Tension Tennis Courts (5)		350,000.00
	Sub-total	2,530,000.00
	Design & Inflation Contingencies @ 25%	632,500.00
	Total:	3,162,500.00
Minimum		
Construct two youth baseball fields - Parks		180,000.00
	Sub-total	180,000.00
	Design & Inflation Contingencies @ 25%	45,000.00
	Total:	225,000.00
Parks Advisory Committee Recommendation		
Construct (4) Hardball Fields & Sporting Lighting		1,150,000.00
	Total:	1,150,000.00
Parks Division Proposed Revised Scope		
Concession/Restroom Building Renovation		
Safety Improvements - Lighting, Netting, Railing, etc.		
Ballfield Improvements - Backstop netting, infield mix, bleachers,		
Bleacher shades, trash receptacles, etc.		
Irrigation System Upgrades		
Improve/Expand Parking areas		
Pave Circulation Roadways		
Re-surface running track		
BMX Track improvements		
Volleyball Court improvements	Sub-total	\$800,000
	Design & Inflation Contingencies	\$350,000
	Total:	\$1,150,000
Required/Actual Improvements (IN HOUSE)		
MRC Operation Rescue: Golf Course / Soccer Valley irrigation repairs		
Ballfield Improvements - Backstop netting, infield mix, bleachers		
Safety Improvements - Fencing, Netting, Railing, etc.		
Restroom and Concession Improvements		
Soccer Valley Perimeter path repairs, slurry seal & storm drainage improvements		
Total:		\$1,120,076.17

Individual Park Summaries

Galisteo Tennis Courts		Capital Improvement Costs
Council District 2	Acreage .66	
2001 Master Plan Southside - Page 8 - 9		
Connect this facility to the Rail Trail & Maloof Park with signage		3,600.00
Publicize the location & the fact that the facility is public to alleviate its isolation from trails & other types of recreation elements		3,000.00
Provide (3) Park Benches		3,600.00
Provide shade structure		20,000.00
Provide (2) drinking fountains		7,000.00
Provide parking on the Maloof parcel if the facility becomes more heavily used		23,400.00
	Sub-total	60,600.00
	Design & Inflation Contingencies @ 25%	15,150.00
	Total:	75,750.00
2007 Park Assessment Needs		
Adequate		
Re-surface two tennis courts, post tension		130,000.00
Provide (3) Park Benches		3,600.00
Provide shade structure		20,000.00
Provide (2) drinking fountains		7,000.00
Provide parking on the Maloof parcel if the facility becomes more heavily used		23,400.00
Install Park Signs		200.00
	Sub-total	184,200.00
	Design & Inflation Contingencies @ 25%	46,050.00
	Total:	230,250.00
Minimum		
Re-surface two tennis courts, post tension		130,000.00
Provide (3) Park Benches		3,600.00
Provide shade structure		20,000.00
Provide (2) drinking fountains		7,000.00
Install Park Signs		200.00
	Sub-total	160,800.00
	Design & Inflation Contingencies @ 25%	40,200.00
	Total:	201,000.00
Park Advisory Committee Recommendation		
Install Playground		80,000.00
Demolition		25,000.00
	Sub-total	105,000.00
	Design & Inflation Contingencies @ 25%	26,250.00
	Total:	131,250.00
Recommended Improvements		
Demolish tennis courts and reclaim lot for installation of turf field		
Complete irrigation system remodeling with new turf field and bubblers to existing trees and (7) new trees		
Install (2) ADA benches w/ companion seating		
Install new basketball half court at existing perimeter fencing (neighborhood request)		
Install park signage, pet waste bag dispensers and trash drums on ADA P.O.T.		
Provide required accessible walkways to various amenities		
Install playground to current safety standards		
Provide ADA parking space and access at existing parking lot		
	Total:	198,504.35

