

**MINUTES OF THE
CITY OF SANTA FE / SANTA FE COUNTY**

Tuesday, July 15, 2008

5:30 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 Rebecca Wurzburger at approximately 5:35 PM on the above-cited date in the County Commission Chambers in the County Administration Building.

ROLL CALL

County Commissioners Present:

Jack Sullivan
Virginia Vigil

County Commissioner Excused:

Harry Montoya

County Commissioner Absent:

Paul Campos

City Councilors Present:

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

Santa Fe RPA Staff:

Mary Helen Follingstad, Executive Director

Santa Fe County Staff Members:

Jack Kolkmeier, GM Planning & Dev

City of Santa Fe Staff Members:

John Bulthuis, Transportation
Frank Katz, Attorney

APPROVAL OF AGENDA

Chair Wurzburger suggested an addition to the agenda under Item 5, Date for Next RPA Meeting. She said she would like to revisit the time of the meeting, because 2 PM was not her understanding of the time the Authority would be meeting.

[Commissioner Bushee arrived at this point.]

Councilor Ortiz moved to approve the agenda, as amended, seconded by Councilor Romero and approved unanimously.

APPROVAL OF MINUTES FROM JUNE 17, 2008, REGULAR MEETING

Councilor Ortiz moved to approve the minutes of the June 17, 2008, regular meeting, seconded by Councilor Romero and approved unanimously with Councilor Bushee abstaining

REGIONAL PLANNING AUTHORITY BUSINESS

- **Resolution supporting formation of a Santa Fe City and County Regional Transit District with RPA functioning as the managing entity**

Councilor Romero moved to approve the proposed Resolution supporting formation of a Santa Fe City and County Regional Transit District with RPA functioning as the managing entity, seconded by Councilor Ortiz.

Commissioner Vigil stated she did not vote at the BCC in favor of the formation of a Santa Fe City and County Regional Transit District and she thought the BCC had made a mistake in taking the action it did. She said that she told the chair the action was expeditiously done without an opportunity to get staff's recommendations. Originally, when this item was brought before the BCC, she said that she voted in favor of it. She was uncomfortable with the fact that the BCC had to make a decision under such restricted timelines. She felt that she would be able to get far more information through the public hearing.

Commissioner Vigil said there has been concerns raised by the county's northern neighbors about the decision with staff and other commissioners. She said commissioners have also been in communication with state representatives trying to explain the situation. The issue is that the goal of regionalization is not accomplished if Santa Fe County is removed from the North Central Regional Transit District (NCRTD).

In looking at the situation from a practical viewpoint, Commissioner Vigil noted that Santa Fe County will generate most of the revenues from the new GRT because of tourism, and the fact northern and southern communities come to Santa Fe County specifically to work and shop. When it comes to transportation, Commissioner Vigil said there are no boundaries.

Commissioner Sullivan said he would like to assure the Authority that, in his experience and judgment, the situation is not as dire as Commissioner Vigil feels it is. He shares the opposing view, since he voted in favor of the motion to set up more local control for the county's transit planning and delivery services. He agreed that some of the communities to the north have expressed concerns because the county would have been subsidizing the transit system for them, which might not exist once the county establishes its own transit district. He added, however, that services being currently provided through federal funding will continue.

He said that very probably the constituents who will be most directly affected are those in the Eldorado-Stanley-Edgewood areas, because those are the only ones that are receiving direct RTD bus services. Those constituents are primarily in Commissioner Sullivan's district. He added that he has not received any phone calls or email disagreeing with the decision that the BCC made. To the contrary, he has received a number of communications from constituents who feel that this is a good idea.

Commissioner Sullivan said he would like to remind everyone that there were three months of intensive negotiations with staff, the BCC, and the RTD board, which made it very clear that they are a rural transit authority and they have a different mission than he felt is needed for the county. The decision was a difficult one that had to be made through a democratic process. Until very close to the last minute, Commissioner Sullivan said that he thought they might be able to work something out, but they couldn't and there is no indication that they ever will.

