

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

**Tuesday, May 15, 2007
4:00 PM
Santa Fe, New Mexico**

The meeting of the City of Santa Fe / Santa Fe County Regional Planning Authority (RPA) was called to order by Chair Wurzburger at approximately 4:15 PM on the above-cited date in the County Commission Chambers in the County Administration Building.

ROLL CALL

County Commissioners present:

Paul Campos
Harry Montoya
Jack Sullivan
Virginia Vigil

City Councilors present:

Rebecca Wurzburger, Chair

City Councilors Excused:

Miguel Chavez
Mayor David Coss
Matthew Ortiz

Santa Fe RPA Staff:

Mary Helen Follingstad, Executive Director

County of Santa Fe Staff Members:

Domingo Martinez, Assessor
Victor Baca, Deputy Assessor
Victor A. Montoya, Treasurer
Robert Martinez, Public Works
Judy McGowan, Planning
Stephen Ross, Attorney

City of Santa Fe Staff Members:

Chris Ortega, Public Works

APPROVAL OF AGENDA

Ms. Follingstad suggested that Item C, Presentation of Tax Assessment Information, be moved forward to follow approval of the minutes. She noted that the agenda as handed out at the meeting was the current one and it included a new handout on the Regional GRT.

**Commissioner Vigil moved to approve the agenda, as amended, seconded by
Commissioner Montoya and approved unanimously.**

**APPROVAL OF MINUTES FROM THE FEBRUARY 20 AND APRIL 17, 2007,
REGULAR MEETINGS OF THE REGIONAL PLANNING AUTHORITY (RPA)**

Commissioner Vigil moved to approve the minutes of February 20, 2007, seconded by Commissioner Campos and approved unanimously.

Since he was not in attendance on February 20, 2007, Commissioner Montoya abstained from voting.

Commissioner Montoya moved to approve the minutes of April 17, 2007, seconded by Commissioner Campos and approved unanimously.

Since he was not in attendance on April 17, 2007, Commissioner Sullivan abstained from voting.

PRESENTATION OF TAX ASSESSMENT INFORMATION

Mr. Domingo Martinez, County Assessor, explained there was a need for elected officials and the public to understand the role of the County Assessor. He presented and reviewed a brochure created to address this information, entitled "Understanding Property Taxes." *[Incorporated herewith to these minutes by reference.]* He said that the County Assessor does not set the tax rates, but that its responsibility is to independently, through professional appraisal standards that are in compliance with the State of New Mexico Property Tax Code, determine the value for taxable properties within Santa Fe County. Transactions in the market place determine the value. The State sets the tax rate based on total valuation, local government budgets, and bonding or other obligations. Mr. Martinez stated that citizens have the ability to protest the valuation of their property through the Valuation Protest Board.

Commissioner Montoya said that, at the recent May 2, 2007, RPA Public Meeting on annexation, a resident told him that the valuation on his property went up three hundred percent (300%), and there was another resident whose valuation went up twelve hundred percent (1,200%). He asked if these valuations fell under the three percent (3%) and six percent (6%) limitation in value cited on page three of the report.

Mr. Martinez replied that the increase could go up to three thousand percent (3,000%). The 3% and the 6% only apply to property that has not changed hands during the past year. Properties that have changed hands in the past year are appraised according to the current market value and the increase can be substantial. By law, the assessor should update values every two years, which in some instances has not happened for over ten years. He stated that the property owner can protest informally to the Assessor, and if no agreement is reached, a formal protest could be filed and a hearing scheduled. The property owner then can file with the Valuation Protest Board.

Chair Wurzburger stated that, when constituents have asked her how much their property taxes would be if they were to be annexed by the City, she has requested they call the County Assessor's Office.

Mr. Martinez explained that they cannot predict what annexation will do to property taxes until after annexation is complete and it is known what the city needs to expend to service them.

Commissioner Sullivan asked if there was any mechanism to use to determine how the value of a house might change if it is annexed into the city versus staying in the county.

Mr. Martinez replied that it would take about two to three years for the market to change and values of homes to go up because of being hooked up to city utility services.

Commissioner Vigil asked who makes the decision on school boundaries.

Mr. Martinez explained that the Department of Education and the school districts determine the school boundaries.

Chair Wurzburger asked what is used for the rate purchase value.

Mr. Baca replied that usually the sales comparison is the most valid as far as appraisal method and technique. In some areas there are no sales and so they have to use either cost or income approach.

Chair Wurzburger stated that several constituents have built their own houses for around 25 to 30% less expense than the market value. She stated it seems to be a policy choice of how the tax computation on sales and the market is determined versus the true cost to build the house.

Mr. Baca replied the determination is not policy but an appraisal process wherein the appraiser picks what is most applicable to that particular property using professional standards to look at all three approaches to come up with the appraisal, based on his knowledge of the market.

Chair Wurzburger stated there are now people in affordable housing units that cannot afford to pay their taxes because of the reinterpretation of how the units are assessed, presumably based on the market value of the affordable home.

Mr. Martinez answered that the Property Tax Code determines what properties are taxable and how they are valued, and there is no law that allows the assessor or anyone to discount values other than by exemptions or limitations in tax. Discounting the value of affordable housing either through a discount or subsidy is not allowed in the Property Tax Code, and the only way to change it is to change the state law.

Commissioner Vigil asked how they are answering questions from constituents who ask about their taxes if they get annexed.

Mr. Martinez replied that his office does not give them a tax dollar amount, telling them the tax will depend on the value that will be annexed, the budget and bonded indebtedness.

Mr. Victor Montoya, County Treasurer, said that his office was also receiving calls about taxes and annexation.

REGIONAL PLANNING AUTHORITY BUSINESS

- ◆ **Re-endorsement of use of Regional Gross Receipts Tax (GRT) funds for the Siler Crossing project for FY08. Regional GRT funds were approved by the RPA in June 2006 for use in FY07 for the Siler Crossing project, and an MOA is in place.**

Ms. Follingstad stated that she felt the RPA should reaffirm the commitment to use the Regional GRT funds of \$875,958 for the Siler Crossing project for FY08.

Commissioner Vigil moved to approve Re-endorsement of use of GRT Regional funds for the Siler Crossing project for FY08, seconded by Commissioner Sullivan and unanimously approved.

- ◆ **Action on road project candidates for the Regional GRT for FY08 through FY12.**

Mr. Martinez referred to the priority list of joint county/city regional projects and stated that the project identified as West Alameda to Siler for \$175,000 was overlaid by the county recently and should be taken off the list.

Commissioner Sullivan asked how the Richards Avenue – 4 lane Rodeo to I-25 for \$9 million – had gotten on the list. He said he did not want to spend regional money on such a project and that developers have been putting pressure on the DOT to enhance their property values by making Richards Avenue four lanes. He felt that the Regional GRT funds need to go to more emergency type of safety projects than to providing better land values for owners along Richards Avenue.

Mr. Robert Martinez, County Public Works, replied that a more appropriate designation might be to call it Richards Avenue capacity enhancement, which was identified in the MTP and went through the MPO TPB.

Commissioner Vigil asked how much has been funded for the Siler Road extension.

Mr. Ortega replied that nearly \$400,000 has been spent on design. The legislature passed legislation for a GRIP II funding for the Siler Extension. [Grip II requires a 35% match for projects estimated to cost between 1 and 6 million. The GRIP II appropriation for the Siler Extension is \$3,656,300. The total project cost is estimated to be \$5.6 million so the thirty five percent (35%) match amounts to \$1.968 million.] So adding the \$400,000 spent on design by the City, the \$875,000 from the quarter percent GRT, and some City CIP and other in-kind amounts, we fully expect to be able to meet the match requirements.

Commissioner Vigil asked if an alternative route for Siler has been identified.

Mr. Ortega responded that the TPB was presented with, and approved staff's recommendation for adoption of Alternative 1A and we have proceeded to final design with that.

Mr. Martinez commented that South Meadows, according to the five-year capital improvement plan adopted by the RPA, was supposed to be funded in 2008, not the Siler Road extension. At the direction of the BCC, working with the city to alleviate traffic on Camino Carlos Rael, the county agreed to move South Meadows back to allow the Siler Road extension to be funded. He stated that it will take over four years to generate enough Regional GRT funds for extending South Meadows from NM 599 to Agua Fría. This project is still on the GRIP II list, but the number one priority was Agua Fría.

Commissioner Vigil stated that there is currently no river crossing because San Ysidro is being worked on and Camino Carlos Rael is closed due to river flow. She felt that South Meadows should definitely remain a priority. A problem for that particular area and why the need for South Meadows is so critical is primarily the San Ysidro Village development, north of Cerrillos, that is going to be accessed because of commercial and housing development, and South Meadows would be a direct access to it. This piece of property that was annexed will increase traffic and impact on the Traditional Historic Village because there will be no direct crossing. She said the county needs to be directly engaged when such annexations occur because the developer could have contributed funds to address impacts to existing roads. . There are other properties being looked at that she did not think should be annexed without first looking at the South Meadows extension and bringing developers in to assist with it.

Mr. Martinez expressed his hope that the next round of GRIP projects will provide funding for South Meadows, which would cost approximately \$3 million.

Commissioner Vigil suggested that the city help to prioritize in GRIP II a river crossing to get into the areas that have been commercially annexed, and perhaps the city could consider a road project to be funded through the legislative capital outlay.

Commissioner Sullivan noted that Richards Avenue from Rodeo Road to I-25 is in two different jurisdictions. Rodeo Road to Governor Miles is in the city and from there to I-25 is in the county. As long-range planning, the CCD has been planning for some time a parallel road to Richards Avenue. The first part of the strategy is to do the best possible with Richards Avenue in terms of safety improvements. The second objective is to build a northwest extension, which will come back to Richards Avenue to St. Francis. Right of way has been acquired and planning and design have been done. The part that goes through the developer's property has been committed to and made a part of their agreement. The third component is like a Z to St. Francis, and then an extension out of St. Francis where it currently dead ends south of I-25. Ultimately, some extension of that is proposed being parallel to Richards on the other side of the SFCC and IAIA. A problem with that from an engineering standpoint has always been a deep arroyo the road would have to go through. As the need transpires, the county will probably be able to have those who are developing that area pay for the portion of the road that will be on their property. He would like to have this longer range plan to alleviate the traffic problem that is increasing in the CCD considered in legislation and planning documents, certainly ahead of making Richards Avenue four lanes.

Commissioner Vigil suggested a motion to approve the priority projects as presented by staff to include further clarification on Richards Avenue, removing the four-lane identification and

including capacity enhancement, and that through this motion the tie-in from Richards Avenue to St. Francis be included as a long-term resolution to connectors.

While he agreed with everything that Commissioner Vigil had recommended, Commissioner Sullivan said he did not want to include Richards Avenue in the list at all, because he felt that capacity enhancements is the real jargon for four-lanes, which he felt was what the consultants will come up with when they finish the \$500,000 study.

Commissioner Campos said he had not received enough information in the packet or from the discussion to understand the list of projects nor to vote on anything in a rational way. He said he would like to see maps and arguments for how these regional projects will work with connection to other county or city roads and how these roads relate to MPO projects and recommendations.

Commissioner Montoya moved to table action on road project candidates for the regional GRT for FY08 through FY12 to the next RPA meeting, seconded by Commissioner Vigil and unanimously approved.

Ms. Follingstad pointed to a second sheet entitled Priority List of Other Public Option Projects. Last year the funds were used for Governor Miles Road and the Eldorado Senior Center. She noted these funds can also be assigned to roads.

Commissioner Campos said he has always argued that he was not in favor of shifting more money to roads because there are other projects that deserve the money.

Chair Wurzburger requested for the June meeting a summary of the history of the fund from when it started, how it has been spent and in what percentage.

Chair Wurzburger also requested for the June meeting clarification of the MPO TPB recommendation to the RPA in as simple language as possible.

Mr. Martinez asked if the resolution that adopted the five-year capital improvement plan by the RPA should be amended to reflect that only half of the funds will be going to the regional projects.

Chair Wurzburger and Commissioner Vigil both said they would need better direction and suggested a background memo to provide information on the discussion.

Ms. Follingstad asked if the Authority members would still like to hear from Parks & Open Space regarding city and county projects at the next meeting.

Chair Wurzburger requested that both subjects be included on the agenda.

Commissioner Sullivan asked for suggestions on how to leverage more dollars for a dollar of regional road funds.

♦ **Review of May 2, 2007, Public Open House and direction to staff on drafting the RPA Annexation Plan.**

Chair Wurzburger asked for reactions to the meeting.

Commissioner Vigil stated she felt that the RPA was better prepared and the meeting was structured better than previous meetings. There was a level of expectation from the constituents that were there. A highly vocal and large faction of the community that has always fought annexation was there in force from the Town & Country subdivision and spoke adamantly against annexation. There were also several constituents there who were interested in being annexed and wanted to know what to do to get annexed. She asked if the city has annexation procedures in place for existing residents or commercial places that want to be annexed.

Chair Wurzburger replied that it does not.

Commissioner Sullivan agreed that, as in any instance, those who are opposed to something are the ones who show up and wave banners. He suggested that this process is falling apart from lack of city support. The RPA has been working off a city annexation that was proposed by one city councilor, taken to city council and adopted almost unanimously. However, only one city councilor and the mayor showed up at the meeting. He stated there is the need for an understanding with the city that, if they want the RPA to do an annexation plan, they need to show up at these meetings. If the city does not want the RPA to do an annexation plan, he suggested it be taken off the agenda so the RPA can work on other projects. City staff did come to the meeting to answer questions, but he felt that the City needs to decide at policy level what it wants with respect to annexation.

Commissioner Sullivan added that he has learned a couple of things from the public meetings. While there was a great deal of criticism expressed at the January meeting about the Rodeo Road area, it was focused on a couple of particular areas and more specifically landowners who had certain development interests. Ignoring that case, there was a community that was tagging onto the tailcoats of the vocal landowners but who did not know what was being proposed and the benefits to them. There were also people who stood up in that meeting and said they wanted to be annexed, as there were those at the May GCCC meeting who said they wanted to be annexed. He said it will be necessary to read between the lines and realize there are areas where annexation makes sense and there was a clear indication of the areas where people do not want it. He asked if the City has procedures in place to annex those who want to be annexed.

Chair Wurzburger stated that, from her RPA perspective, the process has become evolutionary from what she initially envisioned. She suggested the approach could be procedures and process, rather than areas. Rather than annexing through “developer initiated annexations,” which are considered non-planning, there may be another way to look at the RPA plan that implements annexation possibilities that does not recommend doing such a huge area. She said that she has been opposed to annexing the whole suggested area from the beginning because the city does not have the resources to do it and because there are large numbers of people who do not want to be annexed. When the mayor returns from out of town, she said she will ask him to

set a special city meeting to see how annexation should be handled. The RPA will need to move outside the box and consider that the notion of a mega annexation as being the only way to implement the plan and only tool is not viable.

Chair Wurzburger suggested that the RPA stop holding public meetings on annexation, although the recent public meeting went well and she appreciated those who came. She recalled Mayor Coss giving his personal opinion following the January public meeting that he was done with annexation.

♦ **Review of RPA FY 2008 Budget.**

Chair Wurzburger requested that she receive a copy of the RPA budget by May 21 so that she could take it to the city budget meeting. She asked to postpone discussion on the budget to the next RPA meeting.

ADJOURNMENT

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

The next regularly scheduled meeting of the RPA will be at 4:00 PM, Tuesday, June 19, 2007. Chair Wurzburger said that she will not be in attendance.

Approved by:

Chair, Regional Planning Authority
Rebecca Wurzburger, Councilor, City of Santa Fe

Minutes transcribed and drafted by: Kay Carlson