

**MINUTES OF THE
CITY OF SANTA FE / SANTA FE COUNTY
REGIONAL PLANNING AUTHORITY**

**Tuesday, October 19, 2010
4:00 PM
Santa Fe, New Mexico**

This Regular Meeting of the City of Santa Fe / Santa Fe County Regional Planning Authority (RPA) was called to order by Chair Rosemary Romero at approximately 4:10 PM on the above-cited date in the Santa Fe County Commission Chambers in the County Administration Building.

ROLL CALL

County Commissioners Present:

Kathy Holian
Harry Montoya
Liz Stefanics *[arrived at 4:12]*
Virginia Vigil

City Councilors Present:

Patti Bushee *[arrived at 4:24]*
Chris Calvert
Rosemary Romero, Chair

City Councilor Excused:

Rebecca Wurzburger

Santa Fe County Staff Members:

Penny Ellis-Green, Assistant County Manager
Robert Griego, Planning Manager
Teresa Martinez, Finance

Santa Fe City Staff Members:

Jon Bulhuis, Transit Division
Reed Liming, Long Range Planning Dir.
Marco Martinez, Legal

Others Present:

Patrick Thomas, Rancho Viejo

APPROVAL OF AGENDA

Commissioner Montoya moved to approve the agenda, seconded by Commissioner Holian, voted on and approved unanimously.

[All items in the Board packet for all agenda items are incorporated herewith to these minutes by reference. The original Board packet is on file in the Regional Planning Authority office.]

APPROVAL OF MINUTES

- **Minutes from September 21, 2010, Regular Meeting**

Commissioner Montoya moved to approve the minutes of the September 21, 2010, Regular Meeting, seconded by Commissioner Stefanics, voted on and approved unanimously.

Commissioner Holian abstained from voting since had not been in attendance at the meeting.

COMMUNICATIONS FROM THE PUBLIC

My name is Patrick Thomas, I live in Rancho Viejo in the county. I am also the qualifying sales manager at Rancho Viejo. The Santa Fe Association of Realtors recently had a dialogue focused on affordable housing for both the city and the county. Out of that, I was appointed to a subcommittee from that group to look at the inclusionary zoning and affordable housing ordinances. It is my awareness that this group has appointed several weeks ago a task force to look at affordable housing. I represent probably the largest provider of affordable housing in the county. Also my committee includes, amongst others, vice president of sales and marketing for Pulte, which is Syntax, and so probably in the city they are providing more affordable housing, as well as other builders, developers, people who have been on the Housing Authority itself, are part of that committee.

What we are here requesting is that the subcommittee that came out of that dialogue that was sponsored by the Association of Realtors join forces with the task force that has been appointed here. So instead of having us work on an agenda and then whatever task force that you guys have appointed that we join together and be working in concert with one another to come forward with whatever recommendations are appropriate for affordable housing and inclusionary zoning.

Chair Romero noted that the RPA Affordable Housing Task Force had not as yet met. She, Commissioner Vigil and Commissioner Stefanics suggested that the best approach would be for the task force to meet and determine its first steps. Following that, Mr. Thomas could be invited to the task force to discuss the direction to take.

Commissioner Vigil added that both the City Council and BCC have been working on affordable housing but that the economic downturn had shifted priorities so that none of the joint projects were currently being worked on. In the meantime, both the city and the county have gained insights through studies about their affordable housing ordinances, but as independent bodies. The goal of the RPA Affordable Housing Task Force is to begin to coordinate joint projects. Once the RPA task force meets and chooses its chair and vice-chair, she will keep Mr. Thomas advised of the process.

COMMUNICATIONS FROM AGENCIES

- **MPO**

Commissioner Stefanics reported that the MPO will hold a public hearing regarding the 10-year plan on Wednesday, October 20, 4-6 PM, in the City Council chambers.

- **NCRTD**

Chair Romero stated that ridership has steadily increased every month.

Commissioner Montoya asked for an update on the bids for construction that had gone out.

Chair Romero reported that bids for the transit district office in Española had been accepted, but it was found that contractors who had bid were not qualified and could not do the job. It was decided to stop contracting and re-bid to give qualified contractors an opportunity to bring forward their best subcontractors. The re-bid will start in the next couple of weeks.

INFORMATION ITEMS

- **Santa Fe Trails – Quarterly Update on Regional Transit Operations**

Mr. Jon Bulthuis reported on the direction given at the beginning of the fiscal year to provide services through the GRT tax collected by the NCRTD. Systemwide ridership continues to grow. Transfers to the Cerrillos Road route from the Rail Runner in July saw 3,618 transfers, August 3,920 and September 4,482. There is no fare charge for the transfers because the service is being subsidized through the tax.

