



City of Santa Fe, New Mexico

200 Lincoln Avenue, P.O. Box 909, Santa Fe, N.M. 87504-0909

David Coss, *Mayor*

Councilors:

Rebecca Wurzbarger, Mayor Pro Tem, Dist. 2

Patti J. Bushee, Dist. 1

Chris Calvert, Dist. 1

Rosemary Romero, Dist. 2

Miguel M. Chavez, Dist. 3

Carmichael A. Dominguez, Dist. 3

Matthew E. Ortiz, Dist. 4

Ronald S. Trujillo, Dist. 4

December 29, 2011

Secretary Alvin Dominguez, P.E.
New Mexico Department of Transportation
1120 Cerrillos Road
Santa Fe, NM 87504-1149

Re: Request to Open Zia Station to Rail Runner Express Service

Secretary Dominguez:

This letter serves as the City of Santa Fe's request to NMDOT to open the Zia Station to Rail Runner Express Service.

The Santa Fe Metropolitan Planning Organization (MPO) Transportation Policy Board approved the location of the Rail Runner Station at Zia Road at their meeting on December 13th, 2007. The motion language did not link the opening of the station to any possible future development of the adjacent property. The motion language did specify that "*Zia be on-line before train operations begin...*" and "*that the Zia Station be specifically and narrowly tailored that would minimize auto traffic.*" The station platform was constructed by NMDOT prior to the start of Rail Runner service between Albuquerque and Santa Fe, but has never been opened for service.

District 4 Councilor Matthew Ortiz at the July 28th, 2010 City Council Meeting requested that a public process on the opening of the Zia Station be conducted. A Public Input Meeting was held on March 14th, 2011 at the Capshaw Middle School. Approximately 250 people attended this meeting and the majority of those who attended or submitted written comments expressed a desire for Zia Station to open.

At their August 30th, 2011 meeting the Santa Fe City Council passed Resolution 2011-45 (attached) directing staff to submit a request to the New Mexico Department of Transportation to open the Zia Station for Rail Runner Service. As part of that resolution, staff was directed to prepare an Impact Fee Credit Agreement with Zia Station LLC (adjacent property owner) for the construction of the infrastructure improvements to facilitate the opening of the station and to enter into a License Agreement with Zia Station LLC for the use of the Zia Station infrastructure by the City of Santa Fe.

Also at their August 30th meeting, the City Council passed Resolution 2011-44 (attached) which added the Zia Station Infrastructure Improvements to the City of Santa Fe Impact Fees Capital Improvements Plan and limited the infrastructure improvements to construction of a drop off facility with parking for persons with disabilities and sidewalk improvements on Zia Road.

At their November 9th meeting (minutes attached) the City Council approved the Conceptual Plan (attached) for the infrastructure improvements to support the opening of the Zia Station. Frank Sharpless, NMDOT Transit and Rail Director was provided with a copy of the Conceptual Plan and responded with some comments and questions. Responses to these questions have been attached with letter.

If the NMDOT approves the opening of Zia Station, Zia Station LLC will develop engineering drawings based on the Conceptual Plan and apply to the City for a Building Permit to construct the infrastructure improvements. The timing of the completion of the infrastructure improvements will depend on a number of factors, so a specific date cannot yet be specified.

If you have any questions regarding this request, please do not hesitate to contact me.

Sincerely,



Robert Romero, P.E.
City Manager

cc: Deputy Secretary Kathryn Bender, NMDOT
Frank Sharpless, NMDOT Transit and Rail Director
Merritt Brown, Zia Station LLC
Mayor Coss, Chair, Santa Fe Metropolitan Planning Organization Transportation Policy Board
Keith Wilson, Santa Fe Metropolitan Planning Organization

1 **CITY OF SANTA FE, NEW MEXICO**

2 **RESOLUTION NO. 2011-45**

3 **INTRODUCED BY:**

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5 Finance Committee

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10 **A RESOLUTION**

11 **DIRECTING STAFF TO SUBMIT A REQUEST TO THE NEW MEXICO**
12 **DEPARTMENT OF TRANSPORTATION TO OPEN THE ZIA STATION FOR RAIL**
13 **RUNNER EXPRESS SERVICE.**

14
15 **WHEREAS**, on December 13, 2007, the Santa Fe Metropolitan Planning Organization
16 (“MPO”) Transportation Policy Board approved the location of the Rail Runner Express Station
17 at Zia Road; and

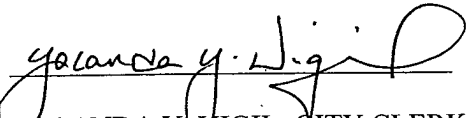
18 **WHEREAS**, the station platform was constructed by the New Mexico Department of
19 Transportation (“NMDOT”) prior to the start of Rail Runner Express service between
20 Albuquerque and Santa Fe; and