He said that he respects his fellow commissioner's difference of opinion on the matter, but it is time to move forward. The county has received support from the DOT for an expedited process, which was laid out for the Authority members through a schedule to get a transit initiative on the November fourth ballot and through adoption of the resolution up for approval.

Commissioner Vigil again expressed her feeling of being very uncomfortable with the commitments and asked Mr. Katz to expand on the timelines.

Mr. Katz replied that the district has to be established and then approved before the county can propose the ordinance.

Councilor Wurzbarger stated there is now a schedule that will permit the proposal to be on the ballot. She said she spoke with the Governor several days ago and expressed the commitment of the city and the county to move ahead with the decisions that need to be made with respect to funding.

She communicated her concern for how to work with the northern region on continuity and connectivity. Once the funding for the Santa Fe Regional Transit District is passed and begun, perhaps there is a way to redesign the district so the northern communities can participate and be integrated into the process.

Councilor Romero expressed her profound sadness that many opportunities were in place to have the discussions to really hear and work with each other, but that did not occur, even though the county and city made good faith efforts to try to work through the issues. She said she wanted to be clear that the regional issues are still first and foremost in her mind. She thanked Commissioner Sullivan for bringing the issue before the RPA to enable them to start looking at this carefully.

She said that she would have liked the northern neighbors, in particular, to have seen the dilemma that the city and county were in and to have given their support in a different way. It seemed that the city and county were always portrayed as the bad guy.

Councilor Romero said her preference would have been not to have gone this route, because it is a lot more work and there are challenges to overcome with the county's neighbors. That said, she still feels that the city and county are going in the right direction and hopes for reconciliation. She added her appreciation to staff for the amount of time and effort they and others have put into this.

Councilor Bushee said she would like to see this jumpstarted in an efficient way. She said she understands Commissioner Vigil's angst that she expressed, even though the decision the county made may have seemed precipitous. She stated her hope and expectation that the years of running the bus system will help the area to be more prepared once the Rail Runner opens its doors here in this community. She added there will perhaps be more opportunities to work with the northern neighbors.

Councilor Bushee saw the signal that was perhaps the death knell for the RTD as it is today when it voted to keep the 50-50 split, which made people feel they were not being heard. That in particular reflects back to the constituent advisory boards and even folks that ride the Eldorado buses, who felt they were not receiving good service to begin with.

In moving forward she suggested that they might develop a more catchy name, other than Santa Fe Regional Transit District, perhaps something like Santa Fe Northern, since there was Santa Fe Southern.

The motion was voted upon and approved 5 to 1, with a nay vote cast by Commissioner Vigil.

- **Amendment to the Regional Planning Authority Joint Powers Agreement (JPA) relating to its role as the managing entity for a Santa Fe Joint City and County Regional Transit District**

Councilor Romero moved to approve the proposed Amendment to the Regional Planning Authority Joint Powers Agreement relating to its role as the managing entity for a Santa Fe Joint City and County Regional Transit District, seconded by Councilor Ortiz.

In response to Councilor Bushee's question regarding accounting procedures, Mr. Katz explained that this proposed amendment to the JPA establishes the RPA as the board of directors of the regional transit district. The details for financing and staffing the regional transit district are in an operating agreement and by-laws between the city and the county.

Following up, Councilor Bushee asked about sharing costs equally, and Ms. Follingstad responded that the language is not a new section and is for RPA operations.

The motion was voted upon and approved 5 to 1, with a nay vote cast by Commissioner Vigil.

- **Supporting documents relating to formation of a Santa Fe Joint City and County Regional Transit District**

Ms. Follingstad stated that the city and the county will go through a round of looking at the supporting documents separately. The RPA JPA with all the new text for the RPA's new role including becoming the Board of the SF RTD will go to the city and county for approval. The County has already approved new text except for the added text for the RTD. The timeline for adopting the supporting documents and the GRT ordinance includes public hearings and joint meetings.

Councilor Bushee asked who has been writing the agreements.

