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SANTA FE CITY COUNCIL MEETING  
Wednesday, January 27, 2016**

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**MINUTES OF THE  
REGULAR MEETING OF THE  
GOVERNING BODY  
Santa Fe, New Mexico  
January 13, 2016**

**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, January 27, 2016, 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 Peter N. Ives, Mayor Pro-Tem  
Councilor Carmichael A. Dominguez  
Councilor Signe I. Lindell  
Councilor Joseph M. Maestas  
Councilor Christopher M. Rivera  
Councilor Ronald S. Trujillo

**Members Excused**

Councilor Patti J. Bushee  
Councilor Bill Dimas

**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(o)(1), noting it was postponed at the Finance Committee until it goes back to ECRB, so 30-60 days, but they aren't setting a date specific to which it is postponed.

**MOTION:** Councilor Trujillo moved, seconded by Councilor Ives, to approve the agenda as amended.

**VOTE:** The motion was approved on a voice vote with Mayor Gonzales, and Councilors Dominguez, Ives Lindell, Maestas, Rivera and Trujillo voting in favor of the motion and none against.

**7. APPROVAL OF CONSENT CALENDAR**

**MOTION:** Councilor Dominguez 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 Dominguez, Councilor Ives, Councilor Lindell, Councilor Maestas, Councilor Rivera and Councilor Trujillo.

**Against:** None.

**10. CONSENT CALENDAR**

A copy of an Action Sheet from the Public Works/CIP and Land Use Committee Meeting of Monday, January 25, 2016, regarding Item 10(b), is incorporated herewith to these minutes as Exhibit "1."

A copy of an Action Sheet from the Public Works/CIP and Land Use Committee Meeting of Monday, January 25, 2016, regarding Item 10(o)(1), is incorporated herewith to these minutes as Exhibit "2."

- a) **REQUEST FOR APPROVAL OF BID NO. 16/013/B – WATER HISTORY PARK & MUSEUM PHASE II INTERIOR REHABILITATION PROJECT AND AGREEMENT BETWEEN OWNER AND CONTRACTOR; SARCON CONSTRUCTION CORPORATION. (LeANN VALDEZ)**
  - 1) **REQUEST FOR APPROVAL OF BUDGET INCREASE IN THE AMOUNT OF \$309,863.**
  
- b) **REQUEST FOR APPROVAL OF BID NO. 16/018/B – ON-CALL ROADWAY & TRAILS CONSTRUCTION SERVICES AND CONSTRUCTION AGREEMENT. (JAMES MARTINEZ)**
  - **GM EMULSION, LLC**
  - **EMCO, LLC**
  - **CENTURY CLUB CONSTRUCTION**
  
- c) *[Removed for discussion by Councilor Trujillo]*
  
- d) *[Removed for discussion by Councilor Lindell]*
  
- e) **REQUEST FOR APPROVAL OF BUDGET ADJUSTMENT IN THE AMOUNT OF \$105,400 FOR STAFF OVERTIME AT UTILITY BILLING IN SUPPORT OF BADGER METERS AND ADVANCED BILLING SOFTWARE IMPLEMENTATION PROJECTS. (DIANA CATANACH)**

- f) **(REQUEST FOR APPROVAL OF DONATION OF CITY OF SANTA FE FIRE DEPARTMENT APPARATUS – FIRE ENGINE TO THE ENCINO FIRE DEPARTMENT. (JAN SNYDER)**
- g) **REQUEST FOR APPROVAL OF MEMORANDUM OF UNDERSTANDING – SERVICES FOR DAY REPORTING PROGRAM FOR JUVENILES FOR FY 2016; SANTA FE COUNTY. (RICHARD DeMELLA)**
- h) **REQUEST FOR APPROVAL OF AGREEMENT – UPGRADE CITY OF SANTA FE INTERNET PORT BANDWIDTH AT 200 LINCOLN AVENUE FOR ALL SITES; QWEST COMMUNICATIONS COMPANY, LLC, D/B/A CENTURYLINK QCC. (RENEE MARTINEZ)**
- i) **REQUEST FOR APPROVAL OF PROCUREMENT UNDER STATE PRICE AGREEMENT – CITY-WIDE EQUIPMENT, SOFTWARE AND SERVICES FOR ITT COMMUNICATIONS; DELL MARKETING, L.P. (PAUL CAMPOS)**
- j) **REQUEST FOR APPROVAL OF AMENDMENT NO. 1 TO PROFESSIONAL SERVICES AGREEMENT – RATES AND CHARGES STUDY AND ON-CALL CONSULTING SERVICES AT SANTA FE MUNICIPAL AIRPORT; FRASCA & ASSOCIATES, LLC. (JON BULTHUIS)**
- k) **REQUEST FOR APPROVAL OF BUDGET INCREASE IN THE AMOUNT OF \$108,000 FOR THE COMMUNITY SERVICES DEPARTMENT, LAW ENFORCEMENT ASSISTANCE DIVERSION (LEAD) PROGRAM. (PATRICK GALLAGHER)**
- l) **CONSIDERATION OF RESOLUTION NO. 2016-10. A RESOLUTION RELATING TO A REQUEST FOR APPROVAL OF SECOND QUARTER (MIDYEAR) BUDGET ADJUSTMENTS FOR FISCAL YEAR 2015/2016. (ANDY HOPKINS)**
- m) *[Removed for discussion by Councilor Ives]*
- n) **CONSIDERATION OF RESOLUTION NO. 2016-11 (MAYOR GONZALES). A RESOLUTION EXEMPTING CURRENT MERCHANTS IN THE SANBUSCO MARKET CENTER FROM BUILDING PERMIT AND FIRE INSPECTION FEES WHEN RELOCATING THEIR BUSINESS TO A NEW LOCATION WITHIN THE BOUNDARIES OF THE CITY OF SANTA FE; AND MAINTAINING THE REQUIREMENT TO SUBMIT CONSTRUCTION DOCUMENTS PREPARED BY A REGISTERED DESIGN PROFESSIONAL FOR APPROVAL BY THE LAND USE DEPARTMENT. (LISA MARTINEZ)**

- o) **REQUEST TO PUBLISH NOTICE OF PUBLIC HEARING ON FEBRUARY 24, 2016:**
  - 1) **BILL NO. 2016-8. AN ORDINANCE AMENDING SECTION 9-3 SFCC 1987, THE PUBLIC CAMPAIGN FINANCE CODE TO INCLUDE A DEFINITION FOR QUALIFIED SMALL CONTRIBUTION; ESTABLISHING A NEW SECTION REGARDING QUALIFIED SMALL CONTRIBUTIONS; AND ESTABLISHING A NEW SECTION REGARDING REPORTING OF QUALIFIED SMALL CONTRIBUTIONS AND MATCHING PAYMENTS (COUNCILOR IVES). (ZACHARY SHANDLER) (Removed and postponed without a date specific)**
  - 2) **BILL NO. 2016-7. AN ORDINANCE AMENDING THE UNIFORM TRAFFIC ORDINANCE TO PERMIT BICYCLES TO TREAT STOP SIGNS AS YIELD SIGNS IF THE RIGHT-OF-WAY IS CLEAR OF OTHER VEHICLES OR PEDESTRIANS. (COUNCILOR BUSHEE). (JESSE GUILLEN AND MELISSA McDONALD) (Postponed to the February 10, 2016 meeting of the Governing Body)**
- p) **REQUEST FOR APPROVAL OF FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR CASE #2015-86, APPEAL BY JENNIFER AND BRENT CLINE FROM THE AUGUST 25, 2015 DECISION OF THE HISTORIC DISTRICTS REVIEW BOARD DENYING THEIR EXCEPTION REQUEST TO USE ELASTOMERIC STUCCO AT THEIR PROPERTY LOCATED AT 339 BISHOPS LODGE ROAD IN THE DOWNTOWN AND EASTSIDE HISTORIC DISTRICT. (KELLEY BRENNAN)**
- q) **REQUEST FOR APPROVAL OF LEASE AGREEMENT WITH ROMAN SALAZAR, AS TRUSTEE OF THE SALAZAR SURVIVOR'S TRUST, FOR CERTAIN PROPERTY LOCATED ON CANYON ROAD TO BE MANAGED AND USED AS A PUBLIC PARKING LOT FOR VEHICLES. (NOEL CORREIA)**

- 8. **APPROVAL OF MINUTES: SPECIAL CITY COUNCIL MEETING – JANUARY 6, 2016  
REGULAR CITY COUNCIL MEETING – JANUARY 13, 2016**

**MOTION:** Councilor Dominguez moved, seconded by Councilor Maestas, to approve the minutes of the Special City Council meeting of January 6, 2016, as presented.

**VOTE:** The motion was approved unanimously on a voice vote with Mayor Gonzales and Councilors Dominguez, Ives, Lindell, Maestas, Rivera and Trujillo voting in favor of the motion and none against.

**MOTION:** Councilor Dominguez moved, seconded by Councilor Ives, to approve the minutes of the Regular City Council meeting of January 13, 2016, as presented.