Individual Park Summaries

Torreon Park		Capital Improvement Costs
Council District 1	Acreage 3.44	
2001 Master Plan Northwest - Page 6		
Connect the two portions of the park with a crosswalk on W. Alameda - Engineering		500.00
Connect park to the River Trail & Arroyo Torreon W. Alameda Open Space with a developed walkway. 209 LF crusher fine path 4'-wide @ \$8 lf		1,672.00
Provide safe passage from this park to Bicentennial Park with Adequate sidewalks & pedestrian crossings at & over the Camino Alire Bridge - Engineering		40,000.00
Screen the back yard fences & walls adjacent to the park with vines & plantings - Parks		5,000.00
Pursue easements from the north end to connect with Frank Ortiz Park. Acquire 1367 LF Easement 10'-wide @ \$6 SF, build 3225 lf path @ \$1.52/lf		150,000.00
Alleviate the drainage & erosion problem - Revegetate - Parks		10,000.00
	Sub-total	207,172.00
	Design & Inflation Contingencies @ 25%	51,793.00
	Total:	258,965.00
2007 Park Assessment Needs		
Parks Advisory Committee Recommendation - Adequate		
Install Playground Structure		37,500.00
Upgrade Irrigation System to ICC Control System		10,000.00
Upgrade Backflow Preventer with Hot Box		2,500.00
Install & Replace Water Fountain		3,500.00
Repaint Basketball Court		1,200.00
Install Entrance Gate		2,000.00
Install Park & City Ordinance Signs		1,000.00
	Sub-total	57,700.00
	Design & Inflation Contingencies @ 25%	14,425.00
	Total:	72,125.00
Minimum		
Upgrade Irrigation System to ICC Control System		10,000.00
Upgrade Backflow Prventer with Hot Box		2,500.00
Install & Replace Water Fountain		3,500.00
Repaint Basketball Court		1,200.00
Install Entrance Gate		2,000.00
Install Park & City Ordinance Signs		1,000.00
	Sub-total	20,200.00
	Design & Inflation Contingencies @ 25%	5,050.00
	Total:	25,250.00
Required Annual Improvements (IN HOUSE)		
Upgrade (2) playground areas to current safety standards including required accessible walkways and ramps and perform audit		
Upgrade irrigation system to ICC control system		
Upgrade backflow preventer with hot box		
Replace drinking fountain w/ accessible HILO		
Resurface basketball court and upgrade accessibility to current standards		
Install (12) ADA benches (7 w/ companion seating) along accessible path of travel		
Install (5) ADA tables and pads with access walks		
Install Park signage and install or relocate trash drums along accessible path		
Resurface irregular/uneven loop path and parking lot and repair associated walks		
Restripe parking lot including ADA parking, signage, wheel stop and curb ramp		
Repair/Replace parking lot post & cable and add removable bollards		
Restore washed out drainage way at top of park area		
	Total:	197,302.66

Individual Project Summaries
"Villa Linda Park"

Villa Linda Park		Capital Improvement Costs
Council District 4		Acreage 11.19
2001 Master Plan - SW Community - Page 6		
Upgrade Playground Structures Parks		44,892.00
Install Shade Structures - Parks		20,000.00
Install Picnic 4 Tables - Parks		8,000.00
Install Park 4 Benches - Parks		4,800.00
Plant 10 Shade Trees - Parks		3,300.00
	Sub-total	80,992.00
	Design & Inflation Contingencies @ 25%	18,400.00
	TOTAL:	99,392.00
2007 Park Assessment Needs		
Adequate		
Upgrade Playground Structures - Parks		44,892.00
Plant Ten Shade Trees - Parks		3,300.00
Replace sidewalk		20,000.00
Remove (2) Cottonwood Trees		800
Seed hillside with native grass		5,000.00
Install Picnic 4 Tables - Parks		8,000.00
Install Park 4 Benches - Parks		4,800.00
Erosion Control (west end of park)		25,000.00
	Sub-total	111,792.00
	Design & Inflation Contingencies @ 25%	27,948.00
	TOTAL:	139,740.00
Parks Advisory Committee Recommendation - Minimum		
Plant Ten Shade Trees - Parks		3,300.00
Install Picnic 4 Tables - Parks		8,000.00
Install Park 4 Benches - Parks		4,800.00
Upgrade Playground Structures - Parks		44,892.00
Erosion Control (west end of park)		25,000.00
	Sub-total	85,992.00
	Design & Inflation Contingencies @ 25%	21,498.00
	TOTAL:	107,490.00
Additional Recommended Improvements (N.HOUSE)		
Upgrade irrigation system		
Plant (10) Trees		
Reseed or sod disturbed/bare turf areas		
Upgrade playground to current consumer safety and ADA standards and audit		
Install (2) Picnic tables with pads and access		
Install (1) ADA bench with companion seating pads along accessible path of travel		
Add ADA Access to existing HILO drinking fountain		
Install (2) small shade structures		
Add new, upgrade and repair walkways critical for accessibility to amenities		
Add new and relocate trash drums along accessible path of travel		
Add new and repair park signage		
Install new and remodel existing accessible parking spaces at existing parking lot		
Repair/modify post and cable perimeter fence		
	Total:	188,120.89

