

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

**Tuesday, August 18, 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 4:15 PM on the above-cited date in the Santa Fe County Commission Chambers in the County Administration Building.

ROLL CALL

County Commissioners Present:

Harry Montoya
Liz Stefanics
Virginia Vigil

County Commissioners Excused:

Kathy Holian

City Councilors Present:

Patti Bushee, Chair
Matthew Ortiz *[arrived after roll call]*
Rebecca Wurzburger

City Councilors Excused:

Rosemary Romero

Santa Fe RPA Staff:

Mary Helen Follingstad, Executive Director

Santa Fe County Staff Members:

Andrew Jandácek, Transportation Planner
Duncan Sill, Economic Dev. Planner
Steve Ross, County Attorney

City of Santa Fe Staff Members:

Mike Kelly, Santa Fe Trails

Others Present:

Ken Smithson, KNS Resources, LLC
Keith Wilson, Santa Fe MPO

APPROVAL OF AGENDA

Commissioner Stefanics moved to approve the agenda, seconded by Councilor Wurzburger and approved unanimously.

Commissioner Stefanics said she felt that the listing on the agenda “Communications From the Public or Agencies” is confusing, and the two should be separated for future agendas. She said she had asked a County employee to make a comment and she was not sure where that would be appropriate.

Chair Bushee replied that distinction could be made on future agendas.

APPROVAL OF MINUTES FROM JULY 21, 2009, MEETING

Councilor Wurzburger moved to approve the minutes of the July 21, 2009, Meeting, seconded by Commissioner Stefanics and approved unanimously.

COMMUNICATIONS FROM THE PUBLIC or AGENCIES

Mr. Andrew Jandácek, County Transportation Planner, distributed a list of transit priorities that he said were suggested from different County Commissioners for consideration of the RPA. The intention is that these priorities be considered as a part of the RPA Transit Service Plan.

Chair Bushee suggested that input for transit priorities also be solicited from Councilors so that they can be considered all together. She recommended that Mr. Jandácek bring this up when the RPA is discussing the Transit Service Plan.

Councilor Wurzburger asked if the suggestions were listed in priority order.

Mr. Jandácek replied that they are not.

Commissioner Stefanics stated that a week ago she emailed the chair, vice chair and staff asking that the Commissioners' transit requests be put on the agenda, and Ms. Follingstad had told her it would be incorporated, but she did not see it on the agenda.

INFORMATION ITEMS

- **Transit**
 - **Status Report on Transit Service Plan**

Ms. Follingstad reviewed the memorandum in the members' packet that also included a sample of the way the consultant will be analyzing the various routes. She said that the matrix lists the rural routes, which does not include some of the ones on the list prepared by the County. She will submit the list from the Commissioners to the consultant for help in filling in some of the areas on the matrix and will suggest that the consultant request the same from the Councilors. She added that a second matrix for the urban routes will be compiled.

Ms. Follingstad reported that the transit service plan is about 50% complete and the consultant will bring the draft of the plan to the RPA at its September meeting.

Chair Bushee suggested that the City Manager poll the Councilors and submit the list directly to the consultant.

Ms. Follingstad went on to report that, at the last RPA meeting, criteria was adopted to be used by the consultant in evaluating the routes once the data has been filled in. A fourth criteria from Councilor Romero and Mr. Jon Bulthuis was also adopted to make sure that the performance of a route is part of how they will be analyzed. The main thing to consider is that there is a limited amount of money available for the routes. The memorandum went on to request clarified direction from the Authority on the definition of what is a new route and what would be an expanded route. The consultant describes how he is applying the evaluation criteria in the

matrix. The final steps to completion are listed: a comparison of costs and revenues to develop a prioritized list of service evaluations; an implementation plan describing the approach to the services that rise to the top; an ongoing performance evaluation criteria; and policy guidance on regional coordination to implement, periodically assess and refine the service plan over time.

Chair Bushee asked if there is a percentage being used to split the funding formula between urban and rural populations.

Mr. Smithson replied that has not been finalized and is still being evaluated. Once it is determined what services are in a rural and in an urban environment they will have a better handle on how the fund should be split. This should be included when the draft plan is submitted in September.

Chair Bushee asked if the consultants will have enough time to consider existing routes, and how well they are working, and to make recommendations to the RPA.

Mr. Smithson replied that they can provide for the Authority the tools necessary to evaluate routes in the immediate timeframe, and also on an ongoing basis from year to year. The matrixes on both urban and rural bases will provide the instrumentation and the ability to make decisions in the future.

Councilor Wurzbarger referred to the process of how a broad implementation could be developed before the priorities are set and asked how those two steps go together.

Mr. Smithson replied that, obviously, the matrix needs to be completed, incorporating what the county has presented today and what the city might present, and then brought back to the Authority.

Councilor Wurzbarger pointed to the time pressures and said she could not understand how the implementation plan would be done by the September meeting if the RPA is going to take responsibility to determine the priorities.

Commissioner Stefanics pointed out something that was clarified at the last RPA meeting and at the NCRTD meetings: that the NCRTD service plan can be amended throughout the year. However, planning for the use of the money has got to occur and decisions need to be made on the RPA's recommendation so that new routes using the GRT can start October 1.

Commissioner Montoya said that he was under the impression that the RPA would have much more information at today's meeting than what has been presented. He referred to the matrix and asked why there were no categories for central or northern Santa Fe County.

Mr. Smithson replied that the matrix is in a very early stage and the consultant wanted the RPA to give him impressions and feedback before he went too much further in case there are significant changes, which can be incorporated and the rest of the matrix filled out for the presentation of the service plan.

Commissioner Montoya pointed out that the Chimayó to Española route was not a priority from Santa Fe County, and it was his understanding Rio Arriba County was interested in it. He suggested that not be included in the prioritization

Ms. Follingstad noted that is a new NCRTD route in place.

Commissioner Stefanics stated that the route to come down to Española on Highway 76 was brought up by Commissioner Elias Coriz at the last NCRTD coordination meeting and approved. She said that Commissioner Coriz indicated that he and Commissioner Montoya had advocated for that route from the NCRTD for several years.

Commissioner Montoya said that Commissioner Coriz may have been speaking of Commissioner Anaya, because he did not recall speaking with Commissioner Coriz about that particular route.

Chair Bushee expressed her hope that the consultant will bring forward at the September meeting actual specifics on route ridership, so that the RPA could evaluate the information and decide whether or not to advocate for funding.

Mr. Smithson replied he felt that can happen by the September meeting, also separating the steps, as suggested by Councilor Wurzburger. Once the Authority has had an opportunity to look at the rural and urban matrix, it can make decisions, and an implementation plan can be developed.

Commissioner Stefanics pointed to the reference at the bottom of the matrix that reads, “Relatively not transit supportive in comparison with countywide statistics.” She questioned the statement that south Santa Fe County has a zero percentage of households who do not have vehicle access because she personally knows of many disabled senior citizens in the southern part of Santa Fe County that do not have a car.

Mr. Smithson replied that information came from census data and that he would come back with an answer.

Mr. Mike Kelly, Santa Fe Trails, added it could be that the population base figures of those that do not have access to transportation with a vehicle is less than one percent, and the factor here for simplicity purposes comes out to zero for the fact of even numbers.

Councilor Wurzburger stated she will be out of town on September 22, which was the next RPA meeting date noted on the agenda and asked if there was flexibility in the date.

Ms. Follingstad replied that the RPA’s regularly scheduled meeting is September 15, and she did not know why September 22 is listed on the City’s calendar. She said she would follow up with the City to have that changed back to September 15.

Ms. Follingstad pointed to the request from the consultant (bottom of page 1 and top of page 2) for clarified direction from the RPA regarding a sense from the Authority on existing and recently new service for the new/expanded service definition.

Commissioner Montoya suggested that expanded would apply to within the City limits; and because there is not much service in the County at present, for the RPA's purposes, service in the County would be considered new.

Mr. Kelly stated that if expanding routes means having a greater frequency of number of trips, then that request has been made. Therefore, it be could said that routes are being expanded down Cerrillos Road by adding more frequent buses. Clarity on the definitions is needed to determine the priorities, once the money comes in. He noted that the City has gone to an amount of expense to do the bus shuttle service that was started when the Rail Runner became operational and has been paying for it under parking enterprise monies, which cannot be continued. He questioned if that would be considered existing service because it existed prior to the money coming in, or if it would be considered an expansion item worthy of reimbursement from some of the NCRTD funds. A similar argument could be made for expansion of the number 22 bus that goes out to the American Institute of Indian Arts (IAIA), because there were plans to create a loop from NM 599 once the new station opened to go to the office complex on the other side of the I-25 Frontage Road and connect through to either Cerrillos or Rodeo roads. He asked if they would be considered existing routes because they started before the monies came in, or if they would be considered expansion, which would place them on the list to receive reimbursement.

Ms. Follingstad called attention to the fact that, whichever routes are prioritized, some kind of connection that makes them work with the Rail Runner is required.

Councilor Ortiz said the point is that the RPA has the ability to come up with an appropriate mix of rural versus residential expansion and what those priorities should be. He also said that the RPA has the ability to control those monies. For operations that were put into place to benefit the Rail Runner opening, the city anticipated that it would be reimbursed or the existing operations would be covered in FY2010. The City has been ever conscious of the fact that these routes have to tie into the Rail Runner, and to Councilor Ortiz' knowledge, the urban routes that have been proposed have a direct link to the Rail Runner at either existing stations, the new one at NM 599 or the proposed station at Zia. He suggested that city transit could help the RPA come up with justification and a definition for expanded routes.

Councilor Bushee emphasized that the City has been running transit and bus services for a long time and because of the tight budget situation is having to cut back on frequency and times of service. She added that the expectation is that the majority of the tax base for the GRT funds resides in the city. She said she appreciates the thoughts on the part of the County Commissioners for rural service and connectivity, but some of it would be difficult to justify without financial and/or ridership efficiency and effectiveness and some connection to the Rail Runner.

Commissioner Vigil said that she would like to have these discussions to be productive, and suggested they be approached from another perspective with regard to how the actual allocation is divided. She said that the city has a budget to make up and the county has routes to implement, which means they are both approaching the transit issue from different vantage

points. She suggested setting a specific goal for a division of the funds and working towards both the City's and County's needs and addressing them.

Councilor Wurzbarger suggested that the RPA not get trapped into a conceptual definition of new or expanded service. She said she would like to see an analysis from the consultant for direction on where the resources can best be spent and that collectively the RPA has the authority to look at the benefit analytically. She said that she would not personally participate in a discussion regarding which way the funds have been raised.

Commissioner Stefanics stated that her role at the RPA is to represent the County and to negotiate with the City. When she gets to the NCRTD, she is also the chair of the coordination committee. One of the things the committee is doing is looking at a cost-benefit analysis of ridership for all routes, what routes there should be, and what routes there are not enough riders for. She said that the RPA's recommendations will end up being sifted out later based upon the ridership and the expenses for the vehicles, the drivers, and the maintenance.

Councilor Wurzbarger countered with the fact that the essence of the agreement made with the NCRTD was that, rather than have Santa Fe form its own transit body, whatever the RPA sends forward would not be something that would have to be approved for use with its GRT funds. The RPA will determine what the priorities are and there will be no sifting on them, although there may be sifting on the money that comes from the NCRTD's pot.

Because there were some questions regarding the NCRTD assessment to participating governments, Chair Bushee suggested that the authorizing documents should be reviewed by the RPA. Chair Bushee reacted to the list of transit priorities from the County Commissioners and said she needed to be sure that the frequency and the routes that are already being considered can meet the requirements.

Mr. Kelly described route 22 that connects county residents in Rancho Viejo to the SFCC, IAIA, the NM 599 Rail Runner station and back up into the Cerrillos Road corridor and said that is a point of new service sustainability. The City also received a one-time funding early on to make the Rail Runner connections in town, and in order for that to continue on routes 4 and 2, the City has made considerable efforts and expanded new service in the last nine months, which needs to be sustained as well. He said that the consideration early on was that some of the funding expected in October would be to sustain that new service.

Mr. Kelly went on to say that a route needs to be operational for at least nine months to a year to measure growth of ridership or connectivity that is being provided.

Chair Bushee noted a recommendation for more bike lanes on the list from the County Commissioners and asked how they would be justified.

Mr. Kelly replied that bike lanes would fall more under the MPO aspect and other types of grant and stimulus money for multimodal connectivity. He did not think that could be funded under this GRT.

Mr. Kelly commented that they are being tasked with moving transit dependent people or riders by choice in larger vehicles. The more distance run with a vehicle and the fewer people on the vehicle raises the cost of operation and overhead considerably higher. He said that the consultants will consider what it costs to move people for distance and what the benefit of the payback is. The product that comes back will say, this is what we have to do now, this is what we can do in the coming year, and this is what long range planning is based on what it costs to operate. Considering a route worthy of continuation will be identified based on what it costs to run a vehicle per hour and the cost per rider, versus the cost per vehicle. This can be analyzed in a year to 18 months.

Chair Bushee requested that Mr. Kelly solicit City Councilor input for a similar kind of wish list for transit priorities. Although she expressed the hope that the consultants will make sure whatever gets inserted in the final list is more than just a wish.

Councilor Wurzbarger said that she wants to have the matrix and the analysis. She felt that it is time to have the plan done.

As a follow up, Mr. Jandáček said he wanted to make sure everyone is aware that the requests on the list from the County Commissioners are comments that were raised during the five public meetings that were held, and essentially all the elements on the list have already been presented to the consultants.

- **NCRTD member report**

Commissioner Stefanics stated that Los Alamos County has been subsidizing the entire NCRTD and all the cities and counties with transportation money, which will be ending and is related to her comment about assessments.

She said that the NCRTD has had a spirited conversation about the cost-benefit analysis of adding stops along routes and what the number of people is needed to do that.

Councilor Wurzbarger responded to use of the word assessment and said before they move forward with any new assessments, it is going to be very important from the perspective of the RPA that questions of administrative costs associated with programs be revisited. She said that she wants to have a clear understanding on what those assessments will be based, whether administrative versus direct service in terms of ridership.

Commissioner Stefanics replied that might be appropriate for the RPA or for the governing bodies, because the assessments are per body, not to the RPA. When the RPA gets to that decision, she suggested it would be appropriate to invite the NCRTD staff to come and make a presentation.

Commissioner Montoya said his impression from day one is that the assumption has been because routes are in place the County will pick them up. He strongly felt that part of the analysis needs to include the ridership and said he sees a lot of empty buses between Pojoaque

and Santa Fé, and even in and around Española. He questioned why pick up a route if it is not being utilized just because there will be a GRT to pay for it.

Commissioner Stefanics stated that data is available and she will make sure it comes to the next meeting.

- **Energy Task Force**

- **Report from the Chair on Energy Task Force meeting July 31, 2009**

Chair Bushee noted that Commissioner Holian was not available to give her report and so briefly summarized the meeting notes in the members' packets.

- **Presentation of memorandum on the County Capital Outlay GRT from the County Attorney's office**

Mr. Steve Ross presented his detailed memorandum that he wrote based on discussions at the RPA meeting in June regarding how the capital outlay GRT works and how funds are allocated.

He explained that the statutory framework gives general parameters for how the GRT in place can be spent. A difficult thing for the RPA is an ordinance passed by the BCC in 2002 that does not dedicate revenue for all the purposes permitted under state law and conflicts with a specific dedication in the statute that leads to confusion in trying to decide how the monies can be spent under this ordinance. He explained his interpretation of how the ordinance selects the allocations for projects that benefit residents of the city and of the county as outlined in the memorandum

Commissioner Stefanics explained that the RPA had a discussion about supporting maintenance of existing trails throughout the city and the county. She asked if the ordinance would include maintenance as a possible expenditure.

Mr. Ross replied that the statute is specific to capital improvements and maintenance is not a capital expenditure. Under the IRS code a capital expenditure is something that can be depreciated and has a fixed life of longer than one year. If improvements are being made to a trail that is depreciable under the IRS code, it is a capital improvement.

Commissioner Stefanics then concluded that improving a trail to its original state would be part of the depreciation.

Commissioner Vigil asked if that would include materials and labor.

Mr. Ross replied that, as long as it is a capital expenditure, it would include materials and labor. Removing weeds a few times during the summer would not be a capital improvement, but routine maintenance.

Commissioner Vigil commented that funding allocated to COLPAK maintenance would have to be specific to particular projects clearly identified under maintenance.

Mr. Ross added that the project would have to not be identified as maintenance, but the description would need to be properly structured as some sort of capital improvements to a preexisting trail that needs improvement.

Chair Bushee referred to the case of nonprofits for which the city and the county jointly contributed to building facilities and asked if furnishings or books would be considered capital expenditures.

Mr. Ross confirmed that they would.

Commissioner Vigil said that providing funding for nonprofits by the RPA was more of a policy issue than a legal issue based on the limited funds available from the RPA. With this better understanding of the purposes of the funds and the legal perspective, she expressed her increased comfort in allocating funding for open space and trails.

Commissioner Montoya asked where this discussion leaves the request he has received from Zona del Sol funding for things such as partitions, chairs and furniture.

Ms. Follingstad stated that there is \$500,000 available in the “Other” regional category of the gross receipts tax fund. She said that she would put this matter on the agenda for the September meeting for discussion and will include the spreadsheet with available funding and the adopted criteria in the members’ packets.

Chair Bushee suggested this be on the agenda as the first item after the transit issue at the next meeting.

In response to a request from Councilor Wurzbarger, Ms. Follingstad stated that a process for nominations for allocation of funding will also be clarified.

DISCUSSION AND POSSIBLE ACTION ITEMS

- **Presentation and possible approval of FY2010 RPA Budget**

Ms. Follingstad reported that her memorandum in the packet explains the RPA FY2010 budget and noted the spreadsheet that was prepared on July 30 for the year-to-date budget status report. The FY2010 budget is in the amount of \$170,000, which is a 15% reduction of last year’s budget of \$200,000. This is based on a contribution of \$85,000 from the city in its approved budget. She noted that the County Commission adopted a budget for the RPA at \$173,000, which includes an unexplained extra \$3,000 for employee benefits and other items that are a part of the standard way the County funds different departments.

Ms. Follingstad said she worked on the budget with Kathy McCormack, Housing & Community Development Department Director, and reviewed it with City Finance Director Dave Millican, who did not see anything out of the ordinary for the RPA operating budget.

Ms. Follingstad noted that, under professional services, there is an unassigned item of \$22,000, which she recommended stay in the budget in case, for example, the RPA wishes to engage Charlier for additional services on the service plan.

Councilor Ortiz moved to approve the RPA FY2010 Budget as presented. The motion was seconded by Commissioner Stefanics, voted upon and approved unanimously.

MATTERS FROM THE REGIONAL PLANNING AUTHORITY

Chair Bushee suggested that a future agenda include an update from the MPO and related staff on city and county connectivity for things such as trails. She also asked for an update on the Siler Road extension to include bike lanes, pedestrian lanes, and the closure of Camino Carlos Rael.

Commissioner Montoya said he feels frustrated that the transit service plan has not been completed and requested it be ready for the September meeting.

DATE AND TIME FOR NEXT RPA MEETING

Ms. Follingstad said she will have the RPA meeting scheduled for September 15 on the City's meeting calendar, rather than September 22, as it is presently listed.

The next regular meeting of the Regional Planning Authority will be held at 4 PM, Tuesday, September 15, 2009, in the County Commission Chambers.

ADJOURNMENT

There being no further business to come before the RPA, this Regular Meeting was adjourned at approximately 5:45 PM.

Approved by:

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

Minutes transcribed and drafted by: Kay Carlson