

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

**Tuesday, March 16, 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 Harry Montoya 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, Chair
Virginia Vigil

County Commissioner Absent:

Liz Stefanics

City Councilors Present:

Patti Bushee
Chris Calvert

City Councilors Absent:

Rosemary Romero
Rebecca Wurzburger

Santa Fe County Staff Members:

Colleen Baker, Open Space Program Manager
Rachel Brown, Assistant Attorney
Penny Ellis-Green, Assistant County Manager
Robert Griego, Planning Manager
Andrew Jandácek, Planning
Paul Olafson, CSD/Projects
Steve Ross, Attorney
Duncan Sill, Economic Development Planner

Santa Fe City Staff Member:

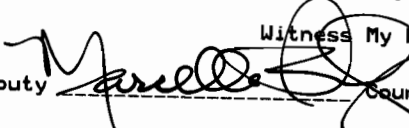
Christopher Tate, Acting Public Works Dir.
Keith Wilson, SF MPO

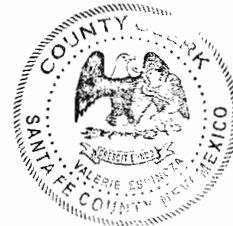
Others Present:

Janet Musolf, Resident, Santa Fe County
Pueblo Representatives
Pueblo de San Ildefonso
Sandra Maes
Raymond Martinez
Pueblo of Pojoaque
Amy Vigil
Tim Vigil, Chair, RTD Tribal Subcommittee
Jack Valencia, NCRTD

COUNTY OF SANTA FE)
STATE OF NEW MEXICO) ss RPA MINUTES
PAGES: 10

I Hereby Certify That This Instrument Was Filed for
Record On The 17TH Day Of December, 2010 at 08:43:17 AM
And Was Duly Recorded as Instrument # 1620486
Of The Records Of Santa Fe County

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



APPROVAL OF AGENDA

Councilor Bushee moved to approve the agenda, seconded by Councilor Calvert and approved unanimously by a vote of 5-0.

SFC CLERK RECORDED 12/17/2010

APPROVAL OF MINUTES FROM JANUARY 19, 2010, REGULAR MEETING

Councilor Bushee moved to approve the minutes of the January 19, 2010, Regular Meeting, seconded by Commissioner Holian and approved unanimously by a vote of 5-0.

[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.]

COMMUNICATIONS FROM AGENCIES

- **Presentation and Discussion of RTD Tribal Routes**

Mr. Tim Vigil, Pueblo of Pojoaque, and Mr. Raymond Martinez, Pueblo of San Ildefonso, introduced themselves. Mr. Vigil explained that he is Chair of the Tribal Subcommittee of the RTD.

Mr. Vigil referred to budget discussions at the Tribal Subcommittee February 16, 2010, meeting and said that questions were requested to be brought to the RPA. Because budgets are being developed and they tie into routes established by the NCRTD, the subcommittee asked what portion of the GRT collected within Santa Fe County will go to the pueblos. He said it is the tribes' contention that the federal grants that come into the pueblos should augment funding that comes from the county GRT to the pueblos, since the tribal routes are dependent on the GRT collected.

Commissioner Vigil noted that this issue was brought to previous RPA and BCC meetings through Commissioner Stefanics as the representative to the NCRTD. She asked if the pueblos collect GRTs and if they are tallied separately from the GRTs that are collected outside the jurisdiction of the pueblos. Since Mr. Vigil was unsure of that, Commissioner Vigil suggested that Tax & Revenue might have that critical piece of information in order to have a response to Mr. Vigil's question regarding the GRT.

Commissioner Vigil recalled that the question posed to voters of the county as a whole was for the NCRTD in its entirety to service residents within the exterior boundaries of the county, which includes the pueblos.

Ms. Ellis-Green clarified that there were no tribal routes involved when the RPA determined the transit plan for FY 10. At that time, the tribal routes had federal funding, which has recently been lost. When staff brings forward FY 11 routes to the RPA at its April 20, 2010, meeting, they will bring data about existing city and county and tribal routes within Santa Fe County, as well as the description, ridership and cost for each route. This will give the RPA time for a final decision no later than May 2010 to take effect as of July 2010.

Mr. Vigil went on to say that the current Pojoaque route does not just service tribal members. It runs up through Nambé Road and services non-Native Americans as well. If the tribes do not receive the federal funding, the transit will stop.

Mr. Vigil asked who represents the County and the City at the NCRTD.

