

[Faint, illegible handwritten text]

**MINUTES OF THE
REGULAR MEETING OF THE
GOVERNING BODY
Santa Fe, New Mexico
July 9, 2014**

AFTERNOON SESSION

A regular meeting of the Governing Body of the City of Santa Fe, New Mexico, was called to order by Mayor Javier M. Gonzales, on Wednesday, July 9, 2014, 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 Javier M. Gonzales
Councilor Patti J. Bushee
Councilor Bill Dimas
Councilor Signe I. Lindell
Councilor Joseph M. Maestas
Councilor Christopher M. Rivera
Councilor Ronald S. Trujillo

Members Excused

Councilor Peter N. Ives, Mayor Pro-Tem
Councilor Carmichael A. Dominguez

Others Attending

Brian K. Snyder, City Manager
Kelley Brennan, City Attorney
Yolanda Y. Vigil, City Clerk
Melessia Helberg, Council Stenographer

6. APPROVAL OF AGENDA

Brian Snyder, City Manager, said he would like to postpone Item 10(I) to the next Council meeting.

Councilor Trujillo asked to be added as a cosponsor of Item 10(n).

MOTION: Councilor Rivera moved, seconded by Councilor Dimas, to approve the agenda as amended.

VOTE: The motion was approved unanimously on a voice vote with Mayor Gonzales, Councilors Dimas, Lindell, Maestas, Rivera and Trujillo voting in favor of the motion, none voting against, and Councilor Bushee absent for the vote.

7. APPROVAL OF CONSENT CALENDAR

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

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

For: Mayor Gonzales, Councilor Dimas, Councilor Lindell, Councilor Maestas, Councilor Rivera and Councilor Trujillo.

Against: None.

Absent for the vote: Councilor Bushee

10. CONSENT CALENDAR

- a) **REQUEST FOR APPROVAL OF PROFESSIONAL SERVICES AGREEMENT – MECHANICAL REFRIGERATION SERVICES FOR ICE ARENA AT GENOVEVA CHAVEZ COMMUNITY CENTER (RFP 14/34/P); YEAROUT SERVICE, LLC. (IVIE VIGIL)**

- b) **REQUEST FOR APPROVAL OF AMENDMENT NO. 3 TO PROFESSIONAL SERVICES AGREEMENT – PRINTING, ADVERTISING AND DISTRIBUTION OF SANTA FE TRAVEL PLANNER THROUGHOUT THE UNITED STATES, CANADA AND MEXICO FOR SANTA FE COMMUNITY CONVENTION CENTER; BELLA MEDIA, LLC. (RANDY RANDALL)**

- c) REQUEST FOR APPROVAL OF PROFESSIONAL SERVICES AGREEMENT – CONDUCT PRE-PLACEMENT PHYSICALS AND/OR MEDICAL EXAMS FOR CANDIDATES SELECTED FOR POSITIONS WITHIN THE CITY OF SANTA FE (RFP #14/27/P); JOSHUA BROWN, MD; IMS PRACTICE MANAGEMENT GROUP, LLC. (SANDRA PEREZ)
- d) REQUEST FOR APPROVAL OF GRANT AWARD AND STATE OF NEW MEXICO GOVERNMENTAL SERVICE AGREEMENT – ELEVEN (11) FULL-TIME TEMPORARY POSITIONS FOR ATALAYA WILDLAND FIRE SUPPRESSION HANDCREW; YOUTH CONSERVATION CORPS COMMISSION. (PORFIRIO CHAVARRIA)
- e) REQUEST FOR APPROVAL OF PROFESSIONAL SERVICES AGREEMENT – YOUTHWORKS WORKFORCE INNOVATION PROGRAM; YOUTHWORKS. (KATE NOBLE)
- f) REQUEST FOR APPROVAL OF PROFESSIONAL SERVICES AGREEMENTS – FY 2014/2015 HUD’S SHELTER PLUS CARE GRAND PROGRAM. (ALEXANDRA LADD)
 - 1) SANTA FE COMMUNITY HOUSING TRUST
 - 2) THE LIFE LINK/LA LUZ
- g) REQUEST FOR APPROVAL OF PROCUREMENT AND PROFESSIONAL SERVICES AGREEMENTS – HOME OWNERSHIP SUPPORT PROGRAMS (RFP #14/44/P). (ALEXANDRA LADD)
 - 1) THE SANTA FE COMMUNITY HOUSING TRUST
 - 2) HOMEWISE, INC.
- h) NOTIFICATION OF APPROVAL OF CHANGE ORDER NO. 4 – SOUTHWEST EFFLUENT WATER LINE PROJECT – CHANGE BORE DIAMETER ACROSS FROM NM 599 TO SERVE SWAN PARK; RMCI, INC. (BRYAN ROMERO)