For other routes, the new connection to the NM 599 station in July, first month of service when school was out of session carried 192 passengers, August went to 345, September went to 554. These are solid increases as people learn about it.

Service was provided for special events this year, Folk Art Market, Indian Market, Zozobra, as well as Wine & Chile Fiesta. All were supported through the tax.

Mr. Bulthuis will present a mid-year report in January 2011 that shows the budget and more detail in terms of ridership.

In response to several questions about free service, Mr. Bulthuis explained that, typically, fares are charged for service that is regularly scheduled. For example, during Indian Market, weekend fares were charged for passengers along Cerrillos Road. That was true of the Zozobra service as well, because those buses are an enhancement to regularly scheduled service. For Folk Art Market, the Transit Division has been directed to provide service at no cost to market organizers.

[Councilor Bushee arrived at the meeting]

- **County Capital Outlay GRT Financial Summary**

Ms. Teresa Martinez from the Santa Fe County Finance Department explained that the County Capital Outlay GRT spreadsheet is in the format used at the previous meeting and is relative to the regional portion only. The report includes the balance available as of June 30, 2010, and the annual estimated revenue anticipated to be brought in over the course of the entire fiscal year by category, expenditures to date, and pending or outstanding purchase orders that have a balance.

There is an available balance of \$304,537 in the County Manager “Other” portion and \$512,697 in the “Open Space” category.

Following a discussion on how Open Space funds can be used for trails and to address Councilor Bushee’s request for connectivity of trails between the city and the county, Chair Romero requested that the city and the county open space staffs meet and bring a presentation to the next RPA meeting.

Commissioner Vigil said that an initiative she has been looking at is a joint GRT for bonding capacity. She asked Mr. Ross if dollars that are leveraged through bonding can be used for operations.

As a possibility, Commissioner Holian stated that a public improvement district for the entire county for maintenance for trails and open space might be created.

Mr. Ross stated that bonding from the capital outlay GRT has to adhere to the statutorily authorized purposes. He quoted from the statute: “... can be used to acquire land for open space, public parks, public recreational facilities and for the design, acquisition, construction, improvement or equipping parks and recreational facilities.”

Commissioner Montoya requested that Ms. Martinez bring to the RPA a breakdown for the regional NCRTD GRT. Ms. Martinez added that the GRT is received on a monthly basis and the whole amount is given to the NCRTD. The agreement specifically requests accountability of how the money is being spent.

Mr. Liming suggested also seeing clarification on the Water GRT category and future obligations.

Ms. Martinez stated that the water allocation will have to remain until the BDD bond is paid off. She will also bring that information to the next meeting. She added that the regional portion by action of the RPA has been dedicated to assist the county in paying off the construction project of the BDD.

- **Airport Road Project Update**

Mr. Liming explained that the memorandum to him from Eric Martinez regarding Airport Road was in response to a request at the last meeting. The city public works department has two projects on Airport Road. The safety project is basically for improvements to medians along Airport Road and is going out to bid on October 20. This project is specific to safety and improvement of the roadway itself and is separate from surrounding land use areas. As noted in the last paragraph of the memo, there is \$2.2 million from ARRA for repaving Airport Road, which is being held off until the safety project is completed.

Commissioner Montoya asked if the \$313,000 from the GRT is enough to complete the project. Mr. Liming replied that it is, in response to the request from the RPA that its funds be used to complete projects.

- **Update from Task Forces**

Chair Romero explained that there will be updates from the Affordable Housing and Economic Development Task Forces at the next RPA meeting.

- **Energy Task Force**

Councilor Calvert reported that the Energy Task Force (ETF) has been discussing a strategic plan, and as part of that the feasibility of having a municipal utility. It is expected that, at the next meeting, the scope of work for a financial feasibility study for a municipal utility will be completed and an outline of the strategic plan will be presented.

Commissioner Stefanics noted that a municipal utility has been studied previously and asked if there are points of comparison.

Councilor Calvert agreed that municipal utilities in particular is a consideration that has been ongoing for many years with informal city-county discussions that have become more formal with the ETF. The feasibility study is the key piece for moving forward. There is no timeframe attached to it, but rather if it makes sense from a financial standpoint to move forward on that concept. If the decision is to move forward, the ETF will be asking the RPA for \$20,000 towards the feasibility study.