Commissioner Vigil replied that the two annually elected representatives to the NCRTD are Commissioner Stefanics from the county and Councilor Romero from the city.

Mr. Vigil expressed his confusion and impression that it should be the RPA that is represented on the RTD and that the RPA represents both the city and the county.

Commissioner Vigil explained that Commissioner Stefanics and Councilor Romero are both RPA members serving as representatives to the NCRTD. How the evolution of responsibility and shared costs came forth has a lot to do with the RPA advocating for its own autonomy and ability to collect GRT and have decision-making capability over it. She added that Mr. Vigil is speaking to the right body to express the Tribal Subcommittee's interest in advocacy for its routes.

Mr. Vigil asked if the tribes would have a seat at the table at the RPA.

Commissioner Vigil replied that the RPA is currently not constructed in that way. She said that she serves on the MPO and there are representatives from the tribes on that authority. She expressed her interest in visiting with Mr. Vigil and sharing further information.

INFORMATION ITEMS

- **Update on the Energy Task Force**

Commissioner Holian stated that the Energy Task Force (ETF) last met on February 26 and settled on two energy efficiency programs to develop in the future. One program looks at energy efficiency for public city and county buildings. The other is energy efficiency programs for qualified homes.

In order to identify funding, the ETF is researching the economic impact of these programs on the community, as well as how much money and energy could be saved by the programs. The research will identify useful partnerships such as local educational institutions to do some of the work. Once the research is finished, Commissioner Holian said she will provide a report to the RPA that lays out options and recommendations on how the county and city can implement the programs.

For the next RPA agenda, Commissioner Holian said she will request that a new ETF vice chair be elected. Currently, Councilor Bushee is the vice chair and she has agreed to this request.

- **NCRTD Member Report**

In the absence of Councilor Romero and Commissioner Stefanics, Ms. Ellis-Green reported that she was at the last RTD meeting during which there was an update on construction of the new facility, budget and audit issues. The RTD is behind in its audit but has completed one stage for 2008.

Another discussion centered on tribal routes and Rio Arriba County, as well as routes that Santa Fe County funds partially through the GRT. Staff will bring information on matching funds for the routes to the RPA April meeting.

DISCUSSION AND POSSIBLE ACTION ITEMS

- **Election of Chair and Vice Chair of the RPA for the Next Six (6) Months**
Commissioner Vigil nominated Councilor Romero for Chair and Commissioner Holian for Vice-Chair of the RPA, seconded by Councilor Calvert and approved unanimously by a vote of 5-0.
- **Discussion and Possible Action on Regional Capital Outlay GRT Procedures for Allocation of Funding**

Mr. Robert Griego explained as a result of discussions at the January 19, 2010, RPA meeting, county staff was directed to meet with city staff to present a list of projects for both the county and the city. He pointed to a joint memorandum in the members' packet from the City Manager, the County Manager, and relevant staff that identifies Regional Capital Outlay projects for consideration by the RPA that will support needs generated by the City and County Annexation Agreement.

Reading from his memorandum, Mr. Griego explained that Ordinance 2002-5 establishing the GRT splits the Capital Outlay GRT into three categories – water and wastewater; open space, parks and recreation; and roads, streets, bridges or other public projects. Pointing to Exhibit C, Mr. Griego noted \$533,154 available for funding within the Roads and Other category.

Mr. Griego referred again to the joint memorandum that identified recommended priority projects for consideration by the RPA, which included the Airport Road Safety project for \$313,000 that would be leveraged with city funding and Phase 1 Annexation road projects for \$220,000.

Councilor Bushee referred to the Phase 1 Annexation road projects and said her understanding was that the county would bring the infrastructure of these roads up to speed before they were handed over to the city. She added that her impression was the RPA had been looking to fund more social service related projects with the GRT.

Ms. Ellis-Green explained that in January the RPA requested county staff meet with city staff and bring back to the RPA in March a list of priorities for consideration by the RPA. County staff met with the city manager, who recommended the Airport Road Safety Project. At the same time, the county public works department noted that the county has not funded improvement to some of the Phase 1 Annexation roads that are listed in the memorandum. These roads would also serve city residents.

In response to questions from Commissioner Vigil about overlapping jurisdiction for the road projects, Mr. Christopher Tate, the city's acting public works director, agreed and said that the projects on the list were in the county until Phase 1 Annexation. Commissioner Vigil concluded that this would crystallize the need for the funds to be focused on these projects.