Individual Park Summaries

Las Acequias		Capital Improvement Costs
District 3	Acreage 5.94	
Master Plan - SW Community - Page 6		
Install Transit Stop in front of park - Transit		5,383.00
Sub-total		5,383.00
Design & Contingencies @ 25%		1,346.00
Total:		6,729.00
Parks Advisory Committee Recommendation - Adequate		
Install Transit Stop - Transit		5,383.00
Security Cameras (18,000.00 ea. X 3)		36,000.00
Sub-total		41,383.00
Design & Contingencies @ 25%		10,346.00
TOTAL:		51,729.00
Install irrigation and turf		98,271.00
GRAND TOTAL:		150,000.00
Minimum		
Install Transit Stop - Transit		5,383.00
Security Cameras (18,000.00 ea. X 3)		36,000.00
Sub-total		41,383.00
Design & Contingencies @ 25%		10,346.00
TOTAL:		51,729.00
Re-establish ADA parking spaces in parking lot		
Repair uneven and disintegrated areas along asphalt loop path		
Provide curb ramp and repair walkways for pedestrian accessibility to park		
Replace (2) existing benches with ADA benches and companion seating pads		
Install trash drums along accessible path of travel		
Repair play equipment and replace sand with EWF surfacing		
Resurface basketball court		
Repair irrigation system		
Remodel turf area for kid's soccer field zone (neighborhood request)		
Add native revegetation at non-turf areas		
Remove concrete parking barricades and add pipe gates		
Total:		129,463.25

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Based on Audited Annual Financial Reports					
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Projects	Funds	Funding From Bond Issues	Transfers Between Projects	Total Funding	Salaries	Benefits	Service and Material	Total Expenditures	Balance
Monica Lucero Park	C.43034	109,857.00	8,398.00	140,064.00					
FYE End 06/30/2013			21,809.00		(29,562.44)	(6,016.73)	(44,597.66)		
FYE End 06/30/2012					(15,563.22)	(3,222.17)	(27,663.37)		
FYE End 06/30/2011					(5,959.43)	(1,181.54)	(763.09)		
FYE End 06/30/2010					(1,589.12)	(259.97)			
FYE End 06/30/2009									
Monica Roybal Park	C.43035	39,451.00	(12,418.00)	27,033.00	(52,674.21)	(10,680.41)	(73,024.12)	(136,378.74)	3,685.26
FYE End 06/30/2013									
FYE End 06/30/2012					(14,818.62)	(3,458.09)			
FYE End 06/30/2011					(6,814.14)	(1,941.75)			
FYE End 06/30/2010									
FYE End 06/30/2009									
Nava Ade Park	C.43036	619,842.00	(49,376.00)	526,431.00	(21,632.76)	(5,399.84)	-	(27,032.60)	0.40
FYE End 06/30/2013			(44,035.00)						
FYE End 06/30/2012					(6,994.13)	(1,996.27)	(235,854.48)		
FYE End 06/30/2011					(11,978.71)	(5,086.44)	(252,506.16)		
FYE End 06/30/2010							(10,742.48)		
FYE End 06/30/2009									
Orlando Fernandez Park	C.43037	36,580.00	(332.00)	31,340.00	(18,972.84)	(7,082.71)	(499,103.12)	(525,158.67)	1,272.33
FYE End 06/30/2013			(8,398.00)						
FYE End 06/30/2012			6,800.00						
FYE End 06/30/2011			(1,107.00)						
FYE End 06/30/2010			(2,203.00)		(6,568.83)	(2,750.68)	(2,107.93)		
FYE End 06/30/2009					(5,743.79)	(1,020.46)	(10,075.31)		
Patrick Smith Park	C.43038	323,348.00	1,200.00	321,514.00	(12,312.62)	(3,771.14)	(12,183.24)	(28,267.00)	3,073.00
FYE End 06/30/2013			(56,496.00)						
FYE End 06/30/2012			(25,129.00)		(11,638.54)	(3,185.17)	-		
FYE End 06/30/2011			(6,200.00)		(6,629.00)	(1,870.73)	-		
FYE End 06/30/2010			(9,838.00)		(8,209.47)	(2,994.16)	(76,839.07)		
FYE End 06/30/2009			(5,371.00)		(126.00)	(33.87)	(208,788.03)		
			100,000.00		(26,603.01)	(8,083.93)	(285,627.10)	(320,314.04)	1,199.96