- i) REQUEST TO PUBLISH NOTICE OF PUBLIC HEARING ON AUGUST 13, 2014: BILL NO. 2014/20: AN ORDINANCE RELATING TO THE *CITY OF SANTA FE UNIFORM TRAFFIC ORDINANCE*; AMENDING THE PROVISIONS REGARDING ENGAGING IN A CALL WHILE DRIVING AND TEXTING WHILE DRIVING; AND AMENDING THE TRAFFIC VIOLATION PENALTY SCHEDULE TO DOUBLE THE PENALTY ASSESSMENT FOR USING A MOBILE COMMUNICATION DEVICE WHILE DRIVING AND TO TRIPLE THE PENALTY ASSESSMENT FOR USING A MOBILE COMMUNICATION DEVICE WHILE DRIVING IN A SCHOOL ZONE. (MAYOR GONZALES, COUNCILORS DIMAS AND IVES). (NOAH BERKE)
- j) CONSIDERATION OF RESOLUTION NO. 2014-51 (COUNCILOR RIVERA). A RESOLUTION DIRECTING STAFF TO STUDY THE FEASIBILITY FOR OFFERING A REDUCED RATE FOR USE⁴ OF THE SANTA FE COMMUNITY CONVENTION CENTER BY LOCAL SANTA FE RESIDENTS. (RANDY RANDALL)
- k) CONSIDERATION OF RESOLUTION NO. 2014-52 (COUNCILOR LINDELL). A RESOLUTION ENDORSING THE CITY OF SANTA FE'S PARTNERSHIP WITH GLOBAL RUNNING CULTURE IN FACILITATING PARTICIPANT TRANSPORTATION ASSOCIATED WITH THE SANTA FE HALF MARATHON, ON SEPTEMBER 14, 2014. (JON BULTHUIS)
- l) CONSIDERATION OF RESOLUTION NO. 2014-___ (COUNCILOR BUSHEE, COUNCILOR LINDELL, COUNCILOR DIMAS AND COUNCILOR IVES). A RESOLUTION AUTHORIZING AN AMENDMENT TO THE *2012 GENERAL OBLIGATION BOND (G.O.) PARKS AND TRAILS IMPLEMENTATION PLAN*, TO REALLOCATE 2 MILLION FRANCIS/WEST ALAMEDA, LESS CERTAIN COSTS ALREADY INCURRED, TO BIKE-PEDESTRIAN TRAILS AND RELATED SAFETY AND INFRASTRUCTURE PROJECTS. (ERIC MARTINEZ) This item is postponed to the Council meeting of July 30, 2014.
- m) CONSIDERATION OF RESOLUTION NO. 2014-53 (COUNCILOR IVES). A RESOLUTION AMENDING THE ADMINISTRATIVE PROCEDURES FOR THE SANTA FE HOMES PROGRAM ("SFHP") TO MAKE SFHP REQUIREMENTS APPLICABLE TO CONDOMINIUM UNITS; TO REMOVE THE SUNSET DATE FROM THE FRACTIONAL FEE SCHEDULE AND TO MAKE OTHER CHANGES TO THE SFHP ADMINISTRATIVE PROCEDURES ARE NECESSARY. (ALEXANDRA LADD)

- n) **CONSIDERATION OF RESOLUTION NO. 2014-54 (COUNCILOR TRUJILLO AND, COUNCILOR MAESTAS, COUNCILOR TRUJILLO AND COUNCILOR BUSHEE). A RESOLUTION DIRECTING STAFF TO EXPLORE THE OPTIONS FOR ESTABLISHING A PROGRAM WHEREBY RETIRED AND REFURBISHED CITY COMPUTERS WILL BE AVAILABLE FOR DONATION TO INDIGENT CHILDREN AND YOUTH. (LISA MARTINEZ)**

8. APPROVAL OF MINUTES: REGULAR CITY COUNCIL MEETING – JUNE 25, 2014

A copy of the *City Council Meeting Executive Session*, June 25, 2014, submitted for the record by Yolanda Vigil, City Clerk, is incorporated herewith to these minutes as Exhibit "1."

MOTION: Councilor Trujillo moved, seconded by Councilor Dimas, to approve the minutes of the Regular City Council meeting of June 25, 2014, as presented, with Exhibit "1" attached,

VOTE: The motion was approved on a voice vote with Mayor Gonzales, Councilors Dimas, Lindell, Maestas, Rivera and Trujillo voting in favor of the motion, none voting against, and Councilor Bushee absent for the vote.

Councilor Bushee arrived at the meeting

9. PRESENTATIONS

a) **PROCLAMATION – "DWIGHT R. MILLER DAY" – JULY 9, 2014.**

Mayor Gonzales read a Proclamation into the record declaring July 9, 2014, as Dwight R. Miller Day, and gave the Proclamation to Mr. Miller.

A short video of the career of Dwight R. Miller was shown in his honor.

Mayor Gonzales congratulated Mr. Miller and thanked him for his years of service in the community.

Councilor Trujillo said he has respect for the profession. His mother has been a beautician for 54 years.

b) IMMIGRATION COMMITTEE REPORT. (ALEJANDRA SELUJA)

A copy of the Immigration Committee Report with attached copy of Resolution 2002-03, entered for the record by Alejandra Seluja, is incorporated herewith to these minutes as Exhibit "2."

Alejandra Seluja, Chair of the Immigration Committee, presented the Immigration Committee Report. Please see Exhibit "2" for the specifics of this presentation.

The Governing Body commented and asked questions as follows:

- Councilor Bushee thanked the Committee for its work, which is important, commenting it has been a slow process at the national level. She asked if the Committee has had any interaction with what she thinks is a travesty along the border regarding immigrant children being "put in kennels essentially." She asked, "Is there anything we can as a community through the Committee can provide, perhaps including some provide outreach." She said former Mayor Coss spoke out and welcomed people here during the previous time when "crazy stuff was happening."

Ms. Seluja said this is a recent occurrence, and was not brought to them at the last meeting, and they are just now becoming aware of what is happening with regard to "these kids now being transported pretty much everywhere and the challenges they are facing." She said she will look into this, and "if this Governing Body wants to support such cause, that would be great."