Councilor Bushee added that the City Manager never spoke to anyone on the city level about what projects to consider and said that the city has impact fees for road improvements and items such as traffic signals, while the county does not levy impact fees. Given that the money and the ratio are already there, there is a fair amount of funding for RPA funds for roads and very minimal funding for social service infrastructures, which are also jointly used by county and city residents and have been requesting the RPA for funding for several years. She expressed her concern that the county had an obligation to fund those roads and they should not appear on the list for the Other category. She reiterated her concern that the RPA had suddenly switched gears from the social service requests.

Ms. Ellis-Green referred to the motion that was made at the January 19 meeting regarding the Regional Capital Outlay GRT wherein staff was instructed not to bring the nonprofits back to the table.

Councilor Calvert said he recalled that an addendum to Phase 1 Annexation was an MOU stating that the county would expend certain monies to bring roads up to a certain standard. He asked if that was a condition of the city's acceptance for moving forward in Phase 1.

Mr. Tate said it is his understanding that the MOU was not executed and the Phase 1 Annexation occurred with language stating that the county was still responsible for customary county maintenance.

Chair Montoya requested clarification from the county attorney.

Mr. Ross explained that the Annexation Agreement requires that the county maintain roads within the areas to be annexed according to its reasonable and customary standards. The roads in the Phase 1 Annexation area were not maintained to these standards and were deficient with many problems, including some design issues. City attorney Katz brought these roads to the county's attention and the County Manager did agree to bring the deferred maintenance up to standards. Since then, the financial crises for both the city and the county have affected making any improvements. Because the county had fully intended to deal with the problems with these roads, Mr. Ross had advised that the MOU was not necessary.

To further address Councilor Calvert's concerns, Mr. Griego confirmed that the roads as listed had been identified in the draft of an MOU that came to the county. Following direction given by the RPA at the January meeting to staff, the City Manager brought forward Airport Road and county staff brought forward the Phase 1 Annexation road projects that are related to completing the annexation piece.

Councilor Calvert stated that he was not prepared to vote on this recommendation and said he was not privy to the direction taken by the City Manager when he made the recommendations.

Councilor Calvert moved to postpone discussion and action on the road projects related to Phase 1 Annexation that are recommended to be prioritized through the

Joint Regional Capital Outlay Plan as brought forward by staff. The motion was seconded by Councilor Bushee.

Commissioner Vigil stated that the recommended roads, whether they came forth from the City Manager or the County Manager, do currently have joint jurisdictional issues and have never been remedied because of that. These roads are now in the presumed annexation area and need to be taken care of. After looking at the rationale behind getting these projects done, she felt that the RPA should move forward on the recommendation from staff.

Commissioner Holian stated her agreement with Commissioner Vigil and said this is a reasonable thing to do with the current funding. She noted that this issue illustrates that the members of the RPA do not really know what the priorities are any more. She recommended that in the near future a working group of the RPA look at priorities and what to fund with the GRT. She felt that the RPA's priorities have changed since the ordinance was put in place in 2003.

Chair Montoya said that he has faith in the recommendations brought forth from both city and county staffs as a result of discussions. Santa Fe County is looking at the essential services that it has to provide in terms of services to constituents and the BCC has asked staff to look at priorities and mandates. The county is in the difficult position of having to decide what health programs and recreation services currently being provided will need to be cut. He expressed his hope that the RPA will continue to look at using the GRTs to fund regional projects.

The motion was voted on and failed by a vote of 2-3, with Commissioners Holian, Montoya and Vigil voting against.

Commissioner Vigil moved to approve staff's recommendation for the road projects related to annexation to be prioritized through the joint Regional Capital Outlay Plan. The motion was seconded by Commissioner Holian.

Councilor Calvert picked up on Commissioner Holian's comments about the RPA's priorities and wondered why the RPA was in such a hurry to spend the money if it does not know what those priorities are.

Commissioner Vigil said the Authority has gone different directions on spending the Capital Outlay GRTs and expressed her frustration that nothing has been done for several years. She felt the allocations should have been spent long before this. She added that getting these roads done with the joint GRTs stands to benefit the city as a whole, as the city will be taking over responsibility for the maintenance of these roads. She said that some of the roads have major safety issues that should be addressed. Commissioner Vigil called for the question.

The motion was voted on and passed by a vote of 3-2, with Councilors Bushee and Calvert voting against.

- **Approval of the Joint GRT Budget for Open Space, Trails and Parks for FY 10 and FY 11**

Ms. Colleen Baker said that she has been working with city staff, specifically Leroy Pacheco, section supervisor of the watershed river and trails section of the city, to determine projects that both the city and county felt were priorities. She referred to a joint memorandum from her and Mr. Pacheco that listed projects that were almost through design and very close to being ready to construct. The objective was to put funds where they were needed to enable the projects to be completed. The staff recommendations were also taken to COLTPAK for their endorsement.