City of Santa Fe									
Summary of General Obligation Bond Issues									
Based on Audited Annual Financial Reports									
Projects	Funds	Funding From Bond Issues	Transfers Between Projects	Total Funding	Salaries	Benefits	Service and Material	Total Expenditures	Balance
Rancho Del Sol Park	C.43045	60,511.00	8,512.00	74,543.00					
	FYE End 06/30/2013		5,520.00		(39,024.66)	(9,108.92)	(22,392.18)		
	FYE End 06/30/2012				(1,848.60)	(523.10)			
	FYE End 06/30/2011				-	-			
	FYE End 06/30/2010				-	-			
FYE End 06/30/2009					(547.02)	(59.79)			
Salvador Perez Park	C.43046	360,318.00		360,318.00	(41,420.28)	(9,691.81)	(22,392.18)	(73,504.27)	1,038.73
	FYE End 06/30/2013								
	FYE End 06/30/2012				(863.39)	(177.68)	(6,581.07)		
	FYE End 06/30/2011				(4,086.10)	(1,041.40)	(219,857.63)		
	FYE End 06/30/2010				(3,118.52)	(399.20)	(17,134.62)		
FYE End 06/30/2009					(39,901.39)	(5,893.68)	(24,995.46)		
SF River Parkway Park					(419.63)	(32.10)	(4,164.90)		
	C.43047	2,214,510.00	212,819.00	2,602,071.00	(48,389.03)	(7,544.06)	(272,733.68)	(328,666.77)	31,651.23
	FYE End 06/30/2013		(100,000.00)		(13,923.30)	(7,106.82)	(1,760,373.98)		
	FYE End 06/30/2012		77,572.00		(4,866.54)	(1,383.32)	(26,801.65)		
	FYE End 06/30/2011		197,170.00		(82,641.72)	(18,830.44)	(121,090.37)		
FYE End 06/30/2010					(44,921.15)	(6,025.87)	(122,171.96)		
FYE End 06/30/2009					(88,015.75)	(7,040.41)	(12,404.14)		
Sunnyslope Meadows Park		32,662.00	9,838.00	42,500.00	(234,368.46)	(40,386.86)	(2,042,842.10)	(2,317,597.42)	284,473.58
	C.43048								
	FYE End 06/30/2013								
	FYE End 06/30/2012				(52.50)	(14.96)	-		
	FYE End 06/30/2011				(10,642.67)	(4,635.22)	-		
FYE End 06/30/2010					(16,134.03)	(4,040.02)	(6,980.22)		
FYE End 06/30/2009					-	-			
Thomas Macalone Park					(26,829.20)	(8,690.20)	(6,980.22)	(42,499.62)	0.38
	C.43049	60,158.00	(6,367.00)	45,964.00					
	FYE End 06/30/2013		(7,827.00)						
	FYE End 06/30/2012				-	-			
	FYE End 06/30/2011				(13,818.87)	(4,956.02)	(630.31)		
FYE End 06/30/2010					(12,392.28)	(3,204.12)	(3,797.80)		
FYE End 06/30/2009					(67.50)	(5.16)	-		
					-	-	(7,091.88)		
					(26,278.65)	(8,165.30)	(11,519.99)	(45,963.94)	0.06

