

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

**Tuesday, April 21, 2009
4:00 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 Patti Bushee 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
Virginia Vigil

City Councilors Present:

Patti Bushee, Chair
Matthew Ortiz
Rosemary Romero
Rebecca Wurzbürger

Santa Fe RPA Staff:

Mary Helen Follingstad, Executive Director

Santa Fe County Staff Members:

Rachel Brown, Assistant Attorney
Penny Green, Assistant Co. Manager
Andrew Jandáček, Transportation Planner
Lisa Roybal, County Manager's Office
Duncan Sill, Economic Dev. Planner

City of Santa Fe Staff Members:

Frank Katz, Attorney
Eric Martinez, Roadway Development
Katherine Mortimer, Planning
Nick Schiavo, Energy Planner

Because the Recorder was not yet in attendance, the RPA began the meeting with an informational agenda item.

- **Update on the Annexation Settlement Agreement**
 - **Status of the process; SPPAZO and Zoning Map**

Mr. Katz stated that because of a notice glitch the ELUC did not meet on April 8 and so no recommendations were given to the ELUA. He said this would give them more time to work on zoning and land use map issues.

He presented a March 20 draft of the Santa Fe Extraterritorial Land Use Authority Ordinance No. 2009-01. He said this draft is close to being complete, but there will likely be landowners with questions. The intention of the ordinance is to stay consistent with the purpose of the

zoning classifications in the future land use map. There are unusual circumstances that a few landowners will bring to ELUC and ELUA, which he felt was a good thing.

With regard to the rural residential zoning issue, staff has heard from groups that own about 42% of the undeveloped land who were concerned about their ability to develop. They have also heard from people currently living in those areas who do not want more development than is allowed in the county. The Annexation Settlement Agreement requires the city adopt a rural residential zoning that is consistent with the current prevalent zoning in the area. All three issues appear to be pointing to making the rural residential zone consistent with current county rules.

Because the focus has been on the effort to do the zoning and land use map in all the areas to be annexed, Mr. Katz said staff has felt it would be wise to hold off filing the petition for annexation of the first phase for about six weeks.

At the last RPA meeting Mr. Katz received a request to write something telling the public what is happening with annexation. He said he prepared the piece and submitted it to various people in the city and received some revisions. Now that they are holding off filing the annexation petition this piece will again be revised and focused on ELUC and ELUA.

Mr. Katz said it is his expectation that ELUC will meet on May 14 and make a recommendation to ELUA for their meeting on May 28.

- **Public outreach Strategy for Annexation Settlement Agreement**

Mr. Katz reported that a full-page ad to be run in the newspapers has been developed that includes a schedule for the public meetings and a copy of the annexation map. Large size maps in poster form will be posted in various places throughout the city so people are aware of what is going on.

Ms. Follingstad concurred that she and Mr. Katz have been in communication regarding the media campaign he outlined.

Chair Bushee asked if the contractor was not available for this portion of the outreach.

Mr. Katz replied that the contractor was hired to do the outreach for the first phase of annexation and may not have been aware of the need for this publicity.

Chair Bushee suggested that Mr. Katz email the Authority with a copy of the proposed strategy.

When the recorder arrived, Roll Call was taken and the formal meeting began.

APPROVAL OF AGENDA

Councilor Wurzburger noted that item B. 2. Update on the Annexation Settlement Agreement had been heard.

Councilor Wurzbarger moved to approve the agenda, as amended, seconded by Commissioner Holian and approved unanimously.

APPROVAL OF MINUTES FROM MARCH 17, 2009, REGULAR MEETING

Commissioner Montoya moved to approve the minutes of the March 17, 2009, Regular Meeting, seconded by Commissioner Stefanics, and approved unanimously.

Councilor Ortiz abstained from voting because he was not in attendance at the meeting.

Councilor Romero introduced the assistant county manager, Penny Ellis Green.

Ms. Follingstad stated that the county now records public meetings that are held in chambers.

REGIONAL PLANNING AUTHORITY BUSINESS

- **Approval of award of RGRT Funds to the City of Santa Fe for Siler Road Extension Project**

Mr. Eric Martinez requested \$250,000 from the quarter percent city-county GRT funds for the Siler Road Extension project. He said that this award would be timely because it is expected that the City Council will award \$680,000 using city impact fees at the April 29 meeting.

Ms. Follingstad explained that \$208,540 would come from the “Roads” classification and \$41,460 would come from the “Other” fund in the Capital Outlay GRT.

Commissioner Vigil asked about the timeline of the project.

Mr. Martinez replied that, pending City Council approval on April 29, they can execute the contract and issue the notice to proceed to the contractor between May 4 and 11, depending on approval of purchase orders. They need to move forward quickly because of mandatory completion dates associated with construction. They expect to be substantially complete and open with the roadway by November 20, 2009, and fully complete with the project by April 16, 2010.

Commissioner Vigil expressed her doubt that a portion of Agua Fría Road and the bridge would be wide enough.

Mr. Martinez replied that the right of way along the small neck of Agua Fría Road is wider than it appears because of some landscaping. When finished, the roadway will have two 11-foot driving lanes and two 5-foot bicycle lane/shoulders and two 5-foot sidewalks.

Mr. Montoya referred to a previous request from Girls Inc. for funding and asked why their request was not also on the table. He said he recently met with them and because they still want to request funding, they asked him how they should proceed.

Ms. Follingstad replied that the RPA deliberated about rewarding funds out of the “Other” category and, because the GRT is driven by the condition of the economy, no further awards

would be made until the fund and economy look better. A policy with criteria for awarding the funds was presented to the RPA at the February meeting. It was agreed to, but no formal action was taken.

Councilor Romero suggested that specific criteria be developed for how to handle requests for future funding of specific projects from the “Other” category.

Ms. Follingstad explained that she was given direction to look at the city’s and the county’s ICIPs to see if there were projects on both lists that would be good candidates. She has also developed a preliminary list of criteria for the RPA’s consideration. These were brought to a previous meeting but were postponed because of other priorities. She said she could bring everything back to another meeting as an agenda item.

Chair Bushee requested that Ms. Follingstad bring previous RPA minutes with the decisions regarding award of GRT funds.

Commissioner Vigil moved to approve the award of \$250,000 from the Regional Gross Receipts Funds (\$208,540 from the “Roads” category and \$41,460 from the “Other” category) to the City of Santa Fe for Siler Road Extension Project, seconded by Councilor Wurzburger, and approved unanimously.

- **Approval of Resolution relating to formation of a regional energy policy task force**

Commissioner Holian presented for approval Resolution No. 2009-3 establishing an advisory task force to the Santa Fe City and County Regional Planning Authority to develop renewable energy and energy efficiency projects for consideration by the RPA. She said she helped to draft the resolution that works towards pursuing specific projects. She explained that eventually the city and the county need to work together to create an overall energy plan for the region and it would be good to learn how to work effectively with each other. Also stimulus funds will be coming in, which require immediate action. The first thing the task force looks at will be how to put programs in place that take advantage of the stimulus money.

Commissioner Holian moved to approve Resolution 2009-3, relating to formation of a regional energy policy task force, seconded by Councilor Ortiz.

Councilor Wurzburger said she would like specific direction put on the record that local contractors will be hired to do the work as a key priority when addressing how to go about generating the projects.

Commissioner Holian replied there is an attachment to the resolution titled Exhibit A that expresses the intention that part of the priorities is to create local jobs.

Ms. Stefanics said she has received requests from citizens about the solar assessment district that was passed by the legislature in two different bills. She asked if this is the type of project that the task force would be designated with. If it is not, the county will ask staff to move ahead on

the project since the American Recovery and Reconstruction Act (ARRA) has timelines for speedy spending of the money.

Commissioner Holian replied the ARRA funds will come up as a topic of discussion, but she did not know whether it would be an area of focus for the task force.

Chair Bushee added that the task force is the first attempt to bring the county and city and community together on energy issues using a long view. If there is county staff that can deal with energy issues and has ideas of how to spend money and how administratively it will handle the two pieces of legislation that passed, the task force can be used as a sounding board for checks and balances, but not to delay anything.

Commissioner Montoya said he believed the county staff could move forward separately from the task force.

The motion was voted upon and approved unanimously.

Commissioner Holian requested that the RPA appoint a chair and vice chair. Chair Bushee noted that was not an agenda item and requested Commissioner Holian return with a package for the RPA to approve at the next meeting.

- **Transit**
 - **Approval of revised work plan for transit service plan for Charlier Assoc.**

Ms. Follingstad explained that the scope of work and contract that will be put into place to hire Charlier Associates is under review for finalization by the county attorney's office. She presented a memorandum that outlined expectations with respect to a timeline for a two-month period starting May 1, to be completed by July 1. The total project cost is \$48,186, and a spreadsheet was included to show how funds will be divided among the various tasks in the scope of work.

Ms. Follingstad stated that public involvement has been done and the notes from the public meetings will be turned over to Charlier for consideration in developing the service routes.

Councilor Romero added that the goal is to develop a plan that needs to go to the NCRTD by July 1. She added that Roman Abeyta has organized a meeting with NCRTD staff for April 23 to clarify assumptions that have been made about the percentage of the gross receipts, the service plan, and the other issues being raised about how to create a relationship that is built on trust. She said she would report back to the RPA the results of that meeting.

Commissioner Stefanics pointed out that she is currently chairing the coordination subcommittee of the NCRTD. She stressed that the local service plan is very important, and she has been pushing that the NCRTD cannot go ahead with their regional plan until they have the plan from the RPA. The concern of the NCRTD is that the plan coming from the RPA will coordinate with transportation that is outside of Santa Fe's system. She said it is very important that the RPA and the contractor go ahead with this in a timely manner.

Commissioner Montoya agreed with Councilor Romero and Commissioner Stefanics. He said that he has been clear to the NCRTD from the beginning that the RPA is going to be the entity that creates the service plan, using the contractor and city and county staff. The RPA will make the decisions on what routes are going to be part of the Santa Fe County service plan, including the City of Santa Fe, Española, Edgewood and other outlying areas. By proceeding with the service plan, he hoped that the NCRTD will get the message that the RPA will develop the service plan for Santa Fe County.

Commissioner Montoya moved to approve the revised work plan for transit service plan for Charlier Assoc., seconded by Councilor Romero.

Councilor Wurzburger questioned the schedule for the contract and asked when a draft of the service plan will be brought to the RPA.

Ms. Follingstad replied that the pieces of the plan will be brought to the RPA as it is developed, whether at a regular or a special meeting or sent by email or delivered to the members' mailboxes.

The motion was voted upon and approved unanimously.

- **Approve use of 2007 appropriation to Santa Fe County for \$15,000 to augment transit services in the North Central Regional Transit District**

Commissioner Stefanics moved to approve use of 2007 appropriation to Santa Fe County for \$15,000 to augment transit services in the North Central Regional Transit District, seconded by Councilor Romero, and approved unanimously.

- **Discussion of Multi-Modal Facility at the Santa Fe Rail Yard**

Chair Bushee said that this informational item is being brought to the RPA and that when conceptual artist renderings are available, they will be sent to the members. She said that the state has agreed to lease to the city the land behind the Archives building at Montezuma and Guadalupe Streets. The city owns the small building to the west of that and the strip of land in front of the mural on Guadalupe Street. When passengers get off the train, this area will become the place where they will be directed to get information about the city and the county.

- **Set date for RPA Transit Workshop**

Commissioner Romero explained that this meeting will be held on Thursday, April 23, that will include herself, Commissioner Stefanics, the county manager and transit staff to discuss many items including the tax issues and the transportation service plan. This group has evolved in a positive way and she will report to the next RPA meeting.

- **Presentation of information on the American Recovery and Reconstruction Act (ARRA) funds for New Mexico transportation projects**

Ms. Follingstad stated that the memorandum included in the packet lists the funds that will be given to roads in the United States and to New Mexico; how the funds will be divided in New

Mexico and then further divided to Santa Fe County; and a chart on what was submitted to the DOT.

There followed some discussion regarding the situation at the DOT. Commissioner Stefanics said she has spoken to the LFC and there is a new deputy secretary for finance at DOT.

Because of the importance of receiving funds for ongoing projects, Chair Bushee asked if the DOT has to be the receiving entity of the funds or if the county or some other service can be that entity.

Commissioner Stefanics replied that a federal representative attends the MPO meetings, and she would inquire about that option. She added that the state has a website with a way to ask for meetings with Governor Toney Anaya's team. She suggested that the RPA gather the information on projects and perhaps ask for a meeting with the appropriate person at the state stimulus group.

Chair Bushee suggested that the RPA members use an email alert to determine what should be done.

MATTERS FROM STAFF

- **Information on the New Mexico Procurement Act – Professional Services Contracts**

In response to a request from the RPA at the March meeting, Ms. Follingstad presented a memorandum explaining procedures and sections that were followed under the RPA Transit Services Plan for obtaining quotes for procurements.

- **Summary of public meetings on expanded transit services**

Ms. Follingstad stated she included in the packet a summary of the public meetings on expanded transit services that will be given to the contractor.

- **Ridership report on existing transit services in Santa Fe County provided by Santa Fe Trails**

As a response for information from the RPA, Ms. Follingstad said that Jon Bulthuis suggested the RPA be given a report titled "Santa Fe Trends 2009" that shows information on Santa Fe Trails ridership on a yearly basis.

- **Summary of contents of Agua Fría RPA Notebook**

Ms. Follingstad reported that putting together a summary of the Agua Fría water and sewer infrastructure information notebook, which she presented at the March meeting, has proven to be much more complicated than expected, and that she will bring it to a future meeting when it is assembled. She stated that the notebook is available in her office for any member who wishes to peruse it.

MATTERS FROM THE REGIONAL PLANNING AUTHORITY

- **Tribal Advisory Committee**

Commissioner Montoya stated that he reported to the RPA in March on the Tribal Advisory Committee that was formed in cooperation with the NCRTD. His original understanding was that the meetings would be held at 2 PM prior to each RPA meeting. He and Commissioner Stefanics were not given notice that the meeting was held today at 11 AM in another location. The NCRTD staff was asked why they had not notified the Commissioners of this change, and NCRTD staff said Commissioner Montoya is no longer on the NCRTD board and that Commissioner Stefanics is not on the Tribal Advisory Committee. He stated that this unacceptable behavior of totally disregarding terms of the RPA's participation and involvement has been encountered many times and comes from NCRTD staff leadership.

- **Opportunity to join forces with city and county staffs**

Councilor Wurzbarger stated that the RPA might be the appropriate forum to discuss the possibility of merging city and county functions where appropriate. She said this topic could be explored at a later date.

Councilor Romero added that she is intrigued with the idea of taking regionalization to the next level in order to be more efficient where there are overlapping areas, and at some point the RPA may be the body to look at how that could work.

Commissioner Stefanics also recommended looking at services that could be combined.

- **2009 Transit Conference**

Councilor Romero alerted the RPA staff about a 2009 transit conference to be held in Albuquerque April 27-28. She added this information came from the NCRTD staff and encouraged RPA staff to attend the conference.

COMMUNICATIONS FROM THE PUBLIC OR AGENCIES

- **Letter from citizen regarding wi-fi in the Rail Yard**

Chair Bushee requested that the following letter be entered for the record:

Good evening. I'm here to support the construction of this multi-modal facility at the Rail Yard, *except* that I want you to make sure it does not have wi-fi. I want a provision added to the resolution that will go to the City Council and the County Commission specifying that this facility will not have wireless internet available, that there will not be wi-fi in the Rail Yard.

I'm a homeowner who lives very close to the Rail Yard.

Those of you who know me know that I'm electrically sensitive, that I already can't go into City Hall, and that if wi-fi is put on the Rail Runner and in every station and terminal there will be consequences for me.

I won't be able to ride the Rail Runner.

I won't be able to go to the Rail Yard.

I won't be able to go to the Farmer's Market.

I may not be able to live in my own home.

I lived in Mendocino, CA until 2004. I was driven out by wireless internet. They put a 1 watt antenna on the roof of Mendocino High School, and I could no longer live in my home, and I did not live as close to Mendocino High School as I do now to the Rail Yard. I was homeless for 3 years until I found another house I could live in, which I purchased last September. So let me tell you, I'm terrified of what's going to happen to me when wi-fi is on the Rail Runner including the entire Rail Yard. And I beg of you to stop it from happening while there is still time.

My phone does not stop ringing with the cries of people all over this country who are in pain, suffering, homeless, suicidal because their neighbors put in wi-fi, their city installed city-wide wi-fi, their utility company installed wireless gas and electric meters, and they want me to help them find safe places for them to live, and I can't help them because I don't even know where to go myself, my government doesn't protect me either. My government doesn't represent me. I ask you to please represent us. I ask you to protect us. I ask you to design this building without wireless internet.

That would be a start.

Thank you.

Arthur Furstenburg

DATE AND TIME FOR NEXT RPA MEETING

Chair Bushee requested that the members email her if they would like something put on the May meeting agenda.

The next regular meeting of the Regional Planning Authority will be held at 4 PM, Tuesday, May 19, 2009, in the County Commission Chambers.

ADJOURNMENT

There being no further business to come before the RPA, this Regular Meeting was adjourned at approximately 5:30 PM.

Approved by:

Chair, Regional Planning Authority
Patti Bushee, Councilor, City of Santa Fe

Minutes transcribed and drafted by: Kay Carlson