DISCUSSION AND POSSIBLE ACTION ITEMS

- **Draft County Capital Outlay GRT Ordinance**

Chair Romero reported that she and Commissioner Holian met with Steve Ross, Marco Martinez and Gino Zamora to discuss the Capital Outlay GRT ordinance. She said this is a county ordinance and the revised draft follows a format that is current with the New Mexico Department of Taxation & Revenue, which had not been followed by the former ordinance. While this is a county ordinance, it is presented for review by the RPA to give approval to staff so that the BCC can act on it.

Mr. Ross stated that the current paradigm is contained in ordinance 2002-5, Capital Outlay GRT, that voters approved in 2002. This incorporates the split between county projects and has allocations that end in 2012 and many other restrictions. The ordinance does not authorize expenditures or dedications of revenue to a number of things that the statutes permit money to be spent on from this tax, including jails, airport facilities, necessary public buildings. It focuses on water for good reason to encourage the BDD to be completed. Now that 2012 is close, he and RPA members have discussed the possibility of broadening the authorization in the capital outlay GRT so that this board is not so restricted by both the percentages in the ordinance and the uses of funds.

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SFC CLERK RECORDED 1/29/2010

He presented what he called an exercise for the draft of an ordinance and a proposed first amendment to the Sixth Amended JPA.

Chair Romero added that the draft is a cleanup that would model the New Mexico Department of Taxation & Revenue template.

Mr. Ross stated that the 2002 ordinance does not follow the model that is required for such ordinances by Taxation & Revenue. Since they are very strict, he said he was curious how it was accepted and why the tax was being collected at all. The draft ordinance includes a universe of things that can be accomplished with the revenue from the funds.

Commissioner Stefanics asked that the RPA keep in mind that the county and the city have many services that have been affected by the budget and revenue shortfalls. She has concerns with the RPA moving forward with something new when existing services cannot be supported.

Commissioner Stefanics had questions regarding sections of the ordinance and asked if something about green standards should be included under paragraph A. The language in paragraph C appears not to include the RECC and whether that is an allowable expense.

Councilor Calvert asked if green standards would come under improvements.

Mr. Ross replied that the ordinance is a form provided by Taxation & Revenue and they cannot deviate from it. He said that green standards could be incorporated in the JPA, which will be discussed.

Commissioner Stefanics stated that this discussion brings to mind items that should be discussed during an executive session and requested that executive session be included on all future agendas to allow for that possibility.

Commissioner Montoya moved to recommend approval of Resolution No. 2010-__, “... Amending the Dedication to Ordinance No. 2002-5 ...” to the Board of County Commissioners. The motion was seconded by Commissioner Holian, voted on and approved unanimously.

- **Draft RPA JPA Amendments**

Mr. Ross presented a draft of the First Amendment to the Sixth Amended & Restated Regional Planning Authority Joint Powers Agreement.

Commissioner Holian moved to recommend approval of the First Amendment to the Sixth Amended & Restated Regional Planning Authority Joint Powers Agreement, as drafted by legal staff, to the City Council and the Board of County Commissioners. The motion was seconded by Commissioner Vigil.

Commissioner Montoya said he felt that eliminating the percentage of water and wastewater projects would be shortsighted.

Councilor Bushee stated that water and wastewater will still be a priority the city and county can agree on. She asked for an interpretation of item 5 on page 2, and whether the RPA's new role in terms of transportation planning as a joint jurisdiction needs to be mentioned.

Chair Romero said she would be interested in adding language to the JPA that would delineate the RPA's joint duties with regard to transportation.

Commissioner Stefanics moved to hold the proposed amendment to the JPA to the next meeting so that legal staff can include language with regard to green standards and transportation, and to allow RPA members seven days to study the amendment for possible additional suggestions to staff. The motion was seconded by Chair Romero and passed unanimously.

MATTERS FROM STAFF

Mr. Liming presented dates for 2011 RPA meetings based on the third Tuesday of the month being the traditional meeting day for the RPA. Monday, January 17, 2011, when the city would hold its Finance Committee meeting, is a holiday. That meeting has been moved to 5:15 on Tuesday, January 18. As a result, he suggested that the RPA meeting on January 18 be held an hour earlier at 3 PM.

Chair Romero stated this was an information item but will be added to the agenda at the next meeting so that the RPA can vote on the meeting schedule.

MATTERS FROM THE REGIONAL PLANNING AUTHORITY

- **Task Force Meetings**

Commissioner Vigil said that she will send an email setting a meeting to the RPA members who are interested in the task force.