- Councilor Bushee Bushee said there are plenty of challenges locally, and would hope we could lend support, whether moral support or in any other way.

Ms. Seluja said we all saw what happened in California when the children arrived. She said the Committee would welcome even moral support "which would make a huge difference for these kids." She said she was in Guatemala two years ago on an internship, when the President had just signed a different action for childhood arrivals. She said a cleaning lady at the house where she was staying said, "They just told us the President just signed something and because I am 16, I can move to the United States." She said there are many considerations, but right away the rumors started spreading and a lot of this is being done by people who want to take advantage of that. She said "they charge people to come here." She said, "That rumor was already spreading back then.

- Councilor Bushee noted Ms. Seluja met with the new Police Chief, and discussed for forms for complaints. She suggested she follow up with the new Chief, because the previous

Chief wasn't "following up with tracking of hate crimes and sending that data to the FBI. I just wanted to insert that if you have any more, and I will try and remember to deal with the Chief directly too. But I think it's important to make sure that hate crimes are reported and tracked at the federal level."

Ms. Seluja said she met with the interim Chief, about a complaint that was found "not to be about racial profiling," so that was investigated and they did get results.

- Councilor Maestas thanked Ms. Seluja for the update on behalf of the Committee. He asked her to convey his appreciation for their good work, commenting the Committee has been quite busy. He is working with members of the Committee to increase our enforcement for the capability of the Living Wage, and thinks we can do this administratively. He said, "My thought if we are going to be the leaders on designating a Living Wage, we should have a consistent enforcement program. I had some wonderful meetings with staff and members of the Immigration Committee and we are moving toward strengthening our ability to enforce the Living Wage."
- Mayor Gonzales thanked Ms. Seluja and the members of the Committee.

Terrie Rodriguez, Staff Liaison recognized Julia Valdez, Santa Fe County, who attends the Committee meetings, as well as Captain Dale Lettenberger who also attends the meetings of the Immigration Committee on behalf of the Police Department.

CONSENT CALENDAR DISCUSSION

No items were pulled from the Consent Calendar for discussion.

11. MATTERS FROM THE CITY MANAGER

There were no matters from the City Manager.

12. MATTERS FROM THE CITY ATTORNEY

EXECUTIVE SESSION

- A. IN ACCORDANCE WITH THE NEW MEXICO OPEN MEETINGS ACT §10-15-1(H)(2) NMSA 1978, DISCUSSION REGARDING LIMITED PERSONNEL MATTERS, REGARDING PERFORMANCE FACTORS FOR CITY MANAGER BRIAN K. SNYDER.
- B. IN ACCORDANCE WITH THE OPEN MEETINGS ACT §10-15-1(H)(7) NMSA 1978, DISCUSSION REGARDING PENDING OR THREATENED LITIGATION IN WHICH THE CITY OF SANTA FE IS OR MAY BECOME A PARTICIPANT, SOUTHSIDE TRANSIT CENTER LOCATION. (ZACHARY SHANDLER)

MOTION: Councilor Trujillo moved, seconded by Councilor Maestas, that the Council go into Executive Session for discussion regarding limited personnel matters, regarding performance factors for City Manager Brian K. Snyder, in accordance with §10-15-1(H)(2) NMSA 1978, and discussion regarding pending or threatened litigation in which the City of Santa Fe is or may become a participant, Southside Transit Center Location, in accordance with §10-15-1(H)(7) NMSA 1978.

DISCUSSION: Councilor Bushee asked if there a need to do this in Executive Session. She said this just about performance matters.

Mayor Gonzales said his intent is to disclose, for the record after the Executive Session, the personnel components in place, but he has no problem in doing this publicly if that is the will of the Council.

Councilor Bushee said she sees this, not as a personnel matter, but a policy we are creating.

Ms. Brennan said, "I think performance factors are a personnel matter. However, that does not mean you have to go into executive session. It is up to the Council, but I do think...."

Councilor Bushee said we're just creating these.

Mayor Gonzales said we are basically laying out what the Council will be evaluating the City Manager on, over the course of the year.

Councilor Bushee sees the evaluation itself as a personnel matter, "but for the creation of these evaluation criteria, I would feel more comfortable discussing out in the open."

Councilor Maestas said, "I think if we had an established process where we were going to solely discuss performance factors, I would perfectly support doing it in an open meeting. But I have questions about the process. I have questions about the consistency of what we're going to do, this exercise, with regard to the contract with the City Manager, so I'm not sure that kind of discussion is.... it's going to be a little messy. So I think, given where we are in establish a performance evaluation process for our City Manager, I would prefer closed. But in the future, I would very much doing it in the open when we kind of establish this process. That's my take on it."

VOTE: The motion was approved on the following roll call vote:

For: Mayor Gonzales, Councilor Dimas, Councilor Lindell, Councilor Maestas, Councilor Rivera and Councilor Trujillo.

Against: Councilor Bushee.

The Council went into Executive Session at 5:30 p.m.

MOTION TO COME OUT OF EXECUTIVE SESSION

MOTION: At 7:15 p.m. Councilor Rivera moved, seconded by Councilor Trujillo, that the City Council come out of Executive Session and stated that the only items which were discussed in executive session were those items which were on the agenda, and no action was taken.

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

For: Mayor Gonzales, Councilor Bushee, Councilor Dimas, Councilor Lindell, Councilor Maestas, Councilor Rivera and Councilor Trujillo.

Against: None.