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

## 9. PRESENTATIONS

### a) STAFF REPORT – NEW YEAR’S EVE ON THE PLAZA 2015. (DEBRA GARCIA)

#### 1) PROCLAMATION – RAYMOND SANDOVAL DAY – JANUARY 27, 2016; NEW YEAR’S EVE ON THE PLAZA VOLUNTEER ORGANIZER. (MAYOR GONZALES)

A copy of *2015 New Year's Eve on the Plaza Event Report*, entered for the record by staff, is incorporated herewith to these minutes as Exhibit "3."

Mayor Gonzales said this presentation is a special exception, because he wants to issue a proclamation to an individual who performed extraordinarily in putting on the New Year's Eve event. He has asked Ms. Garcia y Griego to give a brief synopsis on the event – cost, outcome and such.

Debra Garcia y Griego, Director, Arts Commission, reviewed the information in Exhibit "3," noting about 3,500 people attended the event, with the input being overwhelmingly positive from the businesses and hotels, with the biggest complaint about the cold weather, but they did their best to make people comfortable. She said they were able to reduce the cost of an event planner when Ray Sandoval stepped forward and volunteered to produce this event, commenting that he volunteered at least 40 hours a week to make this event happen, bringing a network of resources including the Kiwanis, PNM and other community members. She believes they achieved the goal of a community celebration which was a true public/private partnership. Please see Exhibit "3," for specifics of this presentation.

Mr. Garcia y Griego recognized the event sponsors: PNM, *The Santa Fe New Mexican*, Hutton Broadcasting, Five & Dime, Albuquerque Tents, Que Suave, Rios and Pristina. She said they failed to consider the marketing and promotion to get the word to the public about the event, and *The New Mexican*, Hutton and Que Suave were essential in getting the word to the public.

Councilor Dominguez thanked Ms. Garcia y Griego for her hard work on the event. He said according to his calculations the cost was \$10 per person, and Ms. Garcia y Griego said it's a little less than that, and that includes the in-kind contributions.

Mayor Gonzales said when the Governing Body gave its blessing for this event, there were a lot of questions as to whether or not we could "pull off a successful New Year's Eve event, especially at midnight for the families." He said he spoke with Mr. Sandoval and told him that we have to deliver what the Council is asking, which is we had to make sure all the families turn out, that it's a fun environment and you have to keep the cost really low. He said, "I think he executed on all of it, above and beyond." He said Mr. Sandoval volunteered countless hours to be sure this was a fun event. He said the Silvers donated the Catron Building and Mr. Sandoval was on top of the building with the Kiwanis to get the Zia in perfect order to be raised, and like any project manager, he personally stayed with that part of the show until it went up at midnight. This showed his personal dedication to making sure Santa Feans were able to experience an incredible event and would want to attend and experience year over year. Mayor Gonzales said he would emphasize that Mr. Sandoval truly was a volunteer because he wasn't paid by the City.

Mayor Gonzales read a Proclamation into the record declaring Wednesday, January 27, 2016 as Ray Sandoval Day in Santa Fe and presented it to Mr. Sandoval. He said it was a beautiful event and we've heard nothing but great praise by the community.

Ray Sandoval thanked the Mayor and Council for trusting him with this first time event, and said he hopes it will be a yearly event that takes its place among Santa Fe's great annual events. He said the City is always looking to add more threads to the tapestry that is our amazing City. He said Ms. Garcia y Griego was a great partner in this effort, and she is an amazing public servant who he is happy he can now call a friend. He thanked Barbara and Sgt. McCord, and all of the Parks employees who stayed until 3:00 a.m. in the snow to be sure everything was cleaned up. He said, "This City has amazing employees, amazing citizens. Mr. Mayor, thank you, and thank you Council for giving me the opportunity to serve my City and anytime you need me, you can call me."

Councilor Trujillo said "Hats off to everybody, Ray and all the people that helped you guys put this event on." He said we were unsure how this would come out. He thinks he is most happy about the event because it was attended mostly by locals who stayed through midnight which gave him a really good feeling. He said what you all did to that building to light it up, it was amazing and something this City has never seen. He said the luminarias on the Plaza were so Santa Fe and New Mexico. He said hats are off to everyone, "and you guys did a helluva job and I look forward to seeing what happens next year."

Councilor Lindell said Ray [Sandoval] understands how to be inclusive on community projects. Everybody is included, and anybody who wants to participate, "his arms are wide open for them. Any project Ray is working on, they travel in a pack and it always pleases me." She said when you call Ray he answers the phone and says how can I help every time.

Councilor Dominguez said almost everything has been said. He thanked Mr. Sandoval for his work and his support group and his family for allowing us to borrow him for this event. He said Mr. Sandoval has the ability to mediate, negotiate and all the things that come along with that. He thanked him for recognizing our City employees. He said we often forget that the good and great things about this City are because of our City employees, "and from the bottom of my heart, I want you to thank you for recognizing them and the wonderful job they do, not just for the City but for the people of this community. So thanks."

Councilor Ives said he would echo thanks to the staff, commenting Ms. Garcia y Griego was hard at work on this for months, and faced tough questioning here at the Council when this first was brought forward. He is glad to see that vision realized in terms of the success of the event on New Year's Eve. He thanked Ms. Garcia y Griego and staff, and Ray Sandoval who has been involved in running some of the best events in Santa Fe. He said he is glad Mr. Sandoval has agreed to take on the leadership of the Hispanic Chamber and that organization will benefit from his leadership and participation.

Mayor Gonzales said when they struggled with what to drop on New Year's Eve on the Plaza, he heard from a lot of people saying that we needed to develop our own, unique celebration special to Santa Fe. He said the Zia rising over the Plaza could not be more magical for all of us that wanted to participate. He said the traditional Spanish song welcoming people and giving birth to something new is *Las*

*Mañanitas*, which was choreographed by Ray, was the song that led us into the new year. He thanked Sgt. McCord, and the Police and Parks employees, for their working ensuring a peaceful celebration allowing our community to come together. He said hopefully, we can do it over and over.

Mayor Gonzales congratulated and thanked Ms. Garcia y Griego for her hard work in making the event a success – good job!

Mayor Gonzales, on behalf of the Governing Body, congratulated new Police Chief Ray Gallagher, on his appointment, saying he is confident he will do a great job.

### **CONSENT CALENDAR DISCUSSION**

#### **10 (c) REQUEST FOR APPROVAL OF FIRST AMENDMENT TO COOPERATIVE PROJECT AGREEMENT – ST. FRANCIS CROSSING FROM ACEQUIA TRAIL TO RAILYARD; NEW MEXICO DEPARTMENT OF TRANSPORTATION. (LEROY PACHECO)**

**Disclosure:** Councilor Trujillo said, “As with anything dealing with the New Mexico Department of Transportation, I acknowledge that I do work for the New Mexico Department of Transportation, but I do not work for this Bureau, so there is no conflict of interest, so I will move for approval.”

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

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

**For:** Mayor Gonzales, Councilor Dominguez, Councilor Ives, Councilor Lindell, Councilor Maestas, Councilor Trujillo and Councilor Rivera.

**Against:** None.

#### **10 (d) REQUEST FOR APPROVAL OF PROFESSIONAL SERVICES AGREEMENT – WATER RESOURCES AND CONSERVATION PUBLIC RELATIONS AND PUBLIC OUTREACH PROGRAM (RFP #16/13/P); PK PUBLIC RELATIONS. (RICK CARPENTER)**

##### **1) REQUEST FOR APPROVAL OF BUDGET INCREASE IN THE AMOUNT OF \$63,358.**

Councilor Lindell asked Mr. Schiavo to make a brief presentation on this request.

Mr. Schiavo said PK Public Relations is the marketing firm that was selected through an RFP process, noting we have been using this firm for the past 4 years, and possibly longer. He said it is important for the City to have this type of outreach for water conservation. He said the plan is to roll out a larger program for commercial conservation, commenting a lot has been done for residential conservation which clearly has been a great success in reducing the amount of water that is used annually. It is

important to continue along that path with a commercial rebate program. He said we have received a grant from the BOR to look at water reuse, so it isn't out of the realm of possibility that at some point we will consider cleaning up our wastewater and consider putting it back into the City's system. He said when we start talking about these things, it is important that we have a strategy and that we're getting the word out the right way. Other examples are watershed protection, controlled burns and that the public understands what's happening in the watershed and that we avoid fires.

Councilor Lindell said this is a four-year contract.

Mr. Schiavo said that is correct.

Councilor Lindell asked how we know we need this for 4 years, commenting it sounds as if we've had it for a while now.

Mr. Schiavo said that is correct, for at least 4 years. He said it is important, and if we don't continue to get the message out, people tend to slip back into their old ways. He said at the PUC we will be talking about how the overall consumption of water has decreased, and how important that is. He said we had a very wet summer. He said 15 years ago if we had a wet summer, people would not have adjusted their use, and would have sprinkled the same way they always have done. He said, "To answer your question, I think it's absolutely important. I think it's important to keep fresh reminders about how important water is and to get the word out." He said it's not just around conservation. It's important that we get the commercial rebate rolled out and our commercial customers understand the value. He said we can send something in the bill, but often it's not picked up. He wants to be able to get radio spots and ads in newspapers so they understand what is available to them.