21 **WHEREAS**, on March 14, 2011, City staff and MPO staff conducted a public input
22 meeting to discuss the opening of the Zia Station for Rail Runner Express service; and

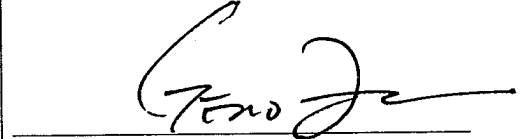
23 **WHEREAS**, at the public meeting staff presented a conceptual plan to show how
24 pedestrian, bicycle, transit and automobile access could be accommodated to facilitate the
25 opening of the Zia Station; and

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ATTEST:


YOLANDA Y. VIGIL, CITY CLERK

APPROVED AS TO FORM:


GENO ZAMORA, CITY ATTORNEY

1 receive impact fee funds; and

2 **WHEREAS**, there is an identified need for additional capital improvements in order to
3 open the Zia Station to allow the Rail Runner Express to make stops at that station; and

4 **WHEREAS**, the City of Santa Fe deems these improvements important to enhance road
5 capacity by allowing greater use of the Rail Runner Express train system and thereby a reduction
6 of motor vehicle traffic.

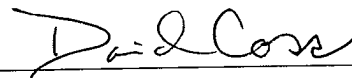
7 **NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE**
8 **CITY OF SANTA FE** that Table 22 (Page 23), "Planned Major Road Improvements 2007-2012"
9 of the *Impact Fee Capital Improvements Plan And Land Use Assumptions, 2007-2012* is amended
10 to include the following under "Project Name", "Location" and "Cost Estimate":

<u>Project Name</u>	<u>Location</u>	<u>Cost Estimate</u>
Zia Station Infrastructure Improvements	Adjacent to the Zia Rd./St. Francis Dr. Intersection	\$180,000

11 **BE IT FURTHER RESOLVED** that such Zia Station Infrastructure Improvements shall
12 be limited to construction of a drop off facility; parking for persons with disabilities; and
13 sidewalk improvements on Zia Road.

14 **BE IT FURTHER RESOLVED** that staff is directed to bring to the Public Works
15 Committee and the Governing Body, for review, the plans for the drop off facility, plans for the
16 parking for persons with disabilities and the plans for the sidewalk improvements.

17 PASSED, APPROVED, and ADOPTED this 30th day of August 2011.

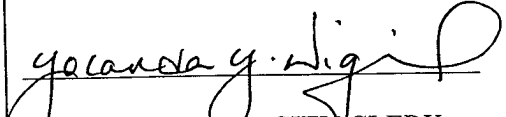
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24 DAVID COSS, MAYOR

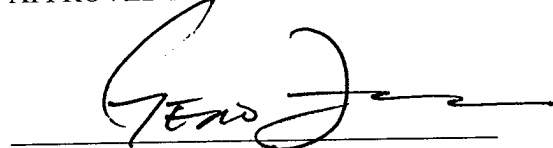
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ATTEST:


YOLANDA VIGIL, CITY CLERK

APPROVED AS TO FORM:



GENO ZAMORA, CITY ATTORNEY



Agenda

REGULAR MEETING OF
THE GOVERNING BODY
NOVEMBER 9, 2011
CITY COUNCIL CHAMBERS

AMENDED – ITEM #H-4

AFTERNOON SESSION – 5:00 P.M.

CITY CLERK'S OFFICE
DATE Nov 8, 2011 TIME 4:15pm
SERVED BY _____
RECEIVED BY Tina Y. Dominguez

1. CALL TO ORDER
2. PLEDGE OF ALLEGIANCE
3. SALUTE TO THE NEW MEXICO FLAG
4. INVOCATION
5. ROLL CALL
6. APPROVAL OF AGENDA
7. APPROVAL OF CONSENT CALENDAR
8. APPROVAL OF MINUTES: Reg. City Council Meeting – October 26, 2011
9. PRESENTATIONS
 - a) Employee of the Month for November 2011 – Lisa Ernst, Detective, Police Department. (5 minutes)
 - b) 2011 Winners of the Common Ground Art Exhibit and Competition. (Sabrina Pratt) (5 minutes)
10. CONSENT CALENDAR
 - a) Request for Approval of Change Order No. 3 – Santa Fe River Trail Construction from Ricardo Road to Camino Alire; Advantage Asphalt and Seal Coating, LLC. (Brian Drypolcher)
 - 1) Request for Approval of Budget Increase – Project Fund.
 - b) Request for Approval of Grant Applications, Grant Agreements and Awards – Santa Fe Trails New Freedom Operating Services; U.S. Department of Transportation, Federal Transit Administration. (David Chapman)