13. ACTION REGARDING PERFORMANCE FACTORS FOR CITY MANAGER BRIAN K. SNYDER

Mayor Gonzales said, "In terms of the City Manager's performance requirements, Kelley, you've got to help me on this. Are we adopting anything on that point."

Ms. Brennan said, "You are taking action on that to recommend approval, consistent with the discussion in executive session and we agreed that we would prepare sort of a summary of what those were that would be available. You may want to summarize those now, after the vote."

Mayor Gonzales said, "This is what was discussed in executive session. Generally, the performance measures will be based on some general goals that relate to the organizational assessment, initiating the strategic planning process with the Council, those are some of the factors in there. Dealing with the constituent services program, looking at the feasibility of a 311 system, figuring ways to develop feedback to the Councilors regarding complaints that come from their constituencies. There will be a human resource component that deals with staff training, and the development of leadership training up and down the organization. The Finance, obviously, is a critical component that addresses issues of fund analysis, developing performance based budgeting, and, of course, developing a much more manageable process for delivering a budget on an annual basis. IT will be a component, and along those lines obviously, the transition committee laid out a lot of the goals that the Council to develop. Most importantly, initiating an analysis of our IT platform, and recommending any types of upgrades that need to be in place. A communication program addressing the City Manager's outreach with employees, with the Governing Body. Seeking public/private partnerships as well as partnerships with peer institutions like the County and the School Districts In addition, there was an added infrastructure component."

Mayor Gonzales continued, "Those are broad categories. There are specific goals within each of those categories that the public will see made available to them. Hopefully, we could have it by tomorrow. I don't think it will take too long, Brian, for us to have that. And in that, the Governing Body has asked Brian to develop a set of metrics to each of the goals, so there is a means to determine whether he was able to actually meet the goal that was stated by the Governing Body, or not. A large part of the conversation, and Councilor Maestas can help elaborate on it, was to talk about more of a process issue of how we would develop an ongoing evaluation system for the Manager, and what that would actually look like. And I think we spent a large amount of the executive session trying to determine how to build the process, by which we can insert these goals in way that allow the City to move forward." He asked Councilor Maestas if he would like to elaborate further.

Councilor Maestas said he has nothing to add, saying the Mayor accurately summarized the scope of our discussions. He said, "I just want to reiterate that this is a one-year performance plan. And also the discussion did include a modification of the employment agreement to reflect the City Council's involvement in establishing the plan and conducting the evaluation at the end of the one year period."

Mayor Gonzales said, "I think the most important thing out of this is that the Council wants a set of measurable deliverables for the City Manager, so that, on an annual basis, they can evaluate performance in an objective way, and in ways the public will be able to take note on whether the administration has been able to deliver on some of these goals we've set forth for this City Manager. Was there any other input in terms of elaboration from the executive session."

Mayor Gonzales asked if it would be possible to release the performance goals to the public by tomorrow morning, noting some things were eliminate, but it won't be a complete component. He asked Ms. Brennan if she has any concern.

Ms. Brennan said there will be a complete version coming.

Mayor Gonzales noted there are goals in here which will be dropped.

MOTION: Councilor Maestas moved, seconded by Councilor Bushee, to approve the City Manager's Performance Plan, consistent with the discussion in executive session, with the condition that it be made available to the public at a reasonable time following this meeting, and that there will be a subsequent amendment to the employment agreement, consistent with the discussions in executive session.

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

For: Mayor Gonzales, Councilor Bushee, Councilor Dimas, Councilor Lindell, Councilor Maestas, Councilor Rivera and Councilor Trujillo.

Against: None.

Mayor Gonzales thanked the City Council for providing great leadership in executive session and "out here for the City Manager." He said, "This has demonstrated to me a collective commitment to see our Manager be able to move this government forward. It was great to see all of the experiences from everyone to weigh-in on this, and that certainly will make for a better governed City, so I want to thank you guys for all of that.

Mayor Gonzales, because of the lateness of the hour, moved Items #14 and #15 from the Afternoon Agenda to be heard last on the Evening Agenda

END OF AFTERNOON SESSION AT APPROXIMATELY 7:25 P.M.

EVENING SESSION

A. CALL TO ORDER AND ROLL CALL

The Evening Session was called to order by Mayor Javier M. Gonzales, at approximately 7:25 p.m. Roll Call indicated the presence of a quorum as follows:

Members Present

Mayor Javier M. Gonzales
Councilor Patti J. Bushee
Councilor Bill Dimas
Councilor Signe I. Lindell
Councilor Joseph M. Maestas
Councilor Christopher M. Rivera

Members Excused

Councilor Carmichael A. Dominguez
Councilor Peter N. Ives

Others Attending

Brian K. Snyder, City Manager
Kelley Brennan, City Attorney
Yolanda Y. Vigil, City Clerk
Melessia Helberg, Council Stenographer

F. PETITIONS FROM THE FLOOR

There were no petitions from the floor.

G. APPOINTMENTS

Mayor Gonzales noted the email the Governing Body received from Yolanda Vigil announcing we are accepting resumes for various committee appointments. He asked Councilors with suggestions for appointment to get them to Yolanda, and they will sit and go through the resumes. He is trying to make sure the Council is getting advance warning when there are committee appoints to be made so there can be input.

Councilor Rivera noted that the County goes through the process of advertising in the newspaper announcing vacancies, and asked if this will happen at the City.

Mayor Gonzales said he would like to do so. He visited with Jodi to develop a press release announcing positions are open. He said, "I'm not sure how much of an earned effort we'll get, minus having to pay to announce it. We have the newsletter it can go into, and try and push it out on some of the social media that we have available. So there are a lot of ways to let the public know there are appointments coming up." He said, in the meantime, he wants to be sure the Councilors know of upcoming appointments so there can be participation by them in that regard.