Councilor Maestas said 2-3 months ago, this came before the Finance Committee or the Public Utilities Committees, there was sample materials in the packet. He thinks it's important that we have an idea of the content. He said the approach is laid out in the PSA, but that doesn't tell him enough. He said we want to know what we want to tell people other than the obvious. He asked how effective our in-house resources have been, the reason we are going to out-source a lot of this PR work. He said comments were made in the media that another issue is going to be the use of reclaimed water. However, he believes that is some time out in terms of catering a specific message to the consumers. He wants to know how existing resources are falling short to justify outsourcing this effort, commenting it is a substantial amount over so many years. He wants to know what new message we're sending, or how we're going to put the message out in new and innovative ways so that we need a consultant to do that.

Mr. Schiavo said they looked at what Phoenix is doing. Phoenix is able to key into different demographics, so they have very good, very slick marketing. He said, for example, in Phoenix young men between 20-30 have issues with conservation and the company targeted that group. He said the ads were very good. He said with the new metering system, for the first time ever, he will be able to look at what pieces of the City are using more water, what demographics are using more water. He would look to this group to help us to be creative. He said, no offense to in-house staff, but sometimes a marketing firm can come up with a clever idea to get that message across and help us key on those groups.

Mr. Schiavo said he understands what Councilor Maestas is saying. He would love to have information in the packet ahead of time, with respect to the kinds of ads we're considering, but he can't make that leap until the firm is on board. He said he didn't sit on the selection committee, and apologized that Rick Carpenter isn't here to talk about that. However, he spoke with Mr. Carpenter who told him it was carefully thought through, and this was the best consultant.

Councilor Maestas said he supported this in Committee. However, other issues have come to light, one of which is the request of approximately \$100,000 in overtime for utility billing. He said there are a lot of disgruntled water customers because of late billing and billing discrepancies. He believes most of them understand we're changing our wireless meters. He said, "The optics don't look good. It's like we're approving overtime for utility billing, but we're spending 6 figures on a public relations firm, so it doesn't look like our priorities are straight." He said we need to find the resources respond to all of the complaints while we're changing-out the meters and going to a new utility billing system. He asked if we have the right resources, personnel that can help the people that man the phones and respond to the complaints.

Councilor Maestas said at Committee he requested a customer service plan for utility billing to assure us that it won't happen again. He asked if we are we past the mid-point of the change.

Mr. Schiavo said we have completed replacement of 23,000 small meters of the total 32,000, which includes all residential and some commercial. He said, regarding overtime, we have not hired two managers. He said the salary savings is in excess of the request for the additional overtime funds. He said he can use help with marketing and messaging on how we're doing things. He said they have been saving money. He said at the PUC, you will hear that the average call time is now at 6 minutes, and he believes there now are sufficient people to handle calls. He said, "We will be back on track by the end of February 2016 with billing." He said many calls are about not having received a bill. He said, "We should have all small meters installed by May 2016, and then start working on commercial meters."

Councilor Maestas said all these issues are happening right now.

Mr. Schiavo said, "The beauty of being and living in Santa Fe is that no one holds back, and so I read every email and listen to every voice mail. And we will get it straightened away."

Councilor Maestas believes we should take one thing at a time. He said once all of the information has been imported into the system, we then can take the next step, which is what tools do you have that exist today that can help you with your messaging, and what are your needs and where do you need additional support as a lead-up to justify a public relations contract. He said, "Right now, the timing and the optics are terrible, Nick, and I don't want to make your life any worse, but I'm getting pounded. I don't know what my colleagues are doing, we're getting chilled."

Councilor Maestas continued, saying he is not opposed to the concept of seeking outside help, but thinks it would be better to first establish stability, after entering all the information into the utility billing systems, and all retrofits on the meters are complete. He said, "We can then look at all of your mechanisms, and we might come up with some ideas to get your ideas to the public. This is my preference."

Councilor Maestas said the source of the funding isn't the General Fund, and if it was, he would vote against this request. However, it is from the enterprise fund, which can be used only for the enterprise fund. He reiterated that the optics aren't good, and he would like to defer the action until we have stability in utility building and finish installing the Badger meters.

Mr. Schiavo said, "You will never see me spend money just to spend money. Meaning, no matter the source of the funds, I will request only what is necessary."

Councilor Maestas said he doesn't think there will be as much feedback from commercial customers as we are getting from residential and asked when all the Badger meters will be installed.

Mr. Schiavo reiterated that all of the residential meters should be installed by the end of May 2016. He said they aren't changing all commercial, only the older meters which couldn't be retrofitted. He said he is negotiating for PMI to install those, and if that is the case, they would start in May 2016, and be done 3 months later, the end of July.

Councilor Maestas asked if this is the last overtime request that we will be receiving. He said one of his issues is that the rate of swapping the meters was exceeding the pace in which we can manually enter the information into the billing system. He asked if that has been figured out, if there are temporaries to help us.

Mayor Gonzales said, "Councilor Maestas, I think this is appropriate, but could we guide back onto the issue on the agenda, instead of moving into conversations that aren't related."

Councilor Maestas said he believes it's tied to resources.

Mr. Schiavo said they are back on track, and have a way to enter those as quickly as we get them. He said with respect to overtime, he will ask Diana Catanach to address that Wednesday at the PUC.

**MOTION:** Councilor Maestas moved "to postpone this action until we are done changing out all the Badger meters for all the residential account holders, and have all the information from those residential accounts entered into the new utility billing system."

**DISCUSSION PRIOR TO A SECOND:** Mayor Gonzales asked for a postponement date certain.

Councilor Maestas said it looks like the information that goes into the utility billing lags behind the meter work, so by the first meeting in June 2016.

**RESTATEMENT OF THE MOTION:** Councilor Maestas said, "So that would be my motion, Mayor, to postpone until the first meeting in June."

**SECOND:** Councilor Trujillo seconded the motion.

**DISCUSSION:** Mr. Snyder said, "Let me point out for the Council that our peak daily water demands for this community are in June, so I'm concerned. What we're talking about is water conservation messaging for this upcoming season. And there is a motion on the table to postpone to the first meeting in June, when the beginning of June and mid-June is when our peak daily demands are, so that's when we go through the roof. So to me, if it's revisit in June, by that time it is too late. We haven't had the message out for this year that we had a wet season, but yes, conservation still matters, whatever that message looks and feels like. I put that out there, because I caution you, having lived and breathed utilities for a large part of my career here at the City, I know that during those peak day demands, you can't just shut it down. You can't be having a conversation about what to do now. And that's why, in my opinion, California is in the trouble they are in. They didn't have enough advance notice and didn't do the right things in advance. This community has done the right thing, and we need to get that message clearer. So I just put that out there."

Mayor Gonzales asked Councilor Maestas, as the maker of the motion, what changed since the Finance Committee heard this where Councilors Trujillo, Rivera, Lindell and Maestas voted in favor of it, to tonight.

Councilor Maestas reiterated that it is the overtime, utility billing, complaints and the blow-back from this issue, which he thinks is legitimate. He thinks it makes sense that people are furious that we still are in the process of changing-out these meters, populating the data into the new utility billing system, and we're taking on a new public relations effort. He said he thinks we need to provide stability, and this is in the face of the overtime request for the utility billing.

Councilor Maestas said it's not like we don't have any tools in the meantime to get the word out and prepare for the peak water use season. He said we have newsletters, TV cable shows, radio shows, so it's not like our messaging ability will be shut down completely. He said he believes we do have a lot of resources at our disposal. This would give staff time to present some of the content – what message we are going to send, and the content of the PR campaign. He thinks it will be pro-active in the spirit of maintaining our gallons per capita per day and other behaviors in which the public has been engaged to help us conserve water. He isn't trying to be detrimental to our water conservation efforts, but the optics are terrible and he thinks we have a lot happening right now in utility billing, and believes this action is premature.

Mayor Gonzales said we have to be careful about governing on optics, although we must recognize the public concern about the use of the water company resources, although he agrees there is an optic issue that needs to be addressed.

Councilor Maestas suggested amending the motion to postpone to May 2016.

Mayor Gonzales said, whatever the motion, he was going to ask how we are messaging to low income water users on the availability of rebates or resources – what in the plan was going to message to the low/moderate income families that really suffer disproportionately because the disposable income goes down when the surcharges increase. He isn't as concerned on the commercial side in terms of waiting to message to commercial.

Mr. Schiavo said that is something he could ask PK to work on, noting we don't have a plan yet, although there is a rough outline, and we are contracting with PK Public Relations to help us put that together. He said with the new meters, anyone will have access to know when they are nearing Tier 2 rates.