Bonds Revenue Vs Expenditures

City of Santa Fe

Council

Resolution No. 2013-80 - Possible Amendments

Passed August 27th, 2013

Dated - January 3, 2014

1. Changing Conditions:

- A. The completion of various 2008 Bond projects involving the expenditure of funds did not all occur by June 30, 2013. As a result, the contemplated third-party independent audit of the 2008 Parks, Trails and Open Space Bond did not occur.
- B. The City's external auditors for the Comprehensive Annual Financial Report (CAFR) for the year ended June 30, 2013 will not be eligible to conduct the 2014 CAFR audit. Such external auditors have done the City's CAFR audits for a number of years and are not longer eligible to conduct such CAFR audits under the State Auditor's external auditors rotation policy rules.
- C. However, under the past annual CAFR audits, the expenditures occurring for Parks, Trails and Open Space programs were being budgeted and being expended each year under State budgetary rules and other state and city rules and regulations. Such annual budgets were formally approved by the City Council and the State. However, a separate layer of auditing of such expenditures was not specially being done on a separate restricted fund layer regarding the terms and conditions of the 2008 Bond Indenture (Restricted Funds) and the language of the voter approval regarding such 2008 Bond issue.
- D. No special annual audits were conducted of the special expenditures of 2008 Bond funds to determine if such expenditure were within the restricted terms and conditions of the 2008 Bond Indenture and the language of the voter approved 2008 Bond issue.

Possible future action program - consider amendments to Resolution 2013-80.

- I. Amend the Resolution 2013-80 to provide for a special external audit to cover the entire expenditure period from the beginning to say March 31, 2014. Under acceptable auditing terminology - this special audit would be conducted under "Agreed Upon Procedures".

EXHIBIT 2

Public Works Committee

January 6, 2014

- B. Include the City's Audit Committee in this process for the determination of the procedures to conduct a special audit of the expenditures of funds charged against the 2008 Bond funds.
- C. Considering the fact that the present external auditor, Atkinson & Co. Ltd., has annually audited most if not all of such budgeted expenditures that have been charged against the 2008 Bond funds of approximately \$30,300,000. Such annual expenditures were included in the annual CAFR audits and would have been audited to a higher materially level, than the needs of a separate audit at a \$30,300,000 level, for such 2008 Bond funds.
- D. Consider forming a special committee, to be headed by the City's Internal Auditor, to select an external auditor to conduct this special audit of the 2008 Bond funds. To assist in this process, a staff member from the Public Works Department, a staff member from the Finance Department and a member of the City's Audit Committee would develop the "Agreed Upon Procedures" audit and assist in the selection process.

CITY OF SANTA FE, NEW MEXICO
PROPOSED AMENDMENT(S) TO BILL NO. 2014-_____
(Green Code – Residential Addition & Remodels)

Mayor and Members of the City Council:

I propose the following amendment(s) to Bill No. 2014-_____:

1. On page 9, checklist item 802.6, after “landscaping” *insert* “from at least one plumbing fixture. This item”
2. On page 30, checklist item 12.1.902.4, after “following”, *delete* “HBAC” and *insert* “HVAC” in lieu thereof
3. On page 30, checklist item 12.2.607.1, after “space in”, *insert* “or near”

Respectfully submitted,

Councilor Chris Calvert

ADOPTED: _____
NOT ADOPTED: _____
DATE: _____

Yolanda Y. Vigil, City Clerk

EXHIBIT 3
Public Works Committee
January 6, 2014

CITY OF SANTA FE, NEW MEXICO
PROPOSED AMENDMENT(S) TO RESOLUTION NO. 2014-____
(Green Code – Administrative Procedures)

Mayor and Members of the City Council:

I propose the following amendment(s) to Resolution No. 2014-____:

1. On page 1, line 24, *delete*, "thesize" and *insert* "the size" in lieu thereof
2. On page 2, line 17, *delete*, "RAGC" and *insert* "RGBC" in lieu thereof

Respectfully submitted,

Councilor Chris Calvert

ADOPTED: _____
NOT ADOPTED: _____
DATE: _____

Yolanda Y. Vigil, City Clerk

EXHIBIT 4
Public Works Committee
January 6, 2014