Mr. Katz explained that Mr. Steve Ross drafted the contract based very heavily on the Rio Metro RTD version and Mr. Katz carefully had reviewed it and made a few minor grammatical changes. Mr. Ross also drafted bylaws that would be required, based on the bylaws that the RPA already uses.

- **Priority list of topics for RPA discussion in 2008**

Commissioner Sullivan stated that the MPO met today and discussed the regional transit district. The MPO staff indicated federal funding requests will be coordinated for the district through the standard process of developing the STIP and the TIP. The MPO is structured to respond to

decisions the city and the county make. He said a good mechanism is being created for the RPA, through which the Authority is not only planning, but also doing.

Commissioner Sullivan said, obviously, the transit district is an immediate priority, and another major priority is following up on the annexation agreement and a few cleanup items regarding the rural zoning, the rural protection zones, and some capital improvements turnover scheduling.

Beyond that, Commissioner Sullivan said he could see continuing involvement in affordable housing as a priority. There is tinkering to be done with the affordable housing ordinance and dealing with lawsuits.

Not right at the top of the list, Commissioner Sullivan noted that other good issues are energy policy, coordination of capital improvement plans and family transfers, which is a big issue in the county, but not such a big issue in the city. Because the Authority can generally work on only one issue at a time, Authority members who have a particular interest might form an informal committee and come forward with items for discussion and review at the RPA that could be turned into ordinances or regulations.

Chair Wurzbarger responded and said she thought that idea would be helpful. As another method to address the issues, the RPA could come to an agreement to address one issue at each upcoming meeting and devote 15 minutes on the agenda and invite staff from the city and the county. As her personal preference, energy policy, economic development and affordable housing would be discussed during the next three meetings.

Councilor Romero agreed and added that she had no idea what the county's energy policy is. Following presentations from the county and city staffs on the specific issues, subgroups could be formulated that might include people who are not part of the RPA, but who may have expertise to tap. The subgroups would then bring their suggestions back to the whole RPA.

Councilor Bushee concurred with the order of issues. To wordsmith, she suggested that "Management of Water Resources and Water Infrastructure" be changed to just "Water Resources and Water Infrastructure." "Pueblo Relations" could be expanded to something like "Regional Cultural Relations" to be all encompassing. The lumped category of "Coordination of Emergency Services, Public Safety, Health Services and Emergency Water Supplies" seemed big and might want to be honed in a bit more. To her mind, "Health Services" would be a separate category. She said she views "Waste Management" as "Waste Reduction," which shows the intention.

Councilor Romero concurred with most of what Councilor Bushee brought up. However, she said that "Pueblo Relations" would be a different relationship with the pueblos than cultural and suggested perhaps "Regional Pueblo Relations." The "Coordination" topic may not work as a lumped category. She said that "Comprehensive Health Services" would include the other kinds of clinical health services, such as substance abuse programs, mental health, and other rural health issues.

Commissioner Sullivan stated he felt moving Health Services into a separate topic was an excellent idea. He added that the new County Commissioner who will be replacing him on

January 1, 2009, is a health services guru and will be putting a lot of emphasis on that, which brings needed strength to the BCC.

Commissioner Vigil liked what Councilor Bushee said about waste reduction, because it creates a focus for recycling. As chair of the solid waste management committee, one of their topics is renewable energy from solid waste, which would require a broader kind of approach to waste management. The city and county both have recycling policies that have not been aligned, and sharing resources would be good.

Chair Wurzburger requested that Ms. Follingstad arrange to invite the respective staffs to the next three meetings to give briefings to the RPA on what they see as the emerging issues on energy policy, waste management, and affordable housing.

Commissioner Sullivan suggested that domestic well policy should be added as a subset to water resources and water infrastructure, in light of the recent judicial decision, which will apply to the county. As a subset of the city's annexation, the city will now begin to annex areas that have domestic wells and will be getting requests for domestic wells where they cannot immediately provide municipal water.