Mayor Gonzales pointed out that not everybody has access to a computer. He said he would like to bifurcate the contract and have it come back with a scope of services focusing on how to message to low to moderate income water customers regarding surcharges and conservation issues more directly so they are the primary benefactors of this. He understands Councilor Maestas' point that there are lots of mediums available to us – a public television show, an hour on radio and newsletters. He said the truth is that there are not a lot of people who tune into those all the time to understand how this will impact them.

Mayor Gonzales said we're trying to deal with what is going to happen in the summer when the surcharges increase. He said what he would hate is to have a whole bunch of people with huge water bills, who weren't made aware of it, don't understand how they can conserve and they're really set back. He said once they use the water they have to pay the bill. He asked how we are going message in ways so they understand their options and the penalties for continuously using water.

Councilor Maestas said we could give staff direction to look at those elements in the contract, and extract those that would be more of a priority, and perhaps we could have a two-part contract.

Mayor Gonzales said has received the same communications as the others. He has looked at this package, and the issue of messaging to the public is important. He said people are busy and don't always take the time to be made aware of ways to conserve, or rebate programs available through the water company – that takes an effort. He said he wishes we could say it's incumbent on people to have to go on line and look for themselves and make the phone call, but it takes an effort to try and do outreach in ways so people actually will move toward changing their behavior or applying for a rebate that could help them to reduce their water usage. He said what we're hearing in the change-over in the utility, is that people are getting very upset over the change in the charges, commenting the new meters will more accurately measure the water use. He said he would like to see how that messaging would take place, and based on that, understand what the contract would be so we know the most vulnerable population would be targeted as we go to the Tier 2 charges.

Councilor Ives said has chaired the Water Conservation Advisory Committee for a number of years. He said each year that Committee looks at the City's marketing and publicity campaign. He said the point made by the City Manager is significant, which you want all of this in place before you start seeing water use increase. He said, very intentionally, the effort is to start getting that word out early in the Spring so people are aware. He said the tiered system does adjust, to some degree, on the base amount of water that is available. He doesn't know the numbers of customers in the lower income scale that are hitting Tier 2 rates, and guesses that would surprise him.

Councilor Ives continued, saying he thinks most people in Santa Fe, as the result of the campaigns, do try to stay within Tier 1 and not tip into the higher rates. He said the campaign talks about the rebates annually, and there are various efforts used fairly consistently in the process – inserts in water bills, various advertising campaigns, radio, print media, newsletters. It has been a standard part of the City's practice in terms of promoting water conservation, and if conservation is the City's measure of success in these campaigns, it has been a remarkable success across the City.

Councilor Ives continued, saying his preference is, rather than postponing this, to move it forward with direction to staff to try to ensure that the plan developed incorporates a focus on those at the lower income levels to ensure they are fully informed and understand the rebates available. He said, "I do think it is a critical part of the City's water conservation process, creating public awareness, creating, if you will, an ethic in Santa Fe for the conservation of that most precious resource. I would urge moving this forward, perhaps with direction to staff as I've indicated, and I'm certainly happy to make a motion to that effect."

Mayor Gonzales noted there is a motion on the table at this time to postpone, so we have to deal with that first.

Councilor Rivera said then PK has been working with the City for 4 years.

Mr. Schiavo said yes, at least 4 years.

Councilor Rivera asked what the City did before that – did we run our own program.

Mr. Schiavo said he doesn't know the answer to that question.

Councilor Rivera asked Mr. Snyder if he remembers, and if we did public outreach.

Mr. Snyder said yes, we did public outreach, but is unsure if we used a private company or did that internally and then transitioned to PK Marketing.

Councilor Rivera asked Mr. Snyder what was the daily consumption per person prior to using PK.

Mr. Snyder said it was roughly 107 gallons per capita per day, commercial and residential combined, versus the most recent consumption of 95 gallons per capita per day.

Councilor Rivera asked if it is fair to say that maybe PK is doing a good job, reaching all the right people, with consistent messaging and over 4 years has had a significant impact on individual usage.

Mr. Schiavo said it is important as part of the portfolio to have different ways to get the message out. He thinks they played some role in that reduction.

Councilor Rivera said putting a halt, even for a while, to a program that has been consistent for 4 years, probably would have some detriment to our current conservation level. He said it is of concern to him to take the great efforts toward conservation and then throw it to the side, and then people that have been reached for 4 years think we've had a great water year and it's okay to plant a lawn, and do other things they haven't done. This really concerns him.

Councilor Rivera asked, with regard to this request being related to the installation of the Badger meters, if a private company is doing those installations.

Mr. Schiavo said yes.

Councilor Rivera said then once they are freed-up from installing the Badger meters, we won't be able to use them to do any kind of advertising or outreach.

Mr. Schiavo said no, they are strictly hired by Badger, the company is called PMI, to do the installation and to activate the meter and be sure it is linked to the correct customer.

Councilor Rivera asked, once the calls stop coming in and everything settles down, if we will be using the people we normally use daily to handle phone calls.

Mr. Schiavo said that is correct, commenting he thinks a lot of the calls are because we are behind in billing, and once we get billing caught up, he thinks the number of phone calls will be reduced drastically.

Councilor Rivera said then we won't have 5-10 people who suddenly are free to do other jobs. He said this is their primary job.

Mr. Schiavo said that is correct and there will be a job for them to do.

Councilor Rivera said he agrees with Councilor Ives that we need to move forward with this to keep the message consistent. He asked if this is a contract that will be coming before us every year for funding approval, even though it is a four-year contract.

Mr. Schiavo said that is correct. He said they can do a contract only for one year, and if this is approved, he would be back next year looking to extend the contract.

Councilor Rivera said he thinks if we decide to terminate the contract, we have a 10 day termination notice.

Mr. Schiavo said he believes that is correct, but he would have to look at the contract.

Councilor Dominguez said, with regard to how to get the minority community involved and engaged, he was looking for that in the Memo, but he doesn't see it. He thinks there are general, generic things, but the Governing Body has heard him say many times, communication is tough and a huge challenge. He doesn't want to draft the contract, but the staff needs to understand the challenges in reaching out and communicating with the minority communities. He said he is torn on this. On one hand we need to

continue to work to ensure we have advertising measures in place to endorse conservation. On the other hand, he sees this as an opportunity to be able to move in the direction of communicating with those communities. He has asked Matt Ross, in this case, for a District 3 communications plan, but he has seen nothing yet, commenting it may take legislation. He sees the challenge with this proposal as being can we do more to reach out to that population, commenting so much of this is cultural. He doesn't know whether it's necessary to postpone this to May.

Mayor Gonzales said maybe some of the effort is the accountability piece and what we are getting for the money, asking if there is a PK representative in attendance.

Mr. Schiavo said Christine Chavez, Water Conservation Manager who just started a few weeks ago is in attendance.

**FRIENDLY AMENDMENT:** Mayor Gonzales asked Councilor Maestas, if we postpone this a month, if there is a way he can work with PK to come forward with a performance base contract to keep conservation moving forward, and the means to target populations to further reduce water conservation. He said he agrees with Councilor Dominguez that the contract is an all-in communications plan prepared at the direction of staff. He doesn't think we want to micromanage to the point of how a communications plan is built, but thinks we could answer to the public who might be feeling it looks terrible to award this contract. He said it would be better if we could deliver a communications plan and say here is the goal – to go from 95 gallons per day per day to 90 gallons over the course of this year. And, to be able to tie that and the messaging component to it would help him, and he agrees with the Councilors that the water conservation message has to be ongoing/continuous. He asked Councilor Maestas if he would consider looking at it again next month with more of an outcomes based contract.

**DISCUSSION ON THE FRIENDLY AMENDMENT:** Councilor Maestas said he is open to a 30 day postponement, but thinks the immediate need right now is customer service during what he thinks is a crisis, and to augment staff. He reiterated he doesn't believe the conservation program will collapse if we don't award the contract, commenting he believes it is the water rates that are changing behavior and driving water conservation. He thinks it's not micromanaging if we ask for special outreach techniques for those with no internet access, nor to find out what is the approach and the message. He thinks it has to be a combination and a "nimble" contract. Councilor Maestas said he is amenable to postponing this for a month to give staff time to revisit the statement of work, and Councilor Trujillo, as the second, said he also is amenable to the 30 day postponement. **THE AMENDMENT WAS FRIENDLY TO THE MAKER AND SECOND AND THERE WERE OBJECTIONS BY THE OTHER MEMBERS OF THE GOVERNING BODY.**

**DISCUSSION ON THE MOTION, AS AMENDED:** Councilor Maestas said the City went through the RFP process, and asked if there is a problem in the statement of work.

Mayor Gonzales said he doesn't know there was a change in the statement of work, and thinks we're asking for a more detailed communications plan, or we can approve it and ask that Mr. Schiavo bring back a detailed communications plan before there is any execution of the contract.

Mr. Schiavo said the intention is once the firm is on contract, to bring back the exact plan to this Committee in two months.

Mayor Gonzales said the messaging matters, and there has to be that component. He said what Mr. Schiavo is saying is that we could approve it tonight, but hold off releasing funds subject to staff bringing back a communication plan that we have endorsed.