Chair Romero stated that there was discussion about having the RPA and the task forces meet on alternate months. She suggested that Mr. Liming bring a new calendar of meeting dates to reflect the RPA meeting in January and beginning in February having the task forces meet on the alternate months. She pointed out there are several items for the November meeting agenda. If there is no December meeting scheduled, the election of a new RPA chair will need to be held in November.

Councilor Bushee pointed out that Commissioner Holian is in line to be elected as chair and suggested Councilor Calvert as vice chair.

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• **Book Reading**

Chair Romero stated that on Friday, October 22, at 6 PM, Mark Winnie, who has written two books on food policy, will hold a book reading at Collected Works. She will be moderating an open style review of his book. With the Food Policy Commission and the interest in community gardening in the city and county, this book is timely food for thought.

• **Tribal Representation**

Chair Romero recalled that, at a previous RPA meeting, she brought forward the issue that had been brought to the NCRTD around tribal representation. She has recently met with the new county manager on the issue. Chair Romero explained that the NCRTD has representations from a regional perspective, and tribes have one vote each, but the tribes do not have representation on the RPA. When the RPA was formed in 2000, its mandate was for the 5-mile territorial area, land use and annexation issues and was only a JPA between the Santa Fe City and County. With the new responsibilities for transit, the RPA now goes beyond the 5-mile area.

The tribes are receiving services and additional grants that the NCRTD has written for them specifically. A question that has come up is perhaps there is another body other than the RPA that will handle the transportation issues. The MPO may be the better body that deals much broader regionally with transit issues that would take it out of the RPA.

Chair Romero stated that she would like to bring this topic forward at the next RPA meeting for discussion and to include the new county manager.

Commissioner Stefanics suggested that the MPO staff be asked to research the legal basis for MPOs to bring to the RPA's discussion. The MPO is defined by the FHTA and is set up to meet the state and federal guidelines. This would be a major expansion of the responsibilities of that group that is outside of the federal request.

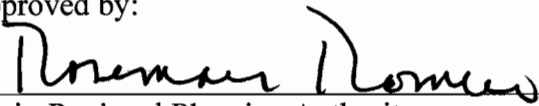
DATE AND TIME FOR NEXT RPA MEETING

The next regular meeting of the Regional Planning Authority will be held at 4 PM, Tuesday, November 16, 2010, in the County Commission Chambers.

ADJOURNMENT

This Regular Meeting of the RPA was adjourned at approximately 5:25 PM.

Approved by:


Chair, Regional Planning Authority
Rosemary Romero, Santa Fe City Councilor



Minutes transcribed and drafted by Kay Carlson



CITY CLERK'S OFFICE

DATE 10-12-10 TIME 8:03

SERVED BY Reed Liming

RECEIVED BY Valerie Espinoza



AGENDA

SANTA FE REGIONAL PLANNING AUTHORITY

Tuesday, October 19, 2010

4:00 – 6:00 p.m.

County Commission Chambers

County Administrative Building

102 Grant Avenue

Santa Fe, NM

- I. CALL TO ORDER
- II. ROLL CALL
- III. APPROVAL OF AGENDA
- IV. APPROVAL OF MINUTES
 - A. September 21, 2010
- V. COMMUNICATIONS FROM THE PUBLIC
- VI. COMMUNICATIONS FROM AGENCIES
 - A. MPO
 - B. NCRTD
 - C. Others
- VII. INFORMATION ITEMS
 - A. Santa Fe Trails – Quarterly Update on Regional Transit Operations (SF Trails Staff)
 - B. County Capital Outlay GRT Financial Summary (County Staff)
 - C. Airport Road Project Update (Reed Liming)
 - D. Update from Taskforces
- VIII. DISCUSSION AND POSSIBLE ACTION ITEMS
 - A. Draft County Capital Outlay GRT Ordinance (Steve Ross)
 - B. Draft RPA JPA Amendments (Steve Ross)
- IX. MATTERS FROM STAFF
- X. MATTERS FROM THE REGIONAL PLANNING AUTHORITY
- XI. NEXT RPA MEETING (Tuesday, November 16, 2010)
- XII. ADJOURNMENT

The County of Santa Fe makes every practical effort to persons with disabilities. Persons with disabilities should any special needs (e.g., interpreters for the hearing impa

COUNTY OF SANTA FE)
STATE OF NEW MEXICO) ss

RPA MINUTES
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I Hereby Certify That This Instrument Was Filed for Record On The 29TH Day Of November, 2010 at 10:36:40 AM And Was Duly Recorded as Instrument # **1618073** Of The Records Of Santa Fe County

Witness My Hand And Seal Of Office
Valerie Espinoza
Deputy County Clerk, Santa Fe, NM



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