

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

**Tuesday, September 21, 2010
4:00 PM
Santa Fe, New Mexico**

This Regular Meeting of the City of Santa Fe / Santa Fe County Regional Planning Authority (RPA) began at approximately 4:10 PM on the above-cited date in the Santa Fe County Commission Chambers in the County Administration Building.

Since there was no quorum, Chair Romero suggested that the RPA hear presentation items that do not require action. Members present at this time were Commissioner Stefanics and Councilors Calvert, Romero and Wurzbarger.

COMMUNICATIONS FROM AGENCIES

• **MPO**

Mr. Liming reported that the Metropolitan Transportation Plan has been drafted and is going through a thirty-day public comment period. Three public meetings have been held at the SFCC, Nancy Rodriguez Center and GCCC, with anywhere from 8 to 15 of the public present. There is still time to comment on the draft plan on the website. There will be a TCC meeting on Monday, September 20, and the TPB will meet a week later. The focus from some of the planning and from the staff has been on the section of Richards Avenue between Rodeo and Cerrillos Roads.

Chair Romero commented that the Richards Avenue extension is a study that was commissioned by a legislator and the report is on line.

Commissioner Stefanics noted that, between the federal, state, city and county, there will not be enough funds available for all of the projects in the plan. She pointed out that the most controversial item coming up is the Richards Avenue extension to Cerrillos Road. In August the adjoining neighborhood associations came to the MPO to express their opposition to the extension and asked where the study came from. She stated that no one on the MPO had initiated the study.

Mr. Liming added that there are supporting letters from two neighborhood associations to the south, Nava Adé and Pueblos del Sol.

Chair Romero stated that there is a meeting this evening on the Zia Road connection.

• **NCRTD**

As a short comment on history, Ms. Josette Lucero stated that, during the RPA's FY 11 budget process, \$40,000 was allocated for the Pojoaque school students. It was suggested that the RTD raise fares to the students from \$1 to \$3 to make up the budget. The budget has proved to be

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insufficient and is about \$12,000 short for the full school year. Ms. Lucero stated that the RTD board did not want to discriminate against the school students, and the RTD was asked to find a solution. When the RTD first charged fares, the system had a set-aside to take it through the school year and so there is a budget amount of \$13,000 to make up the difference for this year. At its next meeting, the RTD will council the resolution to raise the fares and provide service for the students for this year.

Chair Romero concurred the shortfall is covered for now, but when the RPA does its service plan for the following year, it will have to look at this carefully to cover the regional transportation.

COMMUNICATIONS FROM THE PUBLIC

There were no comments from the public.

For the record, Ms. Rachel Brown said she wanted to make it clear that Santa Fe County's legal position about conducting a meeting without a quorum is that it is improper, even if an action item is not considered.

For the record, Chair Romero explained that any of the City of Santa Fe committees can continue without a quorum to hear information items.

At 4:20 PM, a quorum was achieved and Chair Romero called the meeting to order.

ROLL CALL

County Commissioners Present:

Harry Montoya [*arrived at 4:20*]
Liz Stefanics
Virginia Vigil [*arrived after roll call*]

County Commissioner Excused:

Kathy Holian

City Councilors Present:

Chris Calvert
Rosemary Romero, Chair
Rebecca Wurzbarger

City Councilor Excused:

Patti Bushee

Santa Fe County Staff Members:

Rachel Brown, Attorney
Penny Ellis-Green, Assistant County Manager
Robert Griego, Planning Manager
Teresa Martinez, Finance
Duncan Sill, Economic Development Planner

Santa Fe City Staff Members:

Reed Liming, Long Range Planning Dir.

Others Present:

Josette Lucero, Executive Director, NCRTD

APPROVAL OF AGENDA

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

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Commissioner Stefanics moved to approve the agenda, seconded by Commissioner Montoya, 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.]

INFORMATION ITEMS

- **County Capital Outlay GRT**

Ms. Teresa Martinez from the Santa Fe County Finance Department presented the County Capital Outlay GRT spreadsheet in a more understandable format that is broken down by allocations for Other, Roads, Open Space and Water. Ms. Martinez reviewed the spreadsheet and the beginning balances as of June 30, 2010. FY 11 revenue collections by each specific category have been projected for the entire fiscal year. Because of uncertainties in the economy, a 7% downturn was included in the budget cycle. Ms. Martinez added that a staff member from Finance will attend future RPA meetings.

Commissioner Montoya asked if the \$313,000 that has been allocated for Airport Road is enough to finish the project. He stated that the RPA will want to use its funding for projects that can be completed, as opposed to allocating dollars to projects that need money but cannot be completed with the funds.