Mr. Schiavo said it sounds reasonable, and asked if the Mayor wants it to come back to the Council or to the PUC.

Mayor Gonzales said he would prefer it go to PUC, and not have to occupy the Council's time again, but said that is up to the Councilors.

Councilor Rivera said it definitely can come back through the PUC process, but that's only 5 Councilors.

Mayor Gonzales said we could have an open Council meeting the night it is heard by the PUC, and allow for participation by other Councilors not on the PUC. He doesn't want to occupy more of the Council's agenda on this.

**EXPLANATION OF THE MOTION AS AMENDED:** Mayor Gonzales said, "Right now, the motion on the floor is to postpone for a month, with direction to come back on a communications plan. So let's do a roll call."

**CLARIFICATION OF THE MOTION:** Ms. Vigil asked if the vote would be to postpone to the Council Meeting of February 24, 2016.

Councilor Maestas said he would like a report on the progress of the Badger meter and population of data on the new utility billing system, and complaints. He wants to make sure the complaints have subsided substantially in one month.

Mayor Gonzales asked if that can be separate from the motion, with the direction to staff to come back with that information, so we don't tangle the two issues.

Councilor Maestas believes they are related and we really need to get our house in order right now before embarking on any private sector assistance with our message, commenting, "I think they're related."

Mr. Snyder said, "This contract isn't meant to gloss over or message anything about the new metering system. This is strictly for conservation and the work that goes on here now."

Mr. Snyder said he is confused, and said, "I would like to get some clarification on what the expectation is for staff to come back. As Nick touched on, this has nothing to do with messaging and meters, and is all about water conservation and messaging. But what I also heard Nick say earlier is that through the past years' experience with this firm, they have been able to hone in on certain sectors that, for whatever reason, don't believe in conservation and don't conserve the same as other sectors. The hope for this

contract was to do the general messaging, which is we've had a wet Spring and Winter, and perception-wise we're doing great, but we can't stop conserving now, whatever that message is. I heard Nick say earlier to hone in on sectors, but I also heard a request to focus on certain demographics that may not have the resources."

**CLARIFICATION BY MAYOR:** Mayor Gonzales said, "I want to add some clarification here, the way I understand it. This is a contract for communicating to the public how to conserve. The request is, and I think staff has agreed, to come back within two months and be able to bring back a communications plan the Council can look at. That's no different from what we did with the contract for Tourism when it came back and laid out a series of steps of how they were going to increase tourism in the City. So the issue is, we can either.... the motion before us to postpone for a month, if that fails, I'm assuming there would be a motion to grant with the ability to come back and.... and give them two months to come back with a marketing plan that can be presented to Council."

**CONTINUATION OF CLARIFICATION BY MAYOR:** But what Councilor Maestas is saying, and I think that it's a sentiment that is felt on the Council and by the public, is that we have to wrap our arms around how we're going to finish the execution of these new meters in a way that does so without such confusion or the imbalance that is occurring out there. We can say that, given the thousands, it's still a small percentage, but it is still having a significant impact on how the public is viewing the implementation of a very strategic technical program that is meant to help us conserve better in the long run. And I share Councilor Maestas' sense of urgency of needing to be able to come back to the Council, but I don't think for this contract. I think it should be up to the Council to say, all right, here's our plan in place to be able to answer calls quicker, to be able to get a response and some resolution faster. If it requires expending money for temporary positions so we get calls answered quicker, tell us what that means, or get direction from us, laying out some type of calendar that we can lay out to the public to say, here for 2016, is the schedule for the rest of the implementation of the meters when there is a conflict that exists between what the meter says and the public thinks. And we've all been copied on all the same stuff that you get, so we see the anger of people because such imbalance occurs."

**CONTINUATION OF CLARIFICATION BY MAYOR:** I think there's a sense of urgency on all of our part, for you to communicate with Public Utilities, but to come to the Council as a whole and say, here are the problems we've heard, here's how we're putting in corrective measures to make sure that we quickly get those addressed, and allowing us to be able to at least take that back and know what's happening. And I think if we can achieve that, that helps to go a long way in being able to look at other important programs like these that invest in conservation, knowing there is a pathway for us to conclude the implementation of the new meters. Knowing long term, what it means to the City in terms of water conservation and accuracy in reading and efficiency, because this will be long term, when executed correctly, using technology to very efficiently measure the amount of water being used in a very accurate way, where before maybe that wasn't the case."

**CONTINUATION OF CLARIFICATION BY MAYOR:** So I think that's the long way of saying Brian, that kind of what Nick is having to absorb here in this one contract, are a lot of unknown factors by all of us, because we haven't had the chance to have a plan presented by you, and I think we need to do that. We've kind of let it go on a little bit, or I have, knowing that you would work out the kinks, working it through

and you're doing it. You're taking all the calls, talking to people directly. I think we also need to have a conversation between you and the Council on where we stand, how to get through all the problems, what is our timeline to finish it, so these kinds of contracts don't fall ill to something that we just don't know what's necessarily happening."

Mr. Schiavo agreed, saying Diana Catanach has put together that presentation, will be giving it next Wednesday, and he can get on the Council Agenda to have her give that same presentation.

Mayor Gonzales said he should send the presentation to the Council ahead of time, so they can come prepared to ask questions and get their questions answered.

Councilor Maestas said he got a lot of comments about the caption on the Agenda, noting on packet page 2, Issue #10 for PUC, it says '*...Award a Bid..... for \$235,000 for a term of 4 years.*'. He said the Memo says, '*Approval of Award..... with PK Public Relations in the amount of \$75,000....(2016), and request for approval of a budget adjustment increase BAR in the amount of \$63,356.36.*' He said, however in the caption on the published Agenda the only money mentioned is a BAR request of \$63,358. He said this was the source of a lot of outrage, noting people thought it was okay when they read the caption, but when they read further information, they were outraged. This is the source of his angst about how to disclose this action to the public.

Mayor Gonzales said we do need to communicate a little more clearly.

**FURTHER EXPLANATION OF THE MOTION BY THE MAYOR:** Mayor Gonzales said, "So there is a Motion to Postpone, the staff is asking us to agree to the contract with a mechanism to hold off spending any money until a communications plan is in place. So, on the motion, roll call."

**CLARIFICATION ON THE ROLL CALL VOTE:** Ms. Vigil said, "This one is to Postpone." Mayor Gonzales said, "This is a motion to postpone for one month, and we're already going to bring forward a plan in place I think to address some of the issues that you've talked about, so that's already planned to come forward. Your motion now, is to postpone for month, based on our conversation, with direction to come back with a little more 'meat on the bones,' on the scope of services. The staff is saying they can do that in two months, but they would like direction to go with PK so they can start working with them to get it in place. I guess the question would be, would PK hold off billing for services until there is an approved plan, or are they going to start billing for services before."

**CONTINUATION OF DISCUSSION ON THE MOTION AS AMENDED:** Mr. Snyder said, "One of my other concerns was is if we had PK under contract and doing work for us, there has to a purchase order tied to it and they're going to have to be able to bill for those services. So if we're developing a communications plan over the next two months, they need to be able to bill for those services that they are providing us. So, in my opinion, we can't have a contract approved without funding for it, and ask the contractor to perform work without any sense that they're going to be paid for it."

Mayor Gonzales said he kind of disagrees, and thinks light work could be done with PK to build a messaging component that matches to the contract.

Mr. Schiavo said, "My guess is that PK is probably listening right now and they probably are formulating a very good presentation and a very good proposal with respect to what's going to be done. So if that's the case, whether we're coming back in one month or two months, it should be a very impressive plan and I wouldn't expect to be allowed to go forward unless that was okay with you all."

**VOTE:** The motion, as amended, was approved on the following Roll Call vote:

**For:** Councilor Dominguez, Councilor Lindell, Councilor Maestas, and Councilor Trujillo.

**Against:** Councilor Rivera, Councilor Ives and Mayor Gonzales.

Mayor Gonzales said, "So the direction would be to come back with this contract in February. If you can put just a little bit more on the communications effort and how the monies will be expended, then I think we can separate this contract from some of the other issues so we keep it moving forward and get it expedited. I don't think there is concern with anything we've heard up here. I think the issue is just come forward with a plan on how they're going to spend the money."

**10 (m) CONSIDERATION OF RESOLUTION NO. 2016-12 (MAYOR GONZALES, COUNCILOR IVES AND COUNCILOR BUSHEE). A RESOLUTION DESIGNATING THE GREATER SANTA FE FIRE SHED AS AN AREA THAT IS CRITICAL TO THE HEALTH AND SAFETY OF THE CITIZENS OF SANTA FE AND A PRIORITY IN REDUCING THE ECOLOGICAL AND ECONOMIC HAZARDS POSED BY WILDFIRES; INCLUDING THE GREATER SANTA FE FIRE SHED IN THE 25-YEAR SUSTAINABLE SANTA FE PLAN; AND DIRECTING STAFF TO IDENTIFY FUNDING SOURCES TO DEVELOP PROJECTS. (PORFIRIO CHAVARRIA)**

A copy of an Action Sheet from the Public Safety Committee Meeting of Tuesday, January 26, 2016, regarding Item 10(m), is incorporated herewith to these minutes as Exhibit "4."