Ms. Baker pointed out on the provided spreadsheet that the \$1,335,330 for FY 10 is a cumulative total from FY 09 and FY 10. Staff's recommendation is that \$1.2 million be allocated to the Santa Fe River Trail and that \$135,330 be allocated towards Gonzales Road Trail, which the city has design complete and has stimulus money for half the cost of the trail. This would complete the Gonzales Road Trail project and provide a connection from the urban area into the Dale Ball Trail system.

Items under the column titled 'Current Unused Balances' are funds under an MOU for the city to use as the fiscal agent for the projects. Those monies are earmarked for specific projects and will be spent this summer for Santa Fe River Trail (Camino Alire to Frenchy's Field), Santa Fe Rail Trail (connection from the Acequia Trail along St. Francis and over to the Rail Yard and a bollard project for the Rail Yard park itself), and Arroyo Chamisos Trail (used for the tunnel under St. Francis Drive).

The amount of \$70,000 not used for the Dale Ball Trail extensions will go to the Gonzales Road Trail to come close to completing that project. The Trails Stewardship Pilot Program capital portion is completed and now moving into maintenance. The \$3,000 remaining will be moved to Gonzales Road Trail.

That leaves \$50,000 for contingency and unforeseen opportunities. These funds were approved in the FY 08 budget and staff is recommending the above balances be readjusted and put toward the Gonzales Road Trail.

Since FY 11 is upcoming quickly, that budget is included for approval. Staff is recommending that \$400,000 of those funds go to completing South Meadows Open Space in the annexation area of the city, a 20-acre urban area. The remainder of \$241,250 would be put towards the Santa Fe River Trail.

Councilor Bushee said this is a good collaborative approach. She appreciated that county staff worked closely with city staff and said this information was not a surprise to the councilors. She asked for further information on where the funds will be applied to the Santa Fe River Trail.

Ms. Baker replied that the stretch in total between Camino Alire and Siler Road will be focused on to complete as a joint effort. There is still a large acquisition in the stretch between Frenchy's and Siler that is being worked on with a variety of sources, surveyors, and appraisers. If that acquisition works as anticipated, the design is scheduled to be complete in July for that stretch

and would be eligible to go to construction if there is the budget. This allocation would help to provide funds for both acquisition and for budget. She added that the county is also working diligently from Siler Road down to NM 599.

In response to several more questions from Councilor Bushee regarding the Santa Fe River Trail, Ms. Baker explained that the work being done on Camino Carlos Rael, the area just below Frenchy's, is in the design phase. She has seen the conceptual design and it will no longer look like a river crossing. The design portion for Frenchy's down to Siler Road includes both the river restoration and the trail. Staff will be working with the River Commission regarding integrity for the transition from city to county portions. There are differing opinions from the public whether to have the trail be made of asphalt, concrete and/or dirt. Cost is a major factor. A section near NM 599 will probably be paved because the desire from the public was for a hard surface.

Again in response to Councilor Bushee's question about the Trails Stewardship Pilot Program, Ms. Baker stated the program is completely volunteer based and there is no staff position. The county will help with things like miscellaneous printing and safety vests, and the \$3,000 being transferred to the Gonzales Road Trail is capital money.

Councilor Bushee complimented staff on the work it has done.

Councilor Bushee moved to approve staff's recommendation for the Joint GRT Budget for Open Space, Trails and Parks projects for FY 10 and FY 11. The motion was seconded by Commissioner Vigil, voted upon and unanimously approved 5-0.

- **Discussion and Possible Action on RPA Staffing**

Ms. Ellis-Green stated that RPA staffing has been on the RPA agenda for the last several months since Ms. Mary Helen Follingstad, RPA Director, retired. Staff has been waiting on direction and no decision has been made as to whether to hire her replacement. In the meantime, a recommendation was made that county staff handle RPA business while a commissioner is chair and that city staff handle RPA business while a councilor is chair. She noted that Councilor Romero and Commissioner Stefanics have been in discussions about this, but staff was not involved.

Commissioner Holian said she spoke with Councilor Romero who confirmed that staffing from the city would be during the time period when Councilor Romero is chair. This will not be a permanent situation.

Ms. Ellis-Green said she has been told that city staff members Kathy McCormick and Reid Liming will work with the RPA while Councilor Romero is chair.

Councilor Bushee moved to continue with the rotation method to have city staff handle the workload while a City Councilor is Chair of the RPA and county staff handle the workload while a County Commissioner is Chair of the RPA. The motion was seconded by Councilor Calvert.

Councilor Bushee suggested that on the city side there has been a lack of communication and that information is not trickling down to City Council members of the RPA. The undercurrent that seems to never resolve itself is whether it is clear everyone feels the RPA should continue onward. Councilor Bushee stated that she still believes the RPA has a purpose.

The motion was voted upon and unanimously approved 5-0.

Commissioner Vigil asked how the transition will occur and whether Mr. Griego and Ms. Ellis-Green will take on the responsibility to hand over the transit information to Mr. Liming and Ms. McCormick for presentation at the April meeting.

Ms. Ellis-Green said that she and Mr. Griego have been working with the county transportation planner, Jon Bulhuis from the city, and with the NCRD to bring the transit information forward. She said she will definitely contact Ms. McCormick and Mr. Liming to pass files and any information they will need on to them. She added that county staff will also be involved in the discussion about transit options at the April meeting.

Councilor Bushee said that she will also speak with the City Manager about his plans for staffing. She assumed that Mr. Bulhuis would remain as the contact to help the RPA with transportation issues, along with one of the long range planners, who may be Ms. McCormick.

- **Discussion and Possible Action on RPA Priorities**

Ms. Holian said one symptom that shows the RPA does not have its priorities worked out is that the Energy Task Force was created, which means energy is a priority for the RPA and, indeed, for the region. Yet there is no funding allocated to energy from the RPA budget. This shows that the RPA needs to think about its priorities and align its funding with them. She felt the RPA should look at the ordinance that creates the GRT and see if it should be rewritten. From her understanding and discussion with the county attorney, the way the ordinance is written the RPA cannot bond. She said it would be nice to be able to bond, as is done in the city and the county. She suggested that either staff ask each of the RPA members individually how they see the RPA going, compile that and reach a consensus, or have a subset of the RPA members study this issue in more detail.

Commissioner Vigil concurred and noted that an idea put forth previously was to have a subgroup of the RPA, perhaps two City Councilors and two County Commissioners, look at the ordinance, identify priorities, and start gaining a sense of clarity.

Councilor Bushee said she felt that such discussions have to start with the RPA members. She expressed her concern about rewriting the RPA's authorizing legislation in a small group and said she thought it should be a full Authority discussion.

Responding to a comment from Chair Montoya, Commissioner Holian agreed that a rewritten ordinance would need to go out for referendum. If it were to fail, the RPA would simply revert to the original ordinance. She said the most important thing is to look at the bonding issue.

Being able to bond is consistent with the state statute, but not with the ordinance that creates the RPA.

For the upcoming April meeting, Councilor Bushee suggested that the RPA look at the ordinance and authorizing legislation and the proportionate spending. She added that the discussion that should happen before the ordinance is rewritten is to make sure the Authority members have decided that the RPA has a purpose.

Commissioner Vigil agreed. Legislatively, she said that the RPA has a purpose through the documentation that has been created, particularly with the RTD that requires the RPA to be the decision maker of the distribution of transit funds. There is also the Regional Capital Outlay GRT. She agreed to the idea of having an RPA member work study to review the ordinance, the purpose for the RPA and specifically what its designated authority is with regard to the GRTs.

Commissioner Holian concurred and said she would appreciate recommendations that staff might make on how the ordinance could be improved.

Following further discussion, it was suggested that staff bring to the April meeting information on the governing documents for the RPA and what funds might be in the budget for a facilitated work-study session. The Authority would review this information to get a sense of direction for why, when, where and how such a session might be held.


DATE AND TIME FOR NEXT RPA MEETING

The next regular meeting of the Regional Planning Authority will be held at 4 PM, Tuesday, April 20, 2010, in the County Commission Chambers.

ADJOURNMENT

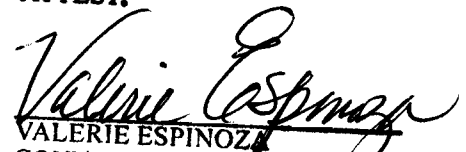
This Regular Meeting of the RPA was adjourned at approximately 5:40 PM.

Approved by:



Chair, Regional Planning Authority
Harry Montoya, Commissioner, County of Santa Fe

ATTEST:



VALERIE ESPINOZA
COUNTY CLERK

Minutes transcribed and drafted by Kay Carlson