Agenda

REGULAR MEETING OF
THE GOVERNING BODY
NOVEMBER 9, 2011
CITY COUNCIL CHAMBERS

- c) Request for Approval of Conceptual Plan for Zia Station Infrastructure Improvements (Drop-Off Facility). (Keith Wilson)
- d) Request for Approval of Amendment No. 2 to Professional Services Agreement – Legal Services Regarding Qwest Corporation Versus City of Santa Fe; Cuddy & McCarthy. (Kelly Brennan)
 - 1) Request for Approval of Budget Increase – Insurance Claims Fund.
- e) CONSIDERATION OF RESOLUTION NO. 2011-_____. (Councilor Wurzburger, Mayor Coss, Councilor Calvert, Councilor Dominguez, and Councilor Bushee)
A Resolution Supporting Film and Media Industry Economic Development Activities in the City of Santa Fe as a Means Towards Achieving a Sustainable Local Economy and Stimulating Local Job Creation and Retention; and Working With Santa Fe County in an Effort to Combine City and County Resources to Develop and Produce a Comprehensive Marketing Strategy That Will Bring Films to Santa Fe. (Kate Noble)
- f) CONSIDERATION OF RESOLUTION NO. 2011-_____. (Mayor Coss and Councilor Wurzburger)
A Resolution Affirming the Governing Body's Action to Approve the Budget for Fiscal Year 2011/2012 and That Such Approval Included an Incentive Reduction of \$600,000 From the City's Collective Bargaining Units and Non-Union Employees; Expressly Stating that Collective Bargaining Unit and Non-Union Employees Leave Benefits Shall be Reduced by \$1,000,000; and Directing the City Manager to Verify that the Fiscal Year 2011/2012 Budget Submitted to DFA Reflects the Reductions that Were Approved by the Governing Body. (Robert Romero and Dr. Melville Morgan)
- g) CONSIDERATION OF RESOLUTION NO. 2011-_____. (Councilor Ortiz)
A Resolution Restating the Intent of Resolution 2008-31 and Expanding Resolution 2008-31 to Include that User Fees Shall be Waived for Non-Profit High Schools, Accredited by the New Mexico Department of Education and Located in the City Limits of Santa Fe, to Use the Santa Fe Community Convention Center for One Function Per Calendar Year. (Jim Bradbury)



Agenda

REGULAR MEETING OF
THE GOVERNING BODY
NOVEMBER 9, 2011
CITY COUNCIL CHAMBERS

- h) Request for Approval of Findings of Fact and Conclusions of Law for Case No. 2011-114 Ashford Santa Fe LP – Proposed Remodel of a Non-Contributing Commercial Structure Located at 100 Sandoval Street within the Downtown & Eastside Historic District. (Kelley Brennan)
- i) CONSIDERATION OF RESOLUTION NO. 2011-_____. (Councilor Calvert, Councilor Wurzbarger, Councilor Trujillo, Councilor Ortiz and Councilor Bushee)
A Resolution Urging the New Mexico Public Regulation Commission to Reject PNM's *Renewable Energy Portfolio Procurement Plan For 2012* as It is Not in Compliance with the New Mexico Renewable Energy Act and Results in Diminished Renewable Energy Certificate Incentives; and Urging the PRC to Require that PNM Maintain the Renewable Energy Certificate Incentives for All Size Categories Up to One Megawatt at 6 Cents Per KWH with a Commensurate One Cent Per KWH Drop in the Renewable Energy Credit Incentive within a Defined Period of Time.
- j) Request for Direction and Approval of 2012 Legislative Priorities. (Robert Romero)
- k) Request for Approval to Publish Notice of Public Hearing on November 30, 2011:
- 1) Bill No. 2011-41: An Ordinance Amending Section 23-8.5 SFCC 1987 to Regulate the Types of Goods and Wares Street Performers May Sell; and Amending Section 23-8.7 SFCC 1987 Regarding Criminal Enforcement, Penalty; and Administrative Enforcement. (Councilor Bushee) (Aric Wheeler and Dr. Melville Morgan)
 - 2) Bill No. 2011-42: An Ordinance Repealing Articles 14-1 through 14-4 SFCC 1987 and Adopting New Articles 14-1 through 14-4 SFCC 1987; Repealing Section 14-5.1 SFCC 1987 and Adopting a New Section 14-5.1 SFCC 1987; Repealing Sections 14-5.3 Through 14-5.5 SFCC 1987 and Adopting New Sections 14-5.3 Through 14-5.5 SFCC 1987; Repealing Sections 14-5.7 Through 14-5.10 SFCC 1987 And Adopting New Sections 14-5.7 Through 14-5.10 SFCC 1987; Repealing Articles 14-6 Through 14-7 SFCC 1987 and Adopting New Articles 14-6 Through 14-7 SFCC 1987; Repealing Sections 14-8.1 Through 14-8.9 SFCC 1987 and Adopting New Sections 14-8.1 Through 14-8.9 SFCC 1987; Repealing 14-8.11 Through 14-8.16 SFCC 1987 and Adopting New Sections 14-8.11 SFCC 1987 Through 14-8.16 SFCC 1987; and Making Such Other Changes as are Necessary. (Greg Smith)



Agenda

REGULAR MEETING OF
THE GOVERNING BODY
NOVEMBER 9, 2011
CITY COUNCIL CHAMBERS

11. MATTERS FROM THE CITY MANAGER
12. MATTERS FROM THE CITY ATTORNEY

EXECUTIVE SESSION:

Discussion of the Purchase, Acquisition or Disposal of Real Property by the City of Santa Fe, Office Space Lease Agreement, 500 Market Street, Suite 200 at the Railyard; with Railyard Company LLC, Pursuant to § 10-15-1(H)(8), NMSA 1978, and Discussion of Threatened or Pending Litigation in Which the City of Santa Fe Is or May Become a Participant Involving Railyard Company, LLC in Accordance with §10-15-1(H)(7), NMSA 1978.

13. Action Regarding the Purchase, Acquisition or Disposal of Real Property by the City of Santa Fe, Office Space Lease Agreement, 500 Market Street, Suite 200 at the Railyard; with Railyard Company LLC, and Regarding Threatened or Pending Litigation in Which the City of Santa Fe Is or May Become a Participant Involving Railyard Company, LLC. (Geno Zamora)
14. MATTERS FROM THE CITY CLERK
15. COMMUNICATIONS FROM THE GOVERNING BODY

EVENING SESSION – 7:00 P.M.

- A. CALL TO ORDER
- B. PLEDGE OF ALLEGIANCE
- C. SALUTE TO THE NEW MEXICO FLAG
- D. INVOCATION
- E. ROLL CALL
- F. PETITIONS FROM THE FLOOR
- G. APPOINTMENTS



Agenda

REGULAR MEETING OF
THE GOVERNING BODY
NOVEMBER 9, 2011
CITY COUNCIL CHAMBERS

H. PUBLIC HEARINGS:

- 1) Request from Ferguson Enterprises, for a Waiver of the 300 Foot Location Restriction to Allow the Dispensing/Sale of Beer and Wine at the Ferguson Showroom, 1708 Llano Street Unit B, Which is Within 300 Feet of De Vargas Middle School, 1720 Llano Street. The Request is for Ferguson Enterprises' Customer Appreciation Private Event to be Held on November 10, 2011 from 6:00 p.m. to 8:00 p.m. (Yolanda Y. Vigil)
- 2) CONSIDERATION OF BILL NO. 2011-37: ADOPTION OF ORDINANCE NO. 2011-_____. (Councilor Romero)
An Ordinance Approving a Lease Between the City of Santa Fe and Daisy Lay II, LLC for Approximately 4,067 Square Feet of City Owned Land Located Within the Bounds of the Camino Entrada Right of Way to be Used as a Parking Area Appurtenant to Restaurant at 2571 Cristo's Road. (Edward Vigil)
- 3) CONSIDERATION OF BILL NO. 2011-38: ADOPTION OF ORDINANCE NO. 2011-_____. (Councilor Trujillo)
An Ordinance Amending Article 23-6 SFCC 1987 to Permit the Limited Sale and Consumption of Alcoholic Beverages at Fort Marcy Ball Park for Professional Baseball Games. (Robert Romero)
 - a) CONSIDERATION OF RESOLUTION NO. 2011-_____. (Councilor Trujillo)
A Resolution Authorizing the City Manager to Supervise and Direct the Placement and Operation of a Beer Garden at Fort Marcy Ballpark for Service and Consumption of Beer Only at Professional Baseball Games; and to Ensure that the City Complies with the Directives of this Resolution, and the Laws of the City of Santa Fe and the State of New Mexico. (Robert Romero)
- 4) Request from Maribel Cardona, dba M & J Event Center, for a Waiver of the 300 Foot Location Restriction to Allow the Dispensing/Sale of Alcoholic Beverages at M & J Event Center, 1708-A Llano Street, Which is Within 300 Feet of DeVargas Middle School, 1720 Llano Street. The Request is for Fiestas Pitrias to be Held on November 20, 2011 from 7:00 p.m. to Midnight. (Yolanda Y. Vigil)

I. ADJOURN



Agenda

REGULAR MEETING OF
THE GOVERNING BODY
NOVEMBER 9, 2011
CITY COUNCIL CHAMBERS

Pursuant to the Governing Body Procedural Rules, in the event any agenda items have not been addressed, the meeting should be reconvened at 7:00 p.m., the following day and shall be adjourned not later than 12:00 a.m. Agenda items, not considered prior to 11:30 p.m., shall be considered when the meeting is reconvened or tabled for a subsequent meeting.

NOTE: New Mexico law requires the following administrative procedures be followed when conducting "quasi-judicial" hearings. In a "quasi-judicial" hearing all witnesses must be sworn in, under oath, prior to testimony and will be subject to reasonable cross-examination. Witnesses have the right to have an attorney present at the hearing.

Persons with disabilities in need of accommodations, contact the City Clerk's office at 955-6520, five (5) days prior to meeting date.

SUMMARY INDEX
SANTA FE CITY COUNCIL MEETING
November 9, 2011

<u>ITEM</u>	<u>ACTION</u>	<u>PAGE #</u>
<u>AFTERNOON SESSION</u>		
CALL TO ORDER AND ROLL CALL	Quorum	1
APPROVAL OF AMENDED AGENDA	Approved	1
APPROVAL OF CONSENT CALENDAR	Approved [amended]	2
CONSENT CALENDAR LISTING		2-4
APPROVAL OF MINUTES: REGULAR CITY COUNCIL MEETING –OCTOBER 26, 2011	Approved	4
<u>PRESENTATIONS</u>		
EMPLOYEE OF THE MONTH FOR NOVEMBER 2011 – LISA ERNST, DETECTIVE, POLICE DEPARTMENT		4
2011 WINNERS OF THE COMMON GROUND ART EXHIBIT AND COMPETITION		4
<u>CONSENT AGENDA DISCUSSION</u>		
REQUEST FOR APPROVAL OF CHANGE ORDER NO. 3 – SANTA FE RIVER TRAIL CONSTRUCTION FROM RICARDO ROAD TO CAMINO ALIRE, ADVANTAGE ASPHALT AND SEAL COATING, LLC	Approved	5
REQUEST FOR APPROVAL OF BUDGET INCREASE – PROJECT FUND	Approved	
REQUEST FOR APPROVAL OF CONCEPTUAL PLAN FOR ZIA STATION INFRASTRUCTURE IMPROVEMENTS (DROP-OFF FACILITY)	Approved	5-7
REQUEST FOR APPROVAL OF FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR CASE NO. 2011-114, ASHFORD SANTA FE LP – PROPOSED REMODEL OF A NON-CONTRIBUTING COMMERCIAL STRUCTURE LOCATED AT 100 SANDOVAL STREET WITHIN THE DOWNTOWN & EASTSIDE HISTORIC DISTRICT	Approved	7-11

**MINUTES OF THE
REGULAR MEETING OF THE
GOVERNING BODY
Santa Fe, New Mexico
November 9, 2011**

AFTERNOON SESSION

A regular meeting of the Governing Body of the City of Santa Fe, New Mexico, was called to order by Mayor David Coss, on November 9, 2011, at approximately 5:00 p.m., in the City Hall Council Chambers. Following the Pledge of Allegiance, Salute to the New Mexico flag, and the Invocation, roll call indicated the presence of a quorum, as follows:

Members Present

Mayor David Coss
Councilor Rebecca Wurzburger, Mayor Pro-Tem
Councilor Patti J. Bushee
Councilor Christopher Calvert
Councilor Miguel Chavez
Councilor Carmichael A. Dominguez
Councilor Matthew E. Ortiz
Councilor Rosemary Romero
Councilor Ronald S. Trujillo

Others Attending

Robert Romero, City Manager
Geno Zamora, City Attorney
Yolanda Y. Vigil, City Clerk
Melessia Helberg, Council Stenographer

6. APPROVAL OF AGENDA

MOTION: Councilor Calvert moved, seconded by Councilor Romero, to approve the Amended Agenda as presented

VOTE: The motion was approved on a voice vote with Councilors Calvert, Chavez, Dominguez, Ortiz, Romero, Trujillo and Wurzburger voting for the motion, none against and Councilor Bushee absent for the vote.

7. APPROVAL OF CONSENT CALENDAR

MOTION: Councilor Calvert moved, seconded by Councilor Wurzburger, to approve the following Consent Calendar, as amended.

VOTE: The motion was approved on the following Roll Call vote:

For: Councilor Calvert, Councilor Chavez, Councilor Dominguez, Councilor Ortiz, Councilor Romero, Councilor Trujillo and Councilor Wurzburger.

Against: None.

Absent for the vote: Councilor Bushee.

- a) *[Removed for discussion by Councilor Chavez]*
- b) **REQUEST FOR APPROVAL OF GRANT APPLICATIONS, GRANT AGREEMENTS AND AWARDS – SANTA FE TRAILS NEW FREEDOM OPERATING SERVICES, U.S. DEPARTMENT OF TRANSPORTATION, FEDERAL TRANSIT ADMINISTRATION. (DAVID CHAPMAN)**
- c) *[Removed for discussion by Councilor Chavez]*
- d) **REQUEST FOR APPROVAL OF AMENDMENT NO. 2 TO PROFESSIONAL SERVICES AGREEMENT – LEGAL SERVICES REGARDING QUEST CORPORATION VERSUS CITY OF SANTA FE, CUDDY & McCARTHY. (KELLY BRENNAN)**
 - 1) **REQUEST FOR APPROVAL OF BUDGET INCREASE – INSURANCE CLAIMS FUND.**
- e) **CONSIDERATION OF RESOLUTION NO. 2011- 60. (COUNCILOR WURZBURGER, MAYOR COSS, COUNCILOR CALVERT, COUNCILOR DOMINGUEZ AND COUNCILOR BUSHEE). A RESOLUTION SUPPORTING FILM AND MEDIA INDUSTRY ECONOMIC DEVELOPMENT ACTIVITIES IN THE CITY OF SANTA FE AS A MEANS TOWARDS ACHIEVING A SUSTAINABLE LOCAL ECONOMY AND STIMULATING LOCAL JOB CREATION AND RETENTION, AND WORKING WITH SANTA FE COUNTY IN AN EFFORT TO COMBINE CITY AND COUNTY RESOURCES TO DEVELOP AND PRODUCE A COMPREHENSIVE MARKETING STRATEGY THAT WILL BRING FILMS TO SANTA FE. (KATE NOBLE)**

CONSENT AGENDA DISCUSSION

10. a) **REQUEST FOR APPROVAL OF CHANGE ORDER NO. 3 – SANTA FE RIVER TRAIL CONSTRUCTION FROM RICARDO ROAD TO CAMINO ALIRE, ADVANTAGE ASPHALT AND SEAL COATING, LLC. (BRIAN DRYPOLCHER)**
1) **REQUEST FOR APPROVAL OF BUDGET INCREASE – PROJECT FUND.**

Councilor Ortiz said he will recuse himself because this item involves his client.

Councilor Chavez said the first change order was for \$14,000 plus, the second for \$26,000 plus, and this change order, if approved, will be \$49,000 plus. He questions the change order, the pattern of change orders, and the pattern of change orders on this item, as well a lot of the other projects in addition to this one. He said he is trying to track the funding, assuming it is separate from the \$30 million Park Bond issued two years.

Mr. Drypolcher said this particular part of the trail is not park funding, but is paid from CIP funds.

Councilor Chavez reiterated his issues with the change orders, although saying some might be warranted, and he will be voting against this request for this reason. He said he also wanted to raise the question about how these contracts are awarded and the number of change orders to get the project done.

MOTION: Councilor Calvert moved, seconded by Councilor Trujillo, to approve this request.

VOTE: The motion was approved on the following Roll Call vote:

For: Councilor Calvert, Councilor Chavez, Councilor Dominguez, Councilor Ortiz, Councilor Romero, Councilor Trujillo and Councilor Wurzbarger.

Against: None.

Absent for the vote: Councilor Bushee.

10. c) **REQUEST FOR APPROVAL OF CONCEPTUAL PLAN FOR ZIA STATION INFRASTRUCTURE IMPROVEMENTS (DROP-OFF FACILITY). (KEITH WILSON)**

A copy of an Action Sheet Item from the Public Works/CIP and Land Use Committee meeting of Monday, November 7, 2011, is incorporated herewith to these minutes as Exhibit "1."

Councilor Chavez said this is a drop-off facility next to the Rail Runner station. He said usually, a project such as this one will provide some amount of parking. He asked how many parking spaces will be provided.

Mr. Wilson said this item came before the City Council on August 31, 2011. He said in the original conceptual plan there were 30 parking spaces. However, during the approval process, the Council chose to, and requested to, remove all parking from the facility and provide that it be only a drop-off facility. He said the only parking which will be provided in this drop-off facility is one ADA space.

Councilor Chavez said this is of concern to him, because people will park across the street at Albertsons or somewhere and perhaps walk there to "see their family or loved ones or friends off." He said this really doesn't make a lot of sense. He said he wanted to raise the issue about parking and will leave it at that.

Councilor Romero said they had this conversation at Public Works specific to this item. She said her direction to staff would be, as we move forward with the conceptual plan, that it include something to show what the parking will look like. She said parking was taken out of this at the Council meeting where this was approved, and her comment was that this is going to have some affiliated consequences. She said as we move forward we need to bear in mind that parking could be part of the conceptual plan at some point. She said this was approved by the Council to move forward without parking.

Councilor Ortiz said, regarding the conceptual plan, he raised the possibility that as this project moves forward, if there is a need for parking, he believes the developer left some room to put in parking. He said he was against this at the hearing, and against it because of the impacts to an intersection. He said since the right turn lane was installed on St. Francis going south, the traffic queue backs up almost to Siringo Road, especially during the school year. He received information from the Public Works Director and the Traffic Engineer about the specific need for the right arrow. He would like to know what, if any plans will be made to alleviate the wait time at the arrow. He asked if this has been considered or included in the ongoing analysis of this station.

Mr. Wilson said staff was asked to bring back a conceptual plan for the drop off facility. He said we talked a lot about traffic impacts during the approval process, and included a provision in the Resolution to review this situation 6 months and 12 months after the opening of the station.

Chair Ortiz said at the time this plan was approved by the Council, there was no consideration of a right arrow off St. Francis, but subsequently that was put in. He said the staff response to the reason that was done, was to accommodate the needs of bicyclists and walker to cross through the intersection on Zia. He said that creates artificial queues in the right turn line onto Zia. He said this was a new development we didn't consider at the time we approved opening the station. He asked if approved, if there will be another analysis of that intersection 6-12 months from the opening

Mr. Wilson said the Resolution which was approved was to make the request to the DOT to open the station. He quoted from the Resolution, as follows:

"BE IT FURTHER RESOLVED that at six months and twelve months from the date of the opening of the Zia Station the Governing Body shall review the ridership and the impact on traffic and parking in the area of the Zia Station."

Mr Wilson said once the station is opened, at six months, the traffic, parking and everything else cited, will be reviewed by staff and brought to the Governing Body.

Mr. Wilson said the right turn arrow from St. Francis onto Zia was in place when this was brought before the Council at the end of August.

Councilor Ortiz said perhaps he didn't notice it because school wasn't in session, reiterating that the traffic backs up all the way to Siringo Road at 4:00 p.m.. He said he was against this to begin with, and believes the Rail Runner is an exercise in Governor Richardson's legacy, and not in actually providing service which is timely or cost efficient. He doesn't like the station, he believes the neighborhood doesn't like the station, so he will be voting against this request.

Councilor Trujillo said he brought up the issue of parking, but when he reviewed the minutes he saw this was just a "kiss and drop," and that there was ADA parking.

MOTION: Councilor Romero moved, seconded by Councilor Wurzbarger, to approve this request.

VOTE: The motion was approved on the following Roll Call vote:

For: Councilor Calvert, Councilor Dominguez,, Councilor Romero, Councilor Trujillo and Councilor Wurzbarger.

Against: Councilor Ortiz and Councilor Chavez.

Absent for the vote: Councilor Bushee.

Explaining his vote: Councilor Chavez said, I don't think we should make a bad situation worse, and this conceptual plan, now, should have some parking dedicated. It doesn't. I can't support it. No."

Councilor Bushee arrived at the meeting

10. h) **REQUEST FOR APPROVAL OF FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR CASE NO. 2011-114, ASHFORD SANTA FE LP – PROPOSED REMODEL OF A NON-CONTRIBUTING COMMERCIAL STRUCTURE LOCATED AT 100 SANDOVAL STREET WITHIN THE DOWNTOWN & EASTSIDE HISTORIC DISTRICT. (KELLEY BRENNAN).**

A Memorandum prepared November 3 for the November 9, 2011 City Council meeting, with attachments [packet pages 2 through 566], to the Mayor and City Council, from Greg Smith, Director, Current Planning Division, is incorporated herewith to these minutes by reference, and copies can be obtained in the office of the City Clerk.

NMDOT COMMENTS AND QUESTIONS REGARDING THE CONCEPTUAL DESIGN

Responses imbedded in blue text

From: Sharpless, Frank J, NMDOT [FrankJ.Sharpless@state.nm.us]

Sent: Monday, November 07, 2011 11:18 AM

To: WILSON, KEITH P.