A copy of a map of *Greater Santa Fe Fire Shed*, dated January 21, 2016, entered for the record by staff, is incorporated herewith to these minutes as Exhibit "5."

Councilor Ives said he is a cosponsor of the measure and believes it is exactly what we should be doing. He said we do get occasional emails expressing concern for prescribed burns and other potential methodologies that might be used to reach our goal of protecting the watershed. He asked, "What will the nature of our outreach be to the public to engage them and allow them to participate in the discussion about what we need to do in the fireshed."

Officer Chavarria thanked the co-operators for attending – The Forest Guild, The Nature Conservancy, the USGS, Fat Tire Society, Tesuque Pueblo. He said this Resolution is a great opportunity to give the public more input and the City and Governing Body more influence on what happens within this priority area, and designating the area as a priority for mitigating the effects of a disastrous wildfire is a good opportunity for the public and the City to let them know what they expect to see in those landscapes.

Councilor Ives thanked everyone who has come to the meeting in support of this, because he thinks it is a significant measure, and the more we involve those issues in the planning efforts, the less opportunity there will be for any type of catastrophic event. He encouraged, as this goes to the Sustainable Santa Fe Commission, that they formulate and plan, commenting it would be nice to hear back at Council, or through some type of reporting. It doesn't have to be on the agenda, but just perhaps follow up that the efforts to engage the public on these issues, given the significant numbers of our committee for whom this is an item of significant interest.

**MOTION:** Councilor Ives moved, seconded by Councilor Trujillo, to adopt Resolution No. 2016-12.

**DISCUSSION:** Councilor Maestas said he has been getting a lot of correspondence lately and asked what is the difference between a watershed and a fireshed.

Officer Chavarria said the watershed is where water flows downstream to the main rivers and to the ocean eventually, and taking that same concept and applying it to fire and how fire behaves. And fire behaves more based on what it's burning, so the fuels, and taking that into account. He said, "A forest of aspen burns much differently than a forest of mixed conifer types, or a forest of ponderosa or pinon juniper. So it's kind of encompassing this large area that has several different types of forests and identifying what those specifics of firesheds are and it also incorporates the effects a fire would have on communities that are directly adjacent or in the path of that area. If we're specifically talking about this fireshed and the boundary, I believe you have an updated map [Exhibit "5"] which is a lot clearer than the one I've been using. You can certainly see there are definitely communities within the fireshed area we're talking about that would be dramatically affected by a wildfire of any significance. And not just the actual event, you also are looking at post-fire effects for several years after the fire."

Councilor Maestas asked if the boundaries of the greater Santa Fe Fireshed include the watersheds.

Officer Chavarria said yes.

Councilor Maestas said then the underlying intent is watershed management.

Officer Chavarria said yes, that and water source protection, and you are ensuring those watersheds continue to function in a healthy way. If a catastrophic wildfire were to burn through, you are talking severe intensities that delete all living organic material, and wouldn't be able to hold water, and a quite different system would be in place.

Councilor Maestas said a lot of people are averse to controlled burns. However, if it is under the banner of watershed management, he thinks it's okay. He doesn't know why we don't use the term "watershed," in talking about maintaining vegetation through whatever method – mechanical removal or controlled burns. He said the phrase "fireshed," just "lit up my constituents." He appreciates the regional cooperation, commenting a lot of this is the Aamodt water system service area as well, so it serves quite a number of people. He noted we signed onto the Rio Grande Water Fund.

Officer Chavarria said that is correct, and this project is in direct alignment with that Fund, and they fully support this project, and this is within the grander boundary of the Rio Grande Water Fund, and as a signatory, he thinks it realigns perfectly with what we are accomplishing here.

Mayor Gonzales asked, without this designation, could work be done in any of the National Forests in terms of healthy forest restoration.

Officer Chavarria said, "Yes, I believe so. What this Resolution does is give us a greater voice. And to answer Councilor Ives' discussion about public involvement and influence, I think it also increases that into that area as well. I can take the Resolution and show the Forest Service or other co-operators that this is a priority area to the City and we are willing to work with our partners in cooperation, creating projects or mitigating wildfire issues in those areas.

Mayor Gonzales asked what is the point of this designation, and Officer Chavarria reiterated it is to give the City a bigger voice and to show our support to our co-operators that this is a priority area and to help stymie some of the resistance that may occur in some of these areas regarding project proposals.

Mayor Gonzales asked if this community is at risk under the current forest standard management.

Officer Chavarria said yes. He said a catastrophic fire will burn at intensities that will burn complete landscapes completely down through mineral soil to the bedrock. He said there is a thick layer of organic material underneath the trees, so think of all of that as gone, and all that is left is rock and sand. He said we have been blessed with snowfall and rainfall this year, and you could see all of that water not absorbed by the soil and being taken down the River, causing large debris flows which would affect communities. He said, for example, if something happened in Black Canyon, the road to the Ski Basin would be completely wiped out and the Ski Basin would be closed for 2-3 years before we could reopen the road. He said we are looking at huge economic and environmental impacts from a severe fire, such as Las Conchas which burned to 48,000 acres in about 15 hours. He said the situation on our side is just as dire.

Mayor Gonzales said we're not acting in a vacuum here, and there are efforts to restore our forests to a healthier state.

Officer Chavarria said this is a water driven effort, and we are involved in a large collaborative effort for a cohesive strategy with the Forest Service from its region of the Santa Fe Forest to their districts, including State Forestry, soil and water conservation districts, The Nature Conservancy, The Forest Stewards Guild, the City Water Division, Santa Fe County Fire, Tesuque Pueblo, the Fat Tire Society and others. There is a large array of collaborators working on such issues, and this shows Santa Fe's commitment.

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

**For:** Mayor Gonzales, Councilor Dominguez, Councilor Ives, Councilor Lindell, Councilor Maestas, Councilor Rivera and Councilor Trujillo.

**Against:** None.

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**END OF CONSENT CALENDAR DISCUSSION**  
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**11. REQUEST FOR APPROVAL TO SET THE SALARY OF THE NEWLY-ELECTED MUNICIPAL JUDGE FOR HIS OR HER TERM IN ACCORDANCE WITH SANTA FE CITY CODE SECTION 2-3.3, EFFECTIVE UPON SWEARING IN. (KELLEY BRENNAN)**

Kelley Brennan, City Attorney, said, "This matter has been before you now a couple of times. I think my Memo is self explanatory. At the last meeting you defeated the Notice to publish a bill that would change the Ordinance. The Ordinance is now unchanged. The salary increase is mandatory under the current Ordinance and the numbers are in my Memo."

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

**VOTE:** The motion was approved on the following Roll Call Vote:

**For:** Mayor Gonzales, Councilor Dominguez, Councilor Ives, Councilor Lindell, Councilor Maestas, Councilor Rivera and Councilor Trujillo.

**Against:** None.

**12. PURSUANT TO RESOLUTION NO. 2015-89 – ANALYSIS OF THE CURRENT LAND DEVELOPMENT CODE AS IT RELATES TO SHORT TERM RENTALS AND RECOMMEND AMENDMENTS TO THE CURRENT SHORT TERM RENTAL ORDINANCE. (LISA MARTINEZ, RANDY RANDALL AND NOAH BERKE) (Postponed to February 10, 2016 Meeting of the Governing Body.)**

This item is postponed to the City Council meeting of February 10, 2016.

**13. MATTERS FROM THE CITY MANAGER**

There were no matters from the City Manager.

**14. MATTERS FROM THE CITY ATTORNEY.  
EXECUTIVE SESSION**

**IN ACCORDANCE WITH THE NEW MEXICO OPEN MEETINGS ACT §§10-15-1(H)(7)AND (8) NMSA 1978, DISCUSSION REGARDING THREATENED OR PENDING LITIGATION IN WHICH THE CITY OF SANTA FE IS A PARTICIPANT, AND DISCUSSION OF THE PURCHASE, ACQUISITION OR DISPOSAL OF REAL PROPERTY OR WATER RIGHTS BY THE CITY OF SANTA FE, INCLUDING, WITHOUT LIMITATION, THE REQUEST OF ARCHERS DE SANTA FE TO EXTEND THE TERM OF ITS LEASE OF APPROXIMATELY 128.4 ACRES OF LAND OFF WEST CAJA DEL ORO ROAD. (KELLEY BRENNAN)**

**MOTION:** Councilor Rivera moved, seconded by Councilor Ives, that the Council go into Executive Session, in accordance with the Open Meetings Act §§10-15-1(H)(7) and (8) NMSA 1978, as recommended by the City Attorney for discussion regarding threatened or pending litigation in which the City of Santa Fe is a participant, and discussion of the purchase, acquisition or disposal of real property or water rights by the City of Santa Fe, including, without limitation, the request of Archers de Santa Fe to extend the term of its lease of approximately 128.4 acres of land off West Caja del Oro Road.