Ms. Follingstad pointed out the heart and soul of the RPA Plan is management of growth with respect to how water resources are playing out. Also, she said she thought that the Buckman Direct Diversion Board is not structured to continue once the infrastructure is in place. So the RPA may want to be thinking how to deal with it down the road.

Even though there have been recent rains, Councilor Bushee reminded the Authority members that the area goes through constant drought cycles and felt that some kind of drought management could be included in the Water category. She then asked what "Emergency Water Supplies" refers to.

Chair Wurzburger said she recalled that it was disaster oriented.

Ms. Follingstad stated that there will be time to work on the second tier topics, including things like addressing global warming and how that might affect city and county matters down the road.

- **Regional GRT funds spent**

Ms. Follingstad stated that the GRT funds spent was a review item and that Mr. Paul Griffin has been on vacation and will provide a comprehensive spreadsheet at the next meeting.

Commissioner Vigil requested information regarding a timeline for prioritization of the new GRTs.

Ms. Follingstad said that she has begun putting together a strawman draft of the CIP for the remaining monies that will be coming in and will have an outline level at the next meeting.

Councilor Romero asked if the carryover dollars that were not spent would be part of the spreadsheet. Ms. Follingstad replied the carryover dollars will be included in the spreadsheet.

- **Regional Planning Authority FY2009 Budget**

Ms. Follingstad pointed out that the budget does not include staff for the RTD.

Chair Wurzburger stated her assumption that, once the transit district becomes a primary role of the RPA, Ms. Follingstad will have administrative responsibility. Then it will be determined what other kind of staffing will be needed. She added that an issue she had with the NCRTD was that she had never seen their budgets, including how many staff people they had or how many cars they drove. As part of the evolution as an RPA, the function of the staff would move over to the areas about which it was concerned.

Commissioner Sullivan added that the budget for the transit district functions will come from the gross receipts tax levy. So it will not be necessary for the city or the county to take that out of their general funds, although, they will need to advance some money and get repaid once the district starts receiving monies in July. The organizational document that is being put together that goes to DOT has to include a budget. Both the city and county will be putting together those realistic numbers, which should be available for the Authority to review prior to the special meeting of the State Transportation Commission on August 7.

Following some discussion about a timeline for funding and the budget for the transit district, Chair Wurzburger received consensus that a conceptual service and operations plan be developed for the September RPA meeting.

MATTERS FROM STAFF

Ms. Follingstad stated the first item on the RPA agenda for the August meeting will be rotation of the chair from the city to the county and suggested the members begin to think about who would like to be chair.

To make it easier to approve monies to be spent, Ms. Follingstad said she is working on a draft RCIP and stated that the regional GRT was to get started on what money is available and some ideas on where to go with it.

Since her contract needs an extension of term, she will put that on the agenda for the August meeting as well.

With respect to the RPA JPA approved by the RPA and the BCC, Ms. Follingstad said she has had a lack of response from city staff on getting it scheduled on city committees.

She said she would also like to include a report on progress of the rural protection zone as an agenda item.

Ms. Follingstad said that she wants to put forward a strawman draft on Highway Corridor protection under the Settlement Agreement, because it could turn into an instant land use case that no one will know how to deal with if there is no code in place.

Chair Wurzburger suggested that an update from the county and the city be included on the next agenda.

MATTERS FROM THE REGIONAL PLANNING AUTHORITY

Since there will not be any money for the transit district until July of 2009, Commissioner Sullivan said there are interim things that need to be done and there is time to put the organization together. A transit director does not need to be hired immediately and they can work off the expertise of the city.

DATE FOR NEXT RPA MEETING

Chair Wurzburger pointed out that holding the meeting at 5:30 does not work for her.

Following discussion to reach a compromise, consensus was determined to begin the August 19, 2008, at 5:00 PM.

ADJOURNMENT

There being no further business to come before the RPA, this Regular Meeting was adjourned at approximately 6:50 PM. The next regular meeting of the RPA will be at 5:00 PM on August 19, 2008.

Approved by:

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

Minutes transcribed and drafted by: Kay Carlson