

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

Tuesday, November 20, 2007

2:00 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 Harry Montoya at approximately 2:11 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, Chair
Jack Sullivan (arrived after roll call)
Virginia Vigil

City Councilors Present:

Mayor David Coss
Matthew Ortiz
Rebecca Wurzburger, Chair

City Councilor Excused:

Miguel Chavez

Santa Fe RPA Staff:

Mary Helen Follingstad, Executive Director

County of Santa Fe Staff Members:

Judy McGowan, Planning

City of Santa Fe Staff Members:

Frank Katz, Attorney

OTHERS IN ATTENDANCE:

Donna Reynolds, Santa Fe Realtors Association

APPROVAL OF AGENDA

Commissioner Vigil moved to approve the agenda, seconded by Councilor Ortiz and approved unanimously.

APPROVAL OF MINUTES FROM THE OCTOBER 16, 2007, REGULAR MEETING

Ms. Follingstad stated that the date of the meeting on the minutes was wrong and should read October 16, 2007.

Mayor Coss moved to approve the minutes of October 16, 2007, as amended, seconded by Councilor Wurzburger and approved unanimously.

REGIONAL PLANNING AUTHORITY BUSINESS

- **Approval of 2008 Meeting Schedule**

Ms. Follingstad presented the proposed meeting schedule for 2008.

Commissioner Vigil moved to approve the 2008 meeting schedule, as presented, seconded by Councilor Ortiz.

Ms. Follingstad stated that the meeting time of 2 to 4 PM was set to accommodate Commissioner Campos' schedule.

Following some discussion on the convenience of the meeting time, Commissioner Vigil suggested that the motion be amended to change the meeting time to 4 to 6 PM. Councilor Wurzburger brought up a compromise of 3 to 5 PM. More discussion ensued and it was decided to stay with the original proposed time of 2 to 4 PM.

The motion was voted upon and approved unanimously.

- **Proposed Changes to the RPA-JPA**

Ms. Follingstad stated the Authority had decided at a previous meeting to review the RPA-JPA and went over her memorandum that outlined a background and reasons to revise the RPA-JPA, which is incorporated herewith as a part of these minutes.

Commissioner Sullivan asked how the process would work if there were no EZA.

Ms. Follingstad said that she has had discussions with Mr. Frank Katz, City Attorney, who explained to her that, if there were no EZA, anything having to do with an ordinance would go directly to the appropriate jurisdiction for approval, whether it be the city or the county. Presently, the process is through the EZC, the EZA and then to the BCC or the City Council, which is by statute.

Commissioner Campos stated that the city and county could come to an agreement and go to the legislature to change the statute on this particular issue.

Councilor Ortiz cautioned that it would be ambitious in the upcoming 2008 thirty-day session to go forward to the legislature on any solution, especially since there are still substantive issues that still need to be hammered out between the city and the county. While there has been process made between staffs in terms of the policy issues, going to the legislature during the 2008 session would not serve any purpose except to highlight the differences, rather than any agreement between the city and the county.

Commissioner Sullivan referred to the RPA-JPA, Section I Scope of Agreement, Paragraph E regarding Capital Outlay Gross Receipts Tax Revenues. As a group, he said the RPA made a recommendation to use the capital outlay GRT for the Buckman Wells as a regional project. He

also noted that the funding should be made conditional on the county ordinance that was set in place for ten years and has been in place for three years.

Ms. Follingstad said she would note the proposed new language by Mr. Sullivan regarding the boundaries and the ten-year sunset.

Councilor Wurzburger referred to page 2, Paragraph F, and page 4, Section I Scope of Agreement, Paragraph D regarding subsequent actions by city and county. While she realized it is premature to do so at present because the EZA is a statutory body, she felt that the RPA's recommendations should go through the city or the county, not the EZA or any other authority.

Commissioners Campos and Vigil confirmed the understanding that the only way to eliminate the EZA would be through a statutory change.

Chair Montoya referred to page 6, Section IV Regional Planning Authority, Paragraph A regarding members, and suggested that the second sentence be amended to read "Every six months, a RPA chair shall be elected by the members of the RPA to preside over the RPA meetings for the following six-month period ~~with the first RPA chair being Javier Gonzalez, the second RPA chair being Mayor Larry A. Delgado,~~ and each successive ..." He also asked how the members felt about the requirement for having four members from the city and four members from the county or reducing that number to three members from each body.

Ms. Wurzburger said she felt that six months as chair of the RPA should be changed to a year for continuity. She expressed her preference for the four members from each body. She also felt there should be an expulsion policy for nonparticipation by a member.

Mayor Coss agreed that the councilors are over-extended and said it is a challenge to resolve how to appoint councilors to committees, but he felt that four members from each body was preferable.

Ms. Follingstad said she would bring back to the next meeting for discussion the change to the paragraph as suggested by Chair Montoya and a clause about termination for nonparticipation.

Mayor Coss said he felt that such termination should be automatic, rather than requiring the RPA to vote on that option.

Ms. Wurzburger suggested that an alternate be appointed to automatically fill a position should a member be removed.

Mr. Katz proposed three absences in a year be the requirement for removal.

Following further discussion, it was decided to leave the term of the RPA chair at six months.

MATTERS FROM THE REGIONAL PLANNING AUTHORITY

- **Regional GRT for the Railyard Park**

Mayor Coss reported that he received an inquiry from the Trust For Public Land about the regional GRT for the Railyard Park that was voted on by the RPA, because the TPL has not gotten a release of the funds from the county. Mayor Coss asked if there is another step that the RPA needs to take to have the funds released.

Ms. Follingstad said that she will speak to Mr. Olafson and Ms. Baker to determine how to coordinate through the BCC to take the steps necessary to have the funds released.

- **Rural Protection Zoning Ordinance**

Mayor Coss said that he and Commissioner Vigil spoke about drafting a Rural Protection Zoning Ordinance. He said he will continue to work with Commissioner Vigil to determine if such an ordinance should be developed at the RPA, rather than by city and county staffs.

Commissioner Vigil added that such an ordinance will protect those communities that are outside the city limits and want protection, e.g. Calle Nopal that adjoins Agua Fría Village.

Councilor Wurzbarger agreed that such an ordinance needs to be done quickly.

Chair Montoya requested that Ms. Follingstad start the process of putting a draft together with appropriate city and county staff, Jeannie Price and Judy McGowan. Ms. Follingstad confirmed that she will do so and will bring the concept forward to the RPA for its review.

Commissioner Campos said he would prefer not to start down the path of drafting an ordinance for rural areas in the EZ. He felt it would be more expeditious to develop general concepts to provide to city and county staffs that are negotiating the annexation process. He did not feel the RPA should put in more time on something that can be settled in a better way.

Commissioner Vigil said that she disagreed.

- **County Residents Utility Charges**

Commissioner Vigil stated that she appreciates the opportunity of being at the same table with city councilors to discuss issues. She said she has received phone calls from some of her constituents because their city utility bills had been increased by as much as two hundred percent with no previous notice and she was not able to respond to them. This is one of the problems that results when there are cross jurisdictional lines for infrastructure. She requested a future agenda item be an explanation from the water utility on how county residents are impacted by decisions made by the utility, so that she will have a better understanding for how to respond to her constituents.

Mayor Coss offered to ask the City Manager to arrange to have the wastewater utility person come to the next BCC meeting to discuss the rate increase.

EXECUTIVE SESSION

- **Performance Evaluation of Regional Planning Executive Director**

Commissioner Vigil moved to go into Executive Session, seconded by Mayor Coss and approved by a Roll Call Vote of 7 affirmative.

The Authority went into Executive Session at 3 PM and reconvened in Open Session at 3:17 PM.

Mayor Coss moved to reconvene the regular session and stated that only personnel matters were discussed, seconded by Councilor Ortiz, and approved unanimously.

ADJOURNMENT

There being no further business to come before the RPA, this Regular Meeting was adjourned at approximately 3:17 PM.

There will be no meeting in December 2007. The next regularly scheduled meeting of the RPA will be at 2:00 PM, Tuesday, January 15, 2008.

Approved by:

Chair, Regional Planning Authority
Harry Montoya, Commissioner, County of Santa Fe

Minutes transcribed and drafted by: Kay Carlson