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

**For:** Mayor Gonzales, Councilor Dominguez, Councilor Ives, Councilor Lindell, Councilor Maestas, Councilor Rivera and Councilor Trujillo.

**Against:** None.

The Council went into Executive Session at approximately 6:30 p.m.

Mayor Gonzales said he would expect the Executive Session to run through 7:15 p.m.

**MOTION TO COME OUT OF EXECUTIVE SESSION**

**MOTION:** At 7:30, 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.

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

**For:** Mayor Gonzales, Councilor Dominguez, Councilor Ives, Councilor Lindell, Councilor Maestas, Councilor Rivera and Councilor Trujillo.

**Against:** None.

15. **REQUEST FOR APPROVAL OF THE WAIVER OF THE ATTORNEY-CLIENT PRIVILEGE FOR THE LIMITED PURPOSE OF PERMITTING THE ATTORNEY RETAINED BY ATKINSON & CO., LTD, WITH RESPECT TO THE 2008 PARK BOND EXAMINATION ENGAGEMENT TO INTERVIEW FORMER CITY ATTORNEY GENO ZAMORA, WITH RESPECT TO CERTAIN STATEMENTS MADE TO THE FINANCE COMMITTEE ON SEPTEMBER 6, 2011; FORMER ASSISTANT CITY ATTORNEY JUDITH AMER, WITH RESPECT TO THE DRAFTING OF HER MEMORANDUM DATED JULY 21, 2011, INCORPORATED IN THE PUBLIC RECORD BY VOTE OF THE GOVERNING BODY ON MAY 27, 2015; AND FORMER OUTSIDE COUNSEL, DUANE BROWN, FORMERLY OF MODRALL SPERLING, WITH RESPECT TO HIS DISCUSSIONS WITH THEM ON THE MATTERS ADDRESSED IN SAID MEMORANDUM. (KELLEY BRENNAN)**

**MOTION:** Councilor Rivera moved, seconded by Councilor Trujillo, to waive the attorney-client privilege for the limited purpose of permitting the attorney retained by Atkinson & Co., Ltd, with respect to the 2008 Park Bond Examination Engagement, to interview former City Attorney Geno Zamora with respect to certain statements made to the Finance Committee on September 6, 2011; former Assistant City Attorney Judith Amer with respect to the drafting of her Memorandum dated July 21, 2011, incorporated in the public record by vote of the Governing Body on May 27, 2015; and former outside counsel, Duane Brown, formerly of Modrall Sperling, with respect to his discussions with them on the matters addressed in said Memorandum.

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

**For:** Mayor Gonzales, Councilor Dominguez, Councilor Ives, Councilor Lindell, Councilor Maestas, Councilor Rivera and Councilor Trujillo.

**Against:** None.

16. **MATTERS FROM THE CITY CLERK**

Yolanda Vigil, City Clerk, said she wants to inform the voting public that currently there is Absentee Voting in the City Clerk's Office, 200 Lincoln, Room 215, which will continue through February 9, 2016. Early Voting will begin February 10, 2016, in the Office of the City Clerk and at the Genoveva Chavez Community Center on Rodeo Road. The last day to register to vote to be eligible to vote in the March 1, 2016 Election will be February 2, 2016. She urged people to register before that time.

17. **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 December 9, 2015, is incorporated herewith to these minutes as Exhibit " 6."

### **Councilor Maestas**

Councilor Maestas said he has no communications.

### **Councilor Ives**

Councilor Ives introduced an Ordinance amending Subsection 23-6.2 SFCC 1987, to permit the sale and consumption of alcohol at Fort Marcy Ballpark for the Bike and Brew Event. A copy of the Ordinance is incorporated herewith to these minutes as Exhibit "7."

Councilor Trujillo asked to be added as a cosponsor of the Ordinance.

### **Mayor Gonzales**

Mayor Gonzales introduced the following:

1. A Resolution to designate unused space at 500 Market Station for entrepreneurial activities; directing staff to develop an RFP to identify a private sector partner for the space; directing staff to identify and recommend a revenue source for use as collateral; and directing staff to provide an update and recommendations to the Governing Body within ninety days of adoption of the Resolution. A copy of the Resolution is incorporated herewith to these minutes as Exhibit "8."
2. A Resolution establishing a New Year's event on the Plaza as an annual tradition as part of the People to the Plaza initiative. A copy of the Resolution is incorporated herewith to these minutes as Exhibit "9."

Councilor Ives asked to be added as a cosponsor of both Resolutions.

Councilor Trujillo asked to be added as a cosponsor of the Resolution establishing the New Year's Event.

### **Councilor Lindell**

Councilor Lindell said she has no communications.

### **Councilor Trujillo**

Councilor Trujillo said two weeks ago he asked staff to see what is happening with Cigna. He said after making that comment, he received calls from other employees telling him they have the same problems. He is perplexed that some of the claims aren't being handled by Cigna.

Mr. Snyder said he followed up with Human Resources about that, and they are in the process of inviting Cigna to come down and hold some meetings, probably in Council Chambers. He said Cigna will be meeting with him and the Human Resources Director next week, and will schedule the meetings shortly thereafter.

### **Councilor Rivera**

Councilor Rivera introduced a Resolution contributing property and resources to New Mexico Interfaith Housing Community Development Corporation, for development of the Santa Arts+Creativity Center Low Income Housing Tax Credit Project pursuant to the Affordable Housing Act. A copy of the Resolution is incorporated herewith to these minutes as Exhibit "10."

Councilor Ives asked to be added as a cosponsor of the Resolution.

### **Councilor Dominguez**

Mayor Gonzales introduced the following on behalf of Councilor Dominguez:

1. An Ordinance adopting a Municipal Hold Harmless Gross Receipts Tax. A copy of the Ordinance is incorporated herewith to these minutes as Exhibit "11."
2. An Ordinance adopting a Municipal Gross Receipts Tax. A copy of the Ordinance is incorporated herewith to these minutes as Exhibit "12."
3. A Resolution increasing the property tax within the municipal boundaries of the City of Santa Fe. A copy of the Resolution is incorporated herewith to these minutes as Exhibit "13."
4. An Ordinance amending Subsection 11-12.1 SFCC 1987, to remove the provision permitting payment to the City in lieu of taxes from enterprise funds; and removing the sunset clause. A copy of the Ordinance is incorporated herewith to these minutes as Exhibit "14."

Mayor Gonzales said Councilor Dominguez said these introductions are being made to be sure everything is available to the Governing Body, but it doesn't indicate his intent to go this way. He said if we didn't introduce these bills tonight, we would miss the clock to be able to do these things.

Councilor Dominguez reiterated it doesn't mean he is endorsing one of these, or all of them, but it's to make sure we have all the tools we need available to us as we go through the process.

**END OF AFTERNOON SESSION AT APPROXIMATELY 7:45 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 7:45 p.m. There was the presence of a quorum as follows:

#### **Members Present**

Mayor Javier M. Gonzales  
Councilor Peter N. Ives, Mayor Pro-Tem  
Councilor Carmichael A. Dominguez  
Councilor Signe I. Lindell  
Councilor Joseph M. Maestas  
Councilor Christopher M. Rivera  
Councilor Ronald S. Trujillo

#### **Members Excused**

Councilor Patti J. Bushee  
Councilor Bill Dimas

#### **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**

*Mayor Gonzales gave each person two minutes to petition the Governing Body.*

**David McQuarie, 2997 Calle Serrada**, said the Consent Calendar was approved tonight, specifically Item 10(b) Request for Approval of On-Call Roadway & Trails Construction Services. He said Roads and Trails probably will do what they usually do, which is nothing more than the suppression of the basic civil rights of the disabled by not putting in the curb cuts that are required by federal regulation. He asked the Governing Body to ask the City Manager to address and respond to an ADA complaint that he filed about 16 months ago, and he specifically states the City Manager or an Engineer, and he doesn't want any second-hand stuff, or he'll be right back here.

**Herbert Lotts, 353 E. Alameda**, said he is here to thank Mayor Gonzales, the Councilors and the City on behalf of the New Mexico Gay Rodeo Association. He said the International Gay Rodeo Association has given him a plaque to present to you in return for what you have given to us. He said they raised enough funds to give \$4,500 to 3 Santa Fe non-profits, reiterating, "We are incredibly grateful for the help you've given us." He presented the plaque to the Governing Body.

Mayor Gonzales said typically the events happen during the day, and asked if there is an opportunity to do events in the evening so more people can participate.

Mr. Lott said they're talking about it, but he doesn't know if that will happen, but the Rodeo Director is working on that.

Mayor Gonzales asked the number of contestants annually in the Rodeo.

Mr. Lott said he doesn't know, but they have been doing quite well in bringing contestants to Santa Fe, commenting since the Rodeo has moved from Albuquerque to Santa Fe, it's done quite well, in terms of our contestants.