H. PUBLIC HEARINGS

- 1) **CONSIDERATION OF BILL NO. 2014-18: ADOPTION OF ORDINANCE NO. 2014-22 (COUNCILOR LINDELL AND COUNCILOR IVES). AN ORDINANCE RELATING TO THE ESTABLISHMENT OF CERTAIN CITY OF SANTA FE DEPARTMENTS; REPEALING SECTION 2-19 SFCC 1987, TO DELETE THE "ADMINISTRATIVE SERVICES DEPARTMENT;" CREATING A NEW SECTION 2-19 SFCC 1987, TO ESTABLISH THE "PARKS AND RECREATION DEPARTMENT;" AND AMENDING SECTION 2-21 SFCC 1987, TO RENAME THE "CONVENTION AND VISITORS BUREAU," THE "TOURISM SANTA FE DEPARTMENT." (RANDY RANDALL AND ISAAC PINO)**

Mayor Gonzales said we have been briefed in this matter, and asked if there are questions of Mr. Randall or Mr. Snyder.

Councilor Bushee asked, regarding the Administrative Services Department, when was the last time we had an Administrative Services Department.

Mr. Snyder said he doesn't know the exact date, noting Mike Lujan was the last director, so it was probably at least 8 years ago.

Councilor Bushee said it hasn't been in the organizational chart, but it has been on the books.

Mr. Snyder said this is correct, and they came across it when doing cleanup on the Code, and we decided that we should address it.

Public Hearing

There was no one speaking to this Ordinance request.

The Public Hearing was closed

MOTION: Councilor Bushee moved, seconded by Councilor Rivera, to adopt Ordinance No. 2014-22, as presented.

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

For: Mayor Gonzales, Councilor Bushee, Councilor Dimas, Councilor Lindell, Councilor Maestas, Councilor Rivera and Councilor Trujillo.

Against: None.

- 2) **CONSIDERATION OF RESOLUTION NO. 2014-55 (COUNCILOR RIVERA, COUNCILOR TRUJILLO, COUNCILOR LINDELL, COUNCILOR BUSHEE, COUNCILOR IVES, COUNCILOR DIMAS, COUNCILOR MAESTAS AND COUNCILOR DOMINGUEZ). A RESOLUTION PROCLAIMING SEVERE OR EXTREME DROUGHT CONDITIONS IN THE CITY OF SANTA FE; IMPOSING FIRE RESTRICTIONS, RESTRICTING THE SALE OR USE OF FIREWORKS WITHIN THE CITY OF SANTA FE AND PROHIBITING OTHER FIRE HAZARD ACTIVITIES. (FIRE MARSHAL REYNALDO GONZALES)**

Councilor Rivera said he would like to withdraw consideration of this Resolution, or perhaps postpone consideration, to the next meeting of the City Council on July 30, 2014, based on his discussions with the Fire Marshal, and the rains we have had, and the Fire Marshal can elaborate further. He said it isn't necessary to continue the restrictions at this time.

Fire Marshal Reynaldo Gonzales said they are showing a moderate level, designated by the Santa Fe National Forest. He said, "We're actually looking at lowering it in the next weeks. Per the National Forestry, we're looking at rains and moisture through the next week, and then we follow with a 3 month evaluation. And we're actually looking for the drought conditions to remain but improve to removal likely from the drought conditions. And that's all broadcasted through the National Forestry. So, in condition with them, and them lifting their restrictions, I believe we still

have two weeks on our restrictions from the last City Council. And from that point on, with the monsoon season, I think it will be safe to lift the drought conditions.”

Councilor Rivera asked if it is necessary to have a public hearing on this.

Yolanda Vigil, City Clerk, said, “I believe if you’re withdrawing the Resolution, you don’t need to have a public hearing.

Councilor Rivera said he has changed his mind about withdrawing the Resolution, and would rather postpone it for another 30 days, and then re-evaluate it at this point.

Public Hearing

No public hearing was necessary because this item was postponed.

The Public Hearing was closed

MOTION: Councilor Rivera moved, seconded by Councilor Bushee, to postpone consideration of this Resolution to the Council meeting of July 30, 2014.

DISCUSSION: Councilor Bushee asked if there are areas in the Santa Fe in the national forest areas which have been closed or restricted.

Fire Marshal Gonzales said, “No. Not at this point.”

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

For: Mayor Gonzales, Councilor Bushee, Councilor Dimas, Councilor Lindell, Councilor Maestas, Councilor Rivera and Councilor Trujillo.

Against: None.

- 3) **CONSIDERATION OF BILL NO. 2014-17: ADOPTION OF ORDINANCE NO. 2014-23 (COUNCILOR DOMINGUEZ). AN ORDINANCE AUTHORIZING THE ISSUANCE AND SALE OF CITY OF SANTA FE, NEW MEXICO, GENERAL OBLIGATION BONDS, SERIES 2014, IN THE PRINCIPAL AMOUNT OF \$5,800,000, PAYABLE FROM AD VALOREM TAXES LEVIED ON ALL TAXABLE PROPERTY WITHIN THE CITY, LEVIED WITHOUT LIMIT AS TO RATE OR AMOUNT; PROVIDING FOR THE FORM, TERMS AND CONDITIONS OF THE BONDS, THE MANNER OF THEIR EXECUTION AND THE METHOD OF, AND SECURITY FOR, PAYMENT; PROVIDING FOR THE AWARD AND SALE OF THE BONDS PAID BY THE PURCHASER FOR THE BONDS; AND PROVIDING FOR OTHER DETAILS CONCERNING THE BONDS. (MARCOS TAPIA AND HELENE HAUSMAN)**

A copy of *Final Bill – July 9, 2014, Item H(3)*, replacing the Ordinance in the packet, is incorporated herewith to these minutes as Exhibit "3."

A copy of the bond book, *City of Santa Fe, New Mexico, \$5,800,000 General Obligation Bonds, Series 2014*, dated July 9, 2014, prepared by First Southwest, and entered for the record by staff, is incorporated herewith to these minutes as Exhibit "4."

Mayor Gonzales asked if there are questions by the Council, and there were none.

Public Hearing

There was no one speaking to this request.

The Public Hearing was closed

MOTION: Councilor Trujillo moved, seconded by Councilor Rivera, to adopt the Ordinance No. 2014-23, as amended [Exhibit "3"].

DISCUSSION: Mayor Gonzales said then there is nothing which is substantially different from what has been presented in the packet versus what was handed out this evening.

Ms. Hausman said the Ordinance was updated to reflect the pricing received today so you have the most current information. She said, "We did receive a number of bids and George Wiliford, our financial advisor is here to answer any questions, and if you have a moment, to provide a small presentation to you. And Dwayne Brown, our bond counsel from Albuquerque is also here to answer any specific questions you might have on the documents."

Mayor Gonzales said, "I think we're okay. Just real quick, was the change in pricing for the better."

Ms. Hausman said, "The bond pricing today I think was excellent. It's the lowest true interest cost we've had on any of the G.O. Bond issues, that's the 2008, 2010, 2013 and 2014, this current issue. So the pricing has improved steadily over the last several years. We get to reap the benefits of that with this issue."

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

For: Mayor Gonzales, Councilor Bushee, Councilor Dimas, Councilor Lindell, Councilor Maestas, Councilor Rivera and Councilor Trujillo.

Against: None.

- 4) **CONSIDERATION OF BILL NO. 2014-19: ADOPTION OF ORDINANCE NO. 2014-24 (COUNCILOR LINDELL AND MAYOR GONZALES). AN ORDINANCE RELATING TO THE CITY OF SANTA FE ECONOMIC DEVELOPMENT PLAN ORDINANCE, ARTICLE 11-11 SFCC 1987; AMENDING ORDINANCE NO. 1997-1 FOR THE PURPOSE OF APPROVING AND ADOPTING A FIRST AMENDED AND RESTATED LOCAL ECONOMIC DEVELOPMENT PROJECT PARTICIPATION AGREEMENT BETWEEN THE CITY OF SANTA FE AND SANTA FE BUSINESS INCUBATOR, INC., TO RESTRUCTURE AND ADD TO THE CONTRIBUTIONS AND OBLIGATIONS OF THE CITY AND SANTA FE BUSINESS INCUBATOR, INC. (FABIAN TRUJILLO)**
 - a) **REQUEST FOR APPROVAL OF ECONOMIC DEVELOPMENT FIRST AMENDMENT AND RESTATED PROJECT PARTICIPATION AGREEMENT; SANTA FE BUSINESS INCUBATOR. (FABIAN TRUJILLO)**

Yolanda Vigil, City Clerk, noted that if approved, part of the approval will be for the First Amendment and Reseated Project Participation Agreement.

Mayor Gonzales welcomed School Board Member Linda Trujillo to the meeting, and thanked her for joining us this evening.

Public Hearing

Mayor Gonzales said each person will have 2 minutes to speak to the issue.

Justin Kibbe said he and his Partner, John Griscic, started a company called, *Fix My Roof*, three year ago, and last year applied and were accepted into the Santa Fe Business Incubator, and with their help and support they have been able to grow and prosper, noting their sales have more than quadrupled since joining the Santa Fe Business Incubator. He noted this translates to additional tax dollars for the City. He said they also have been able to provide more green roofs for residents of Santa Fe as well.

Mayor Gonzales thanked them for having their business in Santa Fe.

Bruce Miller said he has volunteered at the Incubator for 10 year, served on the Board for 6 years, and currently is the Chairman of the Board. He said he has done this because he believes in the business community and in the incubator. He has worked with several start-ups, noting he has a lot of experience in the area. He said one of the companies with which he worked got its start in the Incubator and attested that it would not have survived without the Incubator. He said we all wish entrepreneurship and economic growth had grown faster. He said, however, there is a dramatic improvement in the entrepreneurial climate today since he started 20 years ago, and believes it is poised to grow even faster. He thinks the Incubator is a major contributor to the growth we've had and will continue to be for years to come.

Mayor Gonzales said what he appreciates about the Incubator is that, with each success story, we're able to communicate to this community that it is worthy to invest your capital, that you can succeed, and the Incubator is a great place to showcase all the opportunity and the fact that you can grow a business of significance. He said, "Thank you for your leadership and we love you guys, so keep it up. Thanks."

The Public Hearing was closed

MOTION: Councilor Bushee moved, seconded by Councilor Lindell, to adopt Ordinance No. 2014-24, Item H(4) as presented, and to approve Item H(4)(a) as presented.

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

For: Mayor Gonzales, Councilor Bushee, Councilor Dimas, Councilor Lindell, Councilor Maestas, Councilor Rivera and Councilor Trujillo.

Against: None.

Explaining her vote: Councilor Bushee said, "Yes. Grateful for the work and grateful there was \$400,000 sitting around in an escrow fund to pay off this facility's loan."

Explaining her vote: Councilor Lindell said, "Yes, and thank you very much."

14. MATTERS FROM THE CITY CLERK

Ms. Vigil said, "I just want to wish my daughter, Nieves, a very very Happy 15th Birthday. I love you and I'll be home soon."

15. COMMUNICATIONS FROM THE GOVERNING BODY

A copy of "Bills and Resolutions scheduled for introduction by members of the Governing Body," for the Council meeting of July 9, 2014, is incorporated herewith to these minutes as Exhibit "5."

Councilor Dimas

Councilor Dimas said he attended the Little League game night to watch his grandson play, and his team won 17-2, and play tomorrow night. He complimented the Parks Division on the fields which looked absolutely great – well manicured. There were a lot of compliments from the people of Los Alamos and Espanola last night. He asked Mr. Snyder to relay that to the Parks Division.

Councilor Maestas

Councilor Maestas introduced the following:

1. A Resolution directing staff to identify the benefits, feasibility and options of creating an independent Inspector General Position.
2. A Resolution respectfully requesting that the City's State Legislative Delegation request a New Mexico Attorney General's opinion as to whether a Home Rule Municipality has the authority to tax when a municipality is not specifically prohibited to do so by State law.

Councilor Maestas thanked Mayor Gonzales and Councilor Lindell for their work "flipping pancakes," on Saturday, noting he saw their picture on Face Book.

Councilor Bushee

Councilor Bushee asked to add her name to Resolution No. 2014-54, which directs staff to explore options for establishing a program where retired, refurbished City computers will be made available for donation to indigent children and youth.

Councilor Bushee said, "I am considering adding my name to Councilor Trujillo's [Ordinance], but I want the details first. I've been a strong advocate for no smoking in public spaces and I'm interested in seeing the details in enforcement, but I'm there with you in spirit."

Councilor Bushee thanked everybody for "flipping those pancakes," and said she is glad we had a nice safe holiday, noting she was out of town and got a little of Tropical Storm Arthur on an island off Maine where she was staying.

Mayor Gonzales

Mayor Gonzales wished a Happy Birthday to Councilor Bushee and the best in terms of awesome happiness, and said he hopes she had a great birthday.

Mayor Gonzales sent out a "very very strong thank you to the City employees who did an amazing job on the Fourth of July on the Plaza. It was clean and people moving around emptying

trash. There were smiles on City Park employees, and they were engaging with people that were there. It means a lot to be away from your family and to be with us wanting to make the Plaza a special place for people. So, Brian, I would love to see if we can send a thank you on behalf of the Governing Body to the park employees who continuously work on these holidays and make it so special.”

Mayor Gonzales said there is conversation going on now, regarding the Bicycle Path and the Underpass, potentially at Alameda. He thanked Councilor Trujillo for holding a public hearing at Public Works. He said there was a lot of conversation regarding the reason there should be a reconsideration of where the funds should be moved to address currents. He said, “At the time, I supported the efforts during the CIP. I want to continue to keep an open mind and option, and look forward to your leadership Councilor Bushee, in terms of helping us understand a repurposing of that money, and why it is important to consider it in different areas. And I hope that through this dialogue, we are able to keep an open mind. I understand the importance of when we say something to the public, in terms of where the money is going to be spent, that they know that’s going to happen. But the way I read some of the writing on that General Obligation bond, we clearly stated it was going to go for bike paths. We said it was going to go for an underpass, but I think the public generally wants to support more bike trails here in Santa Fe. And so I’m hoping through this public hearing that Councilor Trujillo is going to be having, maybe through your Committee, Councilor Bushee, you can help articulate your vision and what you think the public generally wants, so when it comes to us, we can really take all that into account as we consider this. So, if we do change the location of the investment that there is a good record and a good understanding as to why you’re asking the Governing Body to consider that.”

Councilor Bushee said, “Well Mayor, I would invite all the Council members. I’m actually just bringing forward the initiative of the Bicycle and Trail Advisory Committee, and they’ve had multiple hearings and they’ll have another one on Wednesday the sixteenth. So I would invite you to come down. There’s been a series of hearings. And we have a Bikeways Master Plan and priorities, so that you understand where this coming from. I think the Resolution indicates those details, but you’re right, in the backlog of how this went through, there were no specifics. It was just put out to the general public that it would be for the advancement of public trails. So we’ll continue to bring those details forward. I look forward to a public hearing. And like I said, this unanimously was passed through BTAC, and they’re actually for force behind this.”

Mayor Gonzales introduced a Resolution authorizing a waiver of user and parking fees at the Santa Fe Community Convention Center for the annual City of Santa Fe Employee Holiday Party hosted by the Employee Benefit Committee. A copy of the Resolution is incorporated herewith to these minutes as Exhibit “6.”

Mayor Gonzales said on occasion, the Holiday Party has become too expensive, and the employees go to Buffalo Thunder. He said, "To the credit of Randy and his crew, they lowered it to \$500, but when you look at how the Employee Benefits Committee raises money, there are some limitations. For instance, they don't have access to the vending machines at Genoveva Chavez, which I don't understand why. We're trying to explore and see if we can get that access. I think that would be helpful. I've personally committed myself to get involved to raising money for them so they can put on bigger picnics and do more things for employees. My feeling is I think this is a really really small gesture to offer to employees to use this center for their Holiday Party so it is one less hurdle they have to cross to create a nice environment for employees. I'm going to carry this, and hopefully you guys can support this, and they won't have to worry about that."

Councilor Lindell

Councilor Lindell asked to sign on as a cosponsor to Councilor Trujillo's Ordinance on smoking in the parks.

Councilor Trujillo

Councilor Trujillo introduced the following:

1. A Resolution adopting the 2016-2020 Infrastructure Capital Improvements Plan (ICIP). A copy of the Ordinance is incorporated herewith to these minutes as Exhibit "7."
2. A Resolution supporting the New Mexico Litter Control and Beautification Act of 1985, which provides public funds in the form of grants for the purpose of enhancing local litter control and beautification programs. A copy of the Ordinance is incorporated herewith to these minutes as Exhibit "8."
3. An Ordinance relating to the Santa Fe Smoke Free Ordinance; amending 10-6 SFCC 1987, to establish regulations for smoking in City parks and recreational areas; amending 23-4.11 to reference the smoking regulations and making such other changes as are necessary. A copy of the Ordinance is incorporated herewith to these minutes as Exhibit "9."

Councilor Trujillo said the "other such changes as are necessary," will deal with tobacco and will include eCigarettes as well, banning them in our parks.

Councilor Trujillo said on Saturday night, at Ft. Marcy, it is City Employees Night at the Santa Fe Fuego baseball name. He said Mayor Gonzales will be throwing out the first pitch.

Councilor Rivera

Councilor Rivera introduced the following on behalf of Councilor Dominguez:

1. A Resolution directing Transit Division staff to develop and execute a co-promotion initiative between the City of Santa Fe and the Southside Farmer's Market to advertise both the market and Santa Fe Trails buses as a convenient and efficient way to get to market. A copy of the Resolution is incorporated herewith to these minutes as Exhibit "10."
2. An Ordinance authorizing the issuance and sale of the City of Santa Fe, New Mexico Gross Receipts Tax Improvement Revenue Bonds in an aggregate principal amount of \$18,000,000 for the purpose of defraying the cost of public projects related to Public Utilities, Public Works, Parks and Recreation and Community Services. A copy of the Ordinance is incorporated herewith to these minutes as Exhibit "11."

Councilor Rivera said he would like to reiterate what Mayor Gonzales said, and send thanks to all the City staff that participated in the Pancakes on the Plaza breakfast, noting while "we were all enjoying pancakes they were protecting the City." He said It was a fun event and he was there most of the morning, noting Mr. Snyder was there as well.

Councilor River said he had a complaint by a constituent at the GCCC last week that said "they had an issue with some boys in the Men's Restroom, and when they tried to find a security guard, all they could find was a female security guard, who was not able to enter the Men's Restroom." His understanding is they used to have a male and a female on duty, and asked if we need to continue that practice. He asked Brian Snyder to look into that.

I. ADJOURN

The was no further business to come before the Governing Body, and upon completion of the Agenda, the meeting was adjourned at approximately 8:00 p.m.

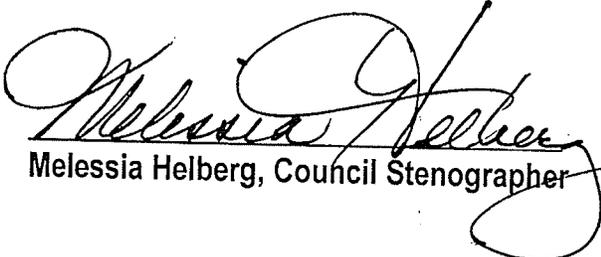
Approved by:

Mayor Javier M. Gonzales

ATTESTED TO:

Yolanda Y. Vigil, City Clerk

Respectfully submitted:


Melessia Helberg, Council Stenographer

CITY COUNCIL MEETING
EXECUTIVE SESSION
July 9, 2014

The governing body of the City of Santa Fe met in an executive session duly called on July 9, 2014 beginning at 5:30 p.m.

The following were discussed:

- 1) In Accordance with the New Mexico Open Meetings Act §10-15-1(H)(2) NMSA 1978, Discussion of Limited Personnel Matters Regarding Performance Factors for City Manager Brian K. Snyder.

PRESENT

Mayor Gonzales
Councilor Bushee
Councilor Dimas
Councilor Lindell
Councilor Maestas
Councilor Rivera
Councilor Trujillo

ABSENT

Councilor Dominguez
Councilor Ives

STAFF PRESENT

Brian K. Snyder, City Manager
Kelley Brennan, Interim City Attorney
Yolanda Y. Vigil, City Clerk

- 2) In Accordance with the New Mexico Open Meetings Act §10-15-1(H)(7) NMSA 1978, Discussion Regarding Pending or Threatened Litigation in Which the City of Santa Fe Is or May Become a Participant, Southside Transit Center Location.

PRESENT

Mayor Gonzales
Councilor Bushee
Councilor Dimas
Councilor Lindell
Councilor Rivera
Councilor Trujillo

ABSENT

Councilor Dominguez
Councilor Ives
Councilor Maestas

STAFF PRESENT

Brian K. Snyder, City Manager

Kelley Brennan, Interim City Attorney

Yolanda Y. Vigil, City Clerk

Zachary Shandler, Assistant City Attorney

Matthew O'Reilly, Land Use Director

Jon Bulthuis, Transportation Department Director

Ken Smithson, Transit Division Operations and Maintenance Director

There being no further business to discuss, the executive session adjourned at 7:10 p.m.


Yolanda Y. Vigil, City Clerk