Chair Romero requested that staff bring information to the next RPA meeting, to include the budget for Airport Road, what has been spent, where other monies will be coming from for the project, and what is needed for completion.

Mr. Liming replied that the City was the lead on the Airport Road project, and he will bring the requested information to the next meeting.

Councilor Wurzbarger suggested that the list of proposed projects that the RPA developed for funding be brought to the next meeting to see what was started and not finished so that the RPA can quickly move forward now that the numbers are known for possible allocation.

Commissioner Vigil expressed her concern the remainder of unallocated funds might be leveraged for bonding. Chair Romero stated that bonding will be under discussion later during the meeting.

APPROVAL OF MINUTES

- **Minutes from August 17, 2010, Regular Meeting**

Commissioner Stefanics moved to approve the minutes of the August 17, 2010, Regular Meeting, seconded by Commissioner Montoya, voted on and approved unanimously.

Councilor Calvert explained that the minutes of the ETF are approved at the task force and are provided to the RPA for information.

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DISCUSSION AND POSSIBLE ACTION ITEMS

- **Draft County Capital Outlay GRT Ordinance**

Chair Romero reported that she and Commissioner Holian met with Steve Ross, Marcos 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.

Ms. Brown added that there would subsequently be amendments to the JPA so that the ordinance and the JPA mirror one another.

Commissioner Montoya said he would like to see the original ordinance and asked about the repeal of sections 4, 5, and 6 of the 2002 ordinance.

Ms. Brown said that those sections identified categories the RPA had been using to allocate its GRT funds, which was more limiting than the general ordinance provides for. This draft is intended to broaden the RPA's authority in terms allocating the monies for expenditure.

Chair Romero requested that the 2002 ordinance be presented along with the revised ordinance for comparison.

Commissioner Vigil asked about the bonding potential and if GEO bonds can be used. Since Ms. Brown did not have that information, Commissioner Vigil requested that it be brought back to the RPA.

Ms. Brown stated that for the next meeting she will provide a memorandum and summary of the revisions, along with a copy of the original ordinance and an answer to Commissioner Vigil's request.

Chair Romero read an email from Attorney Steve Ross:

I talked to Peter [Franklin] about the changes to the RPA-JPA and the County's GRT and was surprised to learn that the gross receipts had been pledged as security for several bond transactions. That exiting pledges will have to be respected during the ordinance-JPA rewriting process, and I have asked Peter to produce language to explain this in the JPA. This will create a little delay in finalizing the JPA amendments. I have already drafted amendments, but now Peter will have to weigh in. I had planned to put the ordinance and JPA amendments on the next BCC agenda, but I suggest we delay the process a little bit and plan to present the documents, which is the ordinance-JPA amendment during the October administration meeting so that Peter can produce appropriate

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language. The documents, ordinance and JPA amendment don't necessarily move through the process together, but it would certainly be less confusing if they did.

Chair Romero said she would make copies of the email and the 2002 ordinance for the members and for the record.

Councilor Wurzbarger asked if the original ordinance included the proportional allocation of money between the city and the county, and if so, asked why that was deleted from the ordinance draft.

Ms. Brown replied that the original ordinance did address the proportions, but that is not generally included in ordinances. It should be governed by language in the JPA.

Councilor Wurzbarger agreed that both the JPA and the ordinance should be considered at the same time by the BCC if that information is being removed from the ordinance.

Chair Romero stated that, when Mr. Ross composes his memorandum delineating the changes, it will be important to note the percentages and the reasons for them. She said that she and Commissioner Holian will work with Mr. Ross to bring the memorandum and changes to the ordinance to the next RPA meeting.

- **Approval of ETF Resolution**

Mr. Calvert noted that the resolution shows the amendments that were made at the last RPA meeting.

Councilor Calvert moved to approve Resolution No. 2010-__, "... amending RPA Resolution No. 2009-3 that established the RPA Energy Advisory Task Force (ETF) in order to extend the term of the task force and revise its duties." The motion was seconded by Councilor Wurzbarger, voted on and approved unanimously.

- **Nomination to fill ETF Vacancy**

Councilor Calvert stated there is now a vacancy on the ETF and in accordance with his responsibility as Chair of the ETF, he would like to nominate Craig O'Hare, who is well qualified to fill the position and to provide expertise.

Councilor Calvert moved to approve the nomination of Craig O'Hare to the ETF. The motion was seconded by Councilor Wurzbarger.