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**VERBATIM TRANSCRIPT  
OF THE REQUESTED PORTION OF PETITIONS FROM THE FLOOR, ITEM #F  
CITY COUNCIL MEETING  
January 27, 2016**

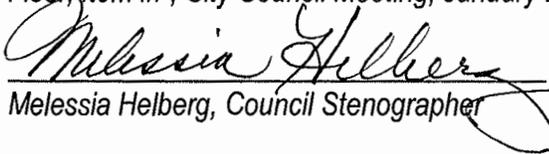
*Mayor Gonzales gave each person 2 minutes to speak*

**STEFANIE BENINATO:** Stefanie Beninato, P.O. Box 1601, Santa Fe. I am here to talk a little bit about lack of trust for the City Council. Some of the reasons are that we see projects being done that are ineffective. The redoing of curbs on 500 Galisteo Street, excuse me, Don Gaspar, this past year flooded 4 times this summer, it overflowed. We spent a lot of money redoing the roof at the Chavez Center, but there are places that are not in the pool area, but in the other parts that are leaking just as bad if not worse than before the roof redo. You spent a lot of money putting 3 systems or 3 zones into Salvador Perez Recreational Facility, but they don't work very well, and the pool is the coldest area, even though it should be the warmest really. And then you have people leaving doors open at 30 degrees outside, because oh my gosh, there's moisture on the door, instead of taking a cloth... and opening the door to have the moisture go away. We have so much money and I guess we don't violate the anti-donation clause that we have streets and drains come around with a road grader that was big enough to clear 1½ lanes to clear sidewalks on the south side of Paseo de Peralta for the second year in a row. I believe it violates the Anti-Donation Clause to just clear 3-4 sidewalks, especially since you keep

clearing a sidewalk for the Ortizes at 600 Galisteo Street. In the almost 15 years I've lived next to the property, I never have seen them clear it once. And this is very well used by the Paseo and people are walking out onto Paseo to avoid a sheet ice that is there pretty constantly through the winter. And that road grader did, well yes they got some of the ice off, but it scraped down the sidewalk. You couldn't get the ice off the Eugenia Shennard house. So again, why are we wasting this kind of money. Why aren't people being responsible for their own sidewalks as they're supposed to. If the City is going to spend over \$200,000 to have an educational campaign at the Water department, which I find it pretty outrageous that we have a contractor telling us why the first contractor, the billing contractor screwed up and why we really shouldn't care about that, or whatever the reason is to really hire this PR company. I mean, again, we just keep justifying and justifying and it looks like we have so much money. I don't know where the crisis is, because I think you ought to halt all funding until we look at everything as a whole, and then decide exactly where we should be spending this money and what we should be spending it on and not just doling it out. Thank you.

MAYOR GONZALES: Thank you.

*I certify that this is a true and accurate transcript of the requested portion of Petitions from the Floor, Item #F, City Council Meeting, January 27, 2016.*

  
Melessia Helberg, Council Stenographer

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## **G. APPOINTMENTS**

### **Capital Improvements Advisory Committee.**

Mayor Gonzales made the following appointment to the Capital Improvements Advisory Committee:

Kim Shanahan (Councilor Rivera) – Reappointment – term ending 12/2017.

**MOTION:** Councilor Rivera moved, seconded by Councilor Trujillo, to approve this appointment.

**VOTE:** The motion was approved unanimously on a voice vote with Mayor Gonzales and Councilors Dominguez, Ives, Lindell, Maestas, Rivera and Trujillo voting in favor of the motion and none voting against.

## **Parks and Recreation Advisory Commission**

Mayor Gonzales made the following appointment to the Parks and Recreation Advisory Commission:

Victoria Bruneni – Chair – term ending 01/2017.

**MOTION:** Councilor Dominguez moved, seconded by Councilor Rivera, to approve this appointment.

**VOTE:** The motion was approved unanimously on a voice vote with Mayor Gonzales and Councilors Dominguez, Ives, Lindell, Maestas, Rivera and Trujillo voting in favor of the motion and none voting against.

### **H. PUBLIC HEARINGS**

- 1) **REQUEST FROM THE GUADALUPE CAFÉ, INC., FOR A TRANSFER OF OWNERSHIP AND LOCATION OF INTER-LOCAL DISPENSER LICENSE #0969, WITH ON-PREMISE CONSUMPTION ONLY AND WITH A PATIO, FROM BETTY F. BULL, D/B/A CASA BLANCA BAR, 5830 NM HIGHWAY 152 E., BAYARD, TO THE GUADALUPE CAFÉ, INC., D/B/A PINK ADOBE AND GUADALUPE CAFÉ, 406 OLD SANTA FE TRAIL. (YOLANDA Y. VIGIL)**

The staff report was presented by Yolanda Y. Vigil, City Clerk, from her Memorandum of January 22, 2016, which is in the Council packet, noting the location is within 300 feet of the San Miguel Mission, 401 Old Santa Fe Trail. However, a liquor license was located at 406 Old Santa Fe Trail prior to the enactment of the Liquor Control Act, therefore a waiver of the existing 300 foot restriction is not required. She said there are staff reports in the packet regarding liquor, noise and traffic, and staff recommends these businesses be required to comply with all of the City's Ordinances as a condition of doing business in the City.

#### **Public Hearing**

**Linda Aiken, 520 Harkelroad, Liquor License Attorney for Applicants in Items H(1) and H(2), was sworn.** Ms. Aiken said those items are related and two people asked her to explain the reason the Guadalupe Café d/b/a the Pink Adobe would be selling a liquor license and buying a substitute license while that transaction is happening. Both are dispenser licenses and it doesn't make sense to most people

Mayor Gonzales asked Ms. Aiken to hold any presentation until the Public Hearing is closed.

Responding to Mayor Gonzales, Ms. Aiken said they agree with all conditions of approval.

#### **The Public Hearing was closed**

**MOTION:** Councilor Trujillo moved, seconded by Councilor Rivera, to approve the request from The Guadalupe Café, Inc., for a transfer of ownership and location of Inter-Local Dispenser License #0969, with on-premise consumption only and with a patio, from Betty F. Bull, d/b/a Casa Blanca Bar 5830 NM Hwy. 153 E, Bayard to the Guadalupe Café, Inc, d/b/a Pink Adobe and Guadalupe Café, 406 Old Santa Fe Trail, with all conditions of approval as recommended by staff.

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

**For:** Mayor Gonzales, Councilor Dominguez, Councilor Ives, Councilor Lindell, Councilor Maestas, Councilor Rivera and Councilor Trujillo.

**Against:** None.

- 2) **REQUEST FROM COST PLUS, INC., FOR A TRANSFER OF OWNERSHIP AND LOCATION OF DISPENSER LICENSE #0683, WITH PACKAGE SALES, FROM THE GUADALUPE CAFÉ, INC., D/B/A PINK ADOBE AND GUADALUPE CAFÉ, 406 OLD SANTA FE TRAIL TO COST PLUS, INC., D/B/A COST PLUS WORLD MARKET, 4250 CERRILLOS ROAD, SUITE 1220. (YOLANDA VIGIL)**

The staff report was presented by Yolanda Y. Vigil, City Clerk, from her Memorandum of January 22, 2016, which is in the Council packet, noting construction of the building has commenced, but has not been completed, and staff recommends as a condition of approval they be required to obtain all recommended permits and licenses, comply with all Fire, Building and Land Code Requirements, as well as comply with all of the City's Ordinance as a condition of doing business in the City.

### **Public Hearing**

Mayor Gonzales said, "Let the record reflect that Linda Aiken is still on record and sworn, representing the Applicant. Do you agree with the conditions as set forth by the staff."

Ms. Aiken said, "We do."

**Stephanie Beninato was sworn.** Ms. Beninato said she would urge the City once again to adopt a City-wide liquor distribution plan, because it seems like, and she doesn't understand the intricacies of the liquor distribution law, but she believes Cost Plus had a distribution license downtown, and it is moving out to Cerrillos Road, noting there are a lot of liquor distribution places in that area on Cerrillos. She said, "If you really want to justify limiting sales, whether package or not, then I think the way to justify it is to have a City-wide plan, and I'm probably going to keep urging you to do that until maybe you actually adopt one. Thank you."

### **The Public Hearing was closed**

**MOTION:** Councilor Lindell moved, seconded by Councilor Maestas, to approve the request from Cost Plus, Inc., for a transfer of ownership and location of Dispenser License #0683, with package sales, from The Guadalupe Café, Inc., d/b/a Pink Adobe and Guadalupe Café, 406 Old Santa Fe Trail to Cost Plus, Inc., d/b/a Cost Plus World Market, 4250 Cerrillos Road, Suite 1220, with all conditions of approval as recommended by staff.

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

**For:** Mayor Gonzales, Councilor Dominguez, Councilor Ives, Councilor Lindell, Councilor Maestas, Councilor Rivera and Councilor Trujillo.

**Against:** None.

**3) REQUEST FROM MORNINGSTAR/LUCERO, LLC, FOR A TRANSFER OF LOCATION OF INTER-LOCAL DISPