

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

Wednesday, November 19, 2008

5:00 PM

Santa Fe, New Mexico

The Regular Meeting of the City of Santa Fe / Santa Fe County Regional Planning Authority (RPA) was called to order by Chair Virginia Vigil at approximately 5:20 PM on the above-cited date in the County Commission Chambers in the County Administration Building.

Since there was no quorum present, Chair Vigil announced that the Authority would not be able to make any decisions but would discuss the agenda items.

County Commissioners Present: County Commissioners Excused:

Harry Montoya Paul Campos

Virginia Vigil, Chair Jack Sullivan

City Councilors Present: City Councilors Excused:

Patti Bushee Matthew Ortiz

Rebecca Wurzberger Rosemary Romero

Santa Fe RPA Staff:

Mary Helen Follingstad, Executive Director

**Santa Fe County Staff Members: City of Santa
Fe Staff Members:**

Robert Griego, Planning Katherine Mortimer

Steve Ross, Attorney

Duncan Sill

Others Present:

Anne Stewart, Girls Inc. of Santa Fe

William H. Mee, Agua Fria Village Association

APPROVAL OF AGENDA

No action was taken.

APPROVAL OF MINUTES FROM OCTOBER 21, 2008, REGULAR MEETING

No action was taken.

REGIONAL PLANNING AUTHORITY BUSINESS

- **2009 RPA Meeting Calendar**

Ms. Follingstad noted that the third Tuesday of the month has been the customary day for the RPA to hold its monthly meetings because that day generally does not conflict with other BCC or City Council meetings. She presented a schedule with the 2009 meetings to be held on the third Tuesday and recommended the RPA keep that schedule. She stated that January 20, 2009, is the opening day of the New Mexico Legislature, which generally interferes with the meeting. She said she would poll the members to determine an alternate date for the January 2009 meeting.

Chair Vigil suggested that the present schedule of dates be held and the Authority consider another date for the January meeting.

Councilor Wurzberger stated that 5 PM for the meetings was fine with her and requested that parking be made available for the City Authority members, especially during the winter months. Commissioner Montoya said he would arrange the parking.

- **Resolution creating an Energy Subcommittee of the RPA**

Ms. Follingstad presented a draft of the resolution and stated that Attorney Frank Katz responded that for legal reasons the word Subcommittee not be used and suggested working group or task force.

Councilor Wurzberger suggested Advisory Task Force of the Santa Fe RPA on Energy Initiatives.

Chair Vigil requested that the draft of the resolution that will be presented at the next meeting include the makeup of the membership, including a cross-section of representation from the community to bring in diversification and expertise.

Councilor Bushee stated that the city has regulations for committees regarding how many members, where they come from and how long their terms are.

Ms. Mortimer stated that a combination of the city and county staffs, commissioners, a council member, and members of the public that are focused on energy have been meeting since inception of the working group.

Ms. Follingstad suggested the RPA group include people that worked on the sustainability plan because they were from all over the county. She will consult with Mr. Katz for his suggestions. She noted that Ms. Katherine Mortimer has been a member since inception of the ad hoc working group. She stated that she will bring forward to the next meeting an updated draft of the resolution, a work plan and a list of suggested names. She added that Chair Vigil had suggested the group work on energy efficiency awareness and technical assessment of a municipal county utility system with the potential for development of a distribution system.

Councilor Bushee said there is a segment of the community that has what they consider technical expertise toward development of a municipal city-county system. She stated that a counterbalance is needed to develop the reality of understanding the fiscal impact or cost benefit. She added that other models have been established and that Las Cruces has done this work.

Ms. Mortimer stated that a preliminary analysis was done that recommended a further study, bringing in people on a professional basis with the expertise to be able to review the recommendations that come forward and give them a reality check.

Mr. Jack Valencia, former city councilor in Las Cruces, said that he partook in the municipalization effort of El Paso Electric, which took approximately a decade. They went through every level of court hearings in the Federal Energy Regulatory Commission, Bankruptcy Court, District Courts, Federal District Courts, and a variety of other appellate courts in various jurisdictions. During that period of time, Las Cruces spent approximately \$20 million, at which time they settled and extended the franchise agreement with serious restrictive conditions.

Chair Vigil stated that she had some participation on the ad hoc working group that was initiated by City Councilors Chris Calvert and Rebecca Wurzberger and a county commissioner. She said the direction the committee took was looking at municipalizing a utility system, and she stepped out of the process because she did not know if that was the most appropriate direction to go. Her intent with the proposed RPA advisory group is to broaden their advisement and regionalize energy efficiency, to find out what can be done in Santa Fe County using available resources and to determine what the city and the county have to do jointly to make this happen. She felt that focusing on municipalizing utilities diverted the committee from some of the energy efficiency projects that could be done right away.

Councilor Wurzberger agreed that the process started off much broader and then got very narrow with only the one agenda.

Councilor Bushee stated her interest and that she would like to participate in the RPA energy task force.

Ms. Follingstad stated that she and Mr. Duncan Sill had drafted the resolution based on conversation at the October meeting. To follow up on the current discussion, they will meet to come forward with a stronger proposal at the December meeting.

- Consideration of an update to the 2005 Joint Regional GRT Capital Improvements Plan

Ms. Follingstad presented a memo outlining an update to the County Capital Outlay GRT – Joint Regional Projects Plan, project evaluation criteria and two spreadsheets that listed revenues and expenditures and funding needs for potential joint regional projects. She stated these can be tools to use for evaluating projects. She said she reviewed the city and the county ICIP for projects that met the test of County Ordinance 2002-5. While there may be others, the listed projects appeared to have potential. Before any decisions are made, the RPA will need to evaluate, prioritize and rank projects.

Ms. Follingstad noted that a shortfall in projected GRT revenues may occur, given the current economic downturn. Also funds may need to accrue for a few years so that they are significant enough in size to provide for a meaningful project. The RCIP needs to be updated and reviewed for what monies have been spent and what monies are available. At present, commitments have been made by the Authority to fund the BDD with all of its Water category funds and to fund the list for Open Space that Mr. Paul Olafson, COLPAC and City staff put together. All the funds for the Road category have been committed to the future Siler Road extension and to South Meadows Road. Ms. Follingstad added that the South Meadows project now has a phasing plan and is underway. The Other category is not committed and is projected to accrue approximately \$250,000 a year.

Councilor Wurzberger said she felt that a discussion of evaluation criteria for a proposed project was not appropriate at this time, given the economy, and that the discussion should be what is the proper and most prudent use of the GRT funds, which is substantially different from having a discussion about criteria. She expressed her concern that the RPA avoid any action and be in contingency mode for the foreseeable future.

Ms. Follingstad noted that, at the October 7 RPA meeting, the decision was made to award \$200,000 that was set aside for Parks and Open Space to the Railyard Park and to keep \$50,000 for carryover contingencies.

Commissioner Montoya said he appreciated the draft for project evaluation criteria that Ms. Follingstad provided and said that it is clear and provides a good roadmap, because there may have been projects awarded funds in the past that have not fulfilled the intent of what this GRT was meant for.

- Consideration of Regional GRT grant to Girls Inc./Zona del Sol

Chair Vigil apologized to the representatives of Zona del Sol because they had been to two previous meetings with no decision made by the RPA. She stated that the recommendation they come to the RPA for funding was made without knowing whether there were funds available and also that she had received no prior notice.

Ms. Stewart expressed her appreciation to the members of the RPA for considering the project. She asked that Zona del Sol be considered in the future when there is more availability of funds. Their urgency was that construction prices kept increasing and raising the cost of their project.

Councilor Wurzberger noted her support for the work Zona del Sol does. She said the only good side of the delay is that construction prices appear to be going down.

Ms. Stewart explained that if the funds are available while the foundation is being dug, they would be able to include in the base bid two classrooms and a kitchen for cooking and nutrition, as well as a learning laboratory for science. This would allow them to serve 250 girls, which is the same number of girls served at Hillside a year. Without the funding, the foundation will be completed for a smaller building, thereby cutting the number of girls by a third.

Commissioner Montoya stated that the Authority is not discounting Zona del Sol or saying no to anyone else at this point, but with the economic situation, the RPA needs to hold back on projects at present.

Chair Vigil stated that there are other entities that are project ready and may also qualify for these funds. The RPA needs to establish a process from a broader scope and identify projects that qualify.

Ms. Stewart stated that there may be a delay in breaking ground, because there has to be a prairie dog study done. They hibernate until March and if any are found, nothing can be done until then when they can be relocated.

- Update Implementation of the Settlement Agreement (Annexation); Extraterritorial Jurisdiction

Ms. Follingstad stated that a joint City-County staff meeting was held October 29 at the Santa Fe Community Conference Center (SFCCC) regarding the Annexation Settlement Agreement and Transition Plan. She put together a one-page flow chart that facilitated the discussion and helped encapsulate the tasks ahead and what needs to be done.

Another meeting was held at the Agua Fría community center on November 12, and an additional list of what is going to happen was handed out. Mr. Reed Liming presented information on the city code process for how to get water and sewer from the city. Another meeting is planned for Monday, November 24, at the SFCCC. She said that she and staff will continue to vet approvals the city needs to know about, the kinds of ordinances that need to be drafted, and what information will be in those ordinances.

Ms. Follingstad added that the process is moving forward and that both the City Council and the BCC have adopted the Joint Powers Agreement establishing the Extraterritorial Land Use Committee (ELUC) and Extraterritorial Land Use Authority (ELUA).

Councilor Bushee asked if the ordinances for family transfer and affordable housing were discussed.

Ms. Follingstad replied that those two ordinances in the city and the county are different. The consensus of staff is that in the presumptive city limits (PCL), the city ordinances will apply, and outside of the PCL, the county ordinances will apply. This may continue to evolve. She said there is some hybridization for Highway Corridor and development of Rural Protection is important. She added there is more in-depth discussion that needs to happen between the staffs and the concept is that the city's underlying zoning is a good base layer, which has to be vetted further.

Ms. Follingstad stated she will summarize her notes from the next meeting and provide Councilor Bushee with a report.

Mr. Mee, Agua Fría Village Association, stated that Commissioner Vigil, Councilor Wurzberger, and the City and County managers met with the village association in June to discuss the proposed annexation areas. There is an Agua Fría Village water association that serves about half of the area, and the assumption under the settlement agreement was that the community water would be able to serve the entire area, which it is not. The association is going forward with the sewer master plan with the help of the county. Once that is done, he said the thinking is the association could bring the sewer master plan first to the RPA and then to City Utility and the City Council. He expressed his concern that the whole Authority was not present to hear this information.

Councilor Wurzberger stated that was consistent with what had been discussed at the meeting.

- Update on Transit; MOA between Santa Fe County and North Central Regional Transit District; timeline.

Commissioner Montoya stated that the MOA was tabled at the NC RTD meeting on November 14 because it was duplicative and there is already an MOA in place between the City of Santa Fe and the NC RTD and between the NC RTD and Santa Fe County.

Mr. Valencia, of the NC RTD, agreed that the board felt the MOA was duplicative and that Commissioner Montoya tabled it indefinitely as a result.

Ms. Follingstad stated that a staff meeting is scheduled for December 2 with Jon Bulthuis, Jack Kolkmeier and herself on the topic of planning for the 86% and to draft a work plan and timeline that will be presented as a recommendation to the RPA. She added that Commissioner Montoya has requested that the transit issue be included on the agenda at each future RPA meeting.

Councilor Bushee said that she met with the president of Santa Fe Community College, Mr. Tom Romero, who told her that the SFCC is interested in getting upgraded bus service. She suggested it be put on the list for discussion.

Commissioner Montoya said that it is going to be extremely critical to have quorums for the RPA beginning in January 2009 to make sure the RPA moves forward with a service plan to give to the NC RTD.

DATE AND TIME FOR NEXT RPA MEETING

Ms. Follingstad stated that the next regular meeting is scheduled for December 16, 2008.

ADJOURNMENT

There being no further business to come before the RPA, this Regular Meeting was adjourned at approximately 6:15 PM.

Approved by:

Chair, Regional Planning Authority
Virginia Vigil, Commissioner, County of Santa Fe
Minutes transcribed and drafted by: Kay Carlson