Mr. Montoya said he did not think he knew Craig O'Hare. Mr. Calvert replied that Mr. O'Hare is with NM Energy and Minerals and he worked for the City water department. Mr. O'Hare has worked a great deal on energy, financing, conservation and water areas and is well versed in energy issues, especially at the state level.

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Commissioner Stefanics brought up a tangential but related subject and said if the county's ethics ordinance goes through, it also applies to volunteers. There cannot be a conflict of interest in doing any paid work for the bodies they are representing. She suggested that this be kept in mind by the RPA for the future.

The motion was voted on and approved unanimously.

Councilor Wurzbarger requested that in the future résumés be included with nominations.

Commissioner Vigil noted that at its upcoming meeting, the BCC will be considering the resolution that sends a message to Congress to support the PACE program. Councilor Wurzbarger added that the city has also put forward a resolution.

INFORMATION ITEMS

- **Update on Sustainable Communities Regional Planning Grant**

Mr. Duncan Sill reported that the grant application was submitted to HUD at the end of August 2010. The request is in the aggregate of \$620,000. The primary focus of the application was to better align existing sustainability efforts for both the city and the county, as well as enhancing existing and new partnerships. The new partnership includes a core group of RPA, which is made up of city and county policymaking personnel and staff; the MPO; the SFCC sustainability center; and nonprofits, including the Santa Fe Community Foundation.

There was a recommendation to include other entities. There was not enough time to get responses back from several, but they were included as future partners in these particular efforts. This includes the McCune Foundation, SWAMA, and other joint parties that work on regional issues.

The contents of the application were broken into five primary components. The first being delineation of current capacity. The second, a problem statement about some of the issues that challenge the region and how sustainability issues are dealt with. The third deals directly with what approach is being recommended. The Fourth is the level of leverage resources there is access to in the region. This could mean existing programs in place, investments into infrastructure and all financial contributions. The fifth component is a proposal on how the outcome will be evaluated and measured.

Mr. Sill went on to say that the process is very useful, and he would like to ask permission to circulate a matrix that he continues to work with on some of the contents of the application that were developed in light of the RPA's GRT capital outlay efforts. This is in addition to some of the items already being worked on and would help the region to focus better on resource development and deployment of appropriate actions in a timely manner that could yield return on investments.

Commissioner Stefanics stated that the county has been working on transparency and suggested that the RPA as a city-county body would want to post its own information and this grant on

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websites. In particular, she noted that the state has gone to great lengths to post every single grant online. Future partners might be interested, and rather than sending them copies, they could be given the website information to find it.

Ms. Ellis-Green said that there is an RPA page on the county website that includes noticing, agendas and minutes. She will see that grants information is added.

Mr. Sill said it is anticipated they will hear the results on the grant no earlier than November and he will keep the RPA posted.

Chair Romero asked if there is a linkage with the city's Healthy Lifestyles. Mr. Sills replied there are several components in the plan that lead to creating a healthier community. If funding is received, there is an action item that leads to progress towards some of these actions, including comprehensive food assessment for the region and related other issues. One of the problem statements that the grant asked for elaboration on was the overall health of the community, along with environmental and economic concerns.

Councilor Wurzburger asked if a copy of the grant application was sent to the congressional delegation to ask them for support.

Mr. Sill said he had communication with the delegation at the point of the application to see if they would be able to submit a support memorandum in a timely manner. He said he will follow up with an actual copy of the application and ask the point person in Washington DC that handles the collective letters for consideration of continuing support. He said that he would draft a letter for Chair Romero's signature.

Commissioner Vigil said that the staff for Senator Bingaman and Congressman Lujan would welcome a boilerplate draft for their signatures.

Chair Romero requested that Mr. Sill draft the letter for her signature and to include a sample letter of support that the RPA would like them to sign on the RPA's behalf.

- **Update on RPA-JPA**

This was tabled to the next meeting until there is further information from Mr. Ross on the ordinance and the JPA.

- **Update from Task Forces**

Chair Romero noted that two task forces, Affordable Housing and Economic Development, were created at the last RPA meeting.

Economic Development Task Force

Councilor Wurzburger said that she and Commissioner Stefanics are co-leads on Economic Development. While they have not been in town at the same time, Councilor Wurzburger said

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she has met with Mr. Sill and city staff, and she and Commissioner Stefanics are meeting next week.

Mr. Sill confirmed they met to discuss some of the appropriate contents that may be considered for action for review and direction as part of the task force responsibility to bring it back to the full body. After communicating with Councilor Wurzbarger, he and the city staff representative looked at primary aspects of the regional economic development that are both challenges and opportunities. They include critical economic infrastructure and development from a cluster target industry approach, workforce development issues, challenges and adequate business support that is provided from local resources and community organization. The RPA is already actively engaged in the regional alliance that needs to take place.

There are a lot of economic challenges that are faced not only in the local region, but on a greater national and global level. Many are coming at a more accelerated pace and include the effect on job retention and creation. The area is somewhat stabilizing around the 6.8-7% unemployment rate, which is the recorded rate. Looking at underemployed and people that stop looking, realistically, the region is looking at a 12% unemployment rate. Keeping that in mind, it was discussed what can actually be recommended as action items to put a pulse on and look at resource development opportunities or better alignment of resources that would help the local communities. One is critical infrastructure and one or two cluster industries that there is some investment momentum with. They would then look at the region's efforts, challenges and opportunities to address economic and resource leakage.

Affordable Housing Task Force

Commissioner Vigil stated that the realtors association has taken a strong leadership and has given recommendations with regard to the county's sustainable development land plan, which involves a component of affordable housing. One of the objectives is to make sure that it is communicated what both the county and the city are doing towards affordable housing. The county's housing board has asked staff to look at and come forth with recommendations for retrofitting, which could be more ambitious in terms of looking at the Galisteo property or a joint project with the city. Retrofitting programs for existing housing and upgrading them energy efficiently can be used to affect affordable housing at this point in time. This can be a way to supplement programs such as Los Amigos.

She noted that funds have been made available to the developers and potential clients for affordable housing, and there is an update for how many residents have applied for the funds, which is still a small percentage. Because of the economic downturn, there has to be a new paradigm for thought on affordable housing and retrofitting. Also, the rental market needs to be included.

Mr. Sill stated the last verified numbers were up to 40 applications, but there has been an increase since. There are challenges in the context of the credit market and what is available, and are other issues need to be addressed in helping the opportunities and challenges along. More and more, the housing issue is definitely a key economic issue that is facing the region.

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Mr. Sill confirmed they met to discuss some of the appropriate contents that may be considered for action for review and direction as part of the task force responsibility to bring it back to the full body. After communicating with Councilor Wurzbarger, he and the city staff representative looked at primary aspects of the regional economic development that are both challenges and opportunities. They include critical economic infrastructure and development from a cluster target industry approach, workforce development issues, challenges and adequate business support that is provided from local resources and community organization. The RPA is already actively engaged in the regional alliance that needs to take place.

There are a lot of economic challenges that are faced not only in the local region, but on a greater national and global level. Many are coming at a more accelerated pace and include the effect on job retention and creation. The area is somewhat stabilizing around the 6.8-7% unemployment rate, which is the recorded rate. Looking at underemployed and people that stop looking, realistically, the region is looking at a 12% unemployment rate. Keeping that in mind, it was discussed what can actually be recommended as action items to put a pulse on and look at resource development opportunities or better alignment of resources that would help the local communities. One is critical infrastructure and one or two cluster industries that there is some investment momentum with. They would then look at the region's efforts, challenges and opportunities to address economic and resource leakage.

Affordable Housing Task Force

Commissioner Vigil stated that the realtors association has taken a strong leadership and has given recommendations with regard to the county's sustainable development land plan, which involves a component of affordable housing. One of the objectives is to make sure that it is communicated what both the county and the city are doing towards affordable housing. The county's housing board has asked staff to look at and come forth with recommendations for retrofitting, which could be more ambitious in terms of looking at the Galisteo property or a joint project with the city. Retrofitting programs for existing housing and upgrading them energy efficiently can be used to affect affordable housing at this point in time. This can be a way to supplement programs such as Los Amigos.

She noted that funds have been made available to the developers and potential clients for affordable housing, and there is an update for how many residents have applied for the funds, which is still a small percentage. Because of the economic downturn, there has to be a new paradigm for thought on affordable housing and retrofitting. Also, the rental market needs to be included.

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Councilor Calvert stated that the city has been cooperating with Homewise. Initially, both the city and Homewise put in \$250,000. The interest rate was set such that the payments on the loan were offset by the savings in the energy bill, which was not a hard decision for people to make, and many took advantage. Most recently, Homewise wanted to continue the program and had \$600,000 that unfortunately was at a more conventional interest rate. As a way to leverage money and keep the interest rate low, \$100,000 was put in, which brought the interest rate back down to where the program had been. This continues to be a successful program for renovating homes, making them more energy efficient, and cost effective for the people living in them.

Commissioner Vigil said that the county has an excellent resource with regard to affordable housing, the new county manager who was the director of the Mortgage Finance Authority. She has done onsite visits to many of the projects that have occurred and can be able to assist in the partnerships, both through joint governments and through the state. Commissioner Vigil said she looks forward to bringing in the county manager to tap into recommendations she might make that may help expedite decision making.

Chair Romero agreed it was timely to set up a meeting with Katherine Miller and include the core group from the RPA and staff to tap into her knowledge about financing and other issues.

Commissioner Montoya agreed that both task forces should look at the bigger picture in terms of the concerns that have come up repeatedly regarding economic development and affordable housing. He said he still hears many comments about lack of friendliness to affordable housing units or having them built in both the city and the county. People are being driven out of the community as opposed to drawing them in.

Energy Task Force

Councilor Calvert stated that the ETF has spent time talking about the strategic plan and not wanting to reinvent the wheel. The opportunity is there to go through the offerings from other communities that have done energy projects. A majority of the last meeting was spent talking about municipalization of the utility, which might be part of an energy strategy, and specifically an economic and feasibility study for it. The ETF will bring that information back to the RPA for review and perhaps approval to do the feasibility study.

MATTERS FROM STAFF

Mr. Liming thanked the county staff for their assistance and especially the finance department for the work they put in to clarify the GRT.

MATTERS FROM THE REGIONAL PLANNING AUTHORITY

- **RTD Tribal Subcommittee**

Chair Romero stated that she is the chair of the Regional Transit District, and the tribal subcommittee of the RTD has asked her if they could be part of the RPA. Her response to them was that the RPA is a city-county entity, and the tribes are included as part of the county. She

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would like to meet with the new county manager and attorneys to draft a letter on the relationship between the RPA with the city and the county and how the tribes are included in that discussion. She asked staff to help get that meeting organized so that a letter can be sent to the tribal subcommittee of the RTD.

As a bit of history and rationale behind having the tribal subcommittee, Commissioner Montoya said the tribes originally felt they needed to have some representation if the RPA was going to be the authority making decisions on behalf of their governments as well. Subsequently, the RTD created its own tribal subcommittee.

Chair Romero added that the tribes received their own share of money for transit issues. Their grants are being written by RTD staff that provide service for the tribes. The tribes are included in the RPA service plan, but it is becoming apparent that the tribes may want to assert more power than what they think they are getting at the RTD level.

Commissioner Stefanics recalled that, when it comes time for the RPA to consider the prioritization of routes or recommendation of routes for the RTD to cover, the request has been made that individual tribes have the opportunity to speak and not a tribal committee, because the tribal committee does not represent the tribes individually. She suggested that an invitation to the individual tribes might help to recognize the neighbors in the RPA's process.

Councilor Calvert stated that the funding is the problem. When the RPA approved the budget for transit, it managed to patch together some of the programs the tribes wanted, which may not be sustainable. However, the GRT may not come in as needed and there may not be funds to allot to the tribes as they would request.

On a philosophical basis, Commissioner Stefanics conjectured that, if the RPA is talking about all residents in the county paying taxes, then they are talking about all areas of the county needing transportation and there are some areas that do not have any transportation yet because the overall resources are not available. To her, this is a request that is considered just like any other request, but it is done in a different manner. The RPA needs to remember that, Native American or not, when people are off the reservation, they pay GRT, which is the issue heard from people out in the county to people in the city to people in the tribes all around.

Councilor Wurzbarger said she felt nervous about writing the letter using the JPA as an explanation and suggested a mini thinking session be held to determine the real issue.

Commissioner Stefanics agreed that the response should address a broader issue than just Native Americans, because there are other governmental entities in the county as well, such as Edgewood and Española.

Chair Romero said she will work with County Manager Miller and staff to draft a clarifying letter regarding how the RPA was put together; and when it comes time to develop a new service plan, how the RPA may work to open up the process to include others. Certainly, with reduced GRT, reduced services may occur all over the region. She added that she will continue to have a conversation with those that have other ideas.

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DATE AND TIME FOR NEXT RPA MEETING

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Chair Romero explained that when the ordinance is in place and the JPA is updated, the RPA may consider meeting every other month and have the task forces meet in between. Until such change occurs, the next meeting is October 19, 2010.

ADJOURNMENT

This Regular Meeting of the RPA was adjourned at approximately 5:20 PM.

Approved by:

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

Minutes transcribed and drafted by Kay Carlson

COUNTY OF SANTA FE) RPA MINUTES
STATE OF NEW MEXICO) ss PAGES: 11
I Hereby Certify That This Instrument Was Filed for
Record On The 20TH Day Of October, 2010 at 09:15:01 AM
And Was Duly Recorded as Instrument # 1614378
Of The Records Of Santa Fe County

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



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