Cc: Gallegos, Phillip A., NMDOT; Martinez, David J., NMDOT; Garcia, Ruben C., NMDOT; Craven, William, NMDOT; Jian, Afshin, NMDOT; Wilson, Todd C., NMDOT; Harris, David C, NMDOT; Bender, Kathryn, NMDOT; Jian, Afshin, NMDOT; Gabaldon, Miguel B., NMDOT

Subject: RE: revised kiss and ride

Keith, below are our comments, questions and observations regarding your revised plan for the Zia Station Kiss and Ride:

- Who will be constructing this facility?
Zia Station LLC (the owner of the property adjacent to the Station) will be funding and constructing the facility.
- Need to inform motorists that there is no parking at this station with special signing.
Appropriate signage will be added as part of final design.
- Need to provide directional signing to the entrance.
Appropriate directional signage will be added as part of final design.
- Recommend building a pullout for buses to unload and pick up passengers or sometimes they wait in place.
At this time no bus service will be directly servicing the drop-off facility. If in the future Santa Fe Trails is to provide service to the facility, space for buses will be marked in the area adjacent to the platform.
- Need a stop sign in the loop and at the entrance.
City Traffic Engineering will evaluate and add if appropriate.
- Where is a motorist going to wait for a passenger to arrive from the Rail Runner? The main concern is that there is no room for vehicles and/or buses to wait to pick up passengers. People picking someone up at this station will be blocking traffic and could create operational issues. If there is no waiting, then they need some additional signs.
Vehicles dropping-off and waiting to pick-up passengers will be located in the hatched area along the entry roadway and adjacent to the platform. There is sufficient space next to the hatched area to allow buses and other vehicles to pass waiting vehicles.
- They need to build an all weather level surface from the ADA loading zone to the station platform.
The ADA loading zone will be designed and constructed to meet all ADA requirements.
- Are the sidewalks 6' in width?
Sidewalks are proposed to be 5' in width.
- We have not seen a traffic study or as a minimum, Site Threshold Assessment for the station. Maybe someone has one on file somewhere that can be provided to us?
The proposed train schedule at this station has all trains stopping outside the AM and PM Peak Hours. Zero peak hour trips are expected to be generated.

- We have a concern that people will be stopping along St. Francis Drive to drop off or pick up riders rather than negotiating the maneuver to enter and exit Galisteo Road from Zia Road. Can a fence or barrier be erected along St. Francis Drive to discourage such activity?
There are no plans to add a fence to this project at this time.
- In order to insure that the left turn traffic from Zia Road to Galisteo Street does not impact the signalized intersection, signing and marking should be placed on Zia Road to prohibit vehicles from stopping along Zia Road in the area where traffic would be turning into Galisteo Street.
City Traffic Engineering will evaluate and add if appropriate.
- There appears to be discontinuity in the pedestrian walk. Can we make sure it is connected?
All new sidewalks connect to existing pedestrian facilities.
- The width of roadway is not shown. Can one car stop and open the door and another one pass by?
Yes.
- Is the turning radii sufficient for a bus to go around the curves?
Yes. Turning Radii designed to accommodate Santa Fe Trails buses
- Sidewalk along south side of Zia connects to Rail Trail rather than proceeding along side of street to Zia/St. Francis intersection. While this would be cheaper to build, is this an acceptable design?
Yes. Location of existing signage and signal equipment would require sidewalk to be placed directly adjacent to exiting trail facility.
- There should be some advance signage on the rail trail warning cyclists to expect heavy pedestrian activity, especially pedestrian cross-traffic, in the station area. This is more of an issue for cyclists approaching from the south than from the north, where the need to cross Zia Road and make two 90-degree turns will force them to slow down.
Appropriate signage will be considered and will be added as part of final design.
- Recommend including pedestrian crossing markings over the rail trail where the two sidewalks meet the rail trail and also where the handicapped drop-off is to be located.
Appropriate markings will be considered and will be added as part of final design.
- New light poles are shown on station platform, Galisteo Street, and on north side of Zia Road, but not along the access road itself. Lights should be included along access road, especially over areas where passenger pick-up and drop-off is permitted.
Existing light levels will be evaluated and if deemed necessary additional lighting will be incorporated into the Final Design.
- Roadway/loop and loading area looks a little narrow – buses, shuttles, vans, large SUVs, etc.
The facility has been designed to accommodate all.
- Potential safety bike-ped conflict of the rail trail between the platform and kiss-n-ride - additional signage needed.
Appropriate signage will be considered and will be added as part of final design.
- We assume that the City will be responsible for maintenance, trash removal, snow removal, etc on this parcel of private property.
Resolution 2011-45 directs staff to enter into a License Agreement with Zia Station LLC for the use of the Zia Station infrastructure improvements by the City of Santa Fe. In that agreement the maintenance responsibilities will be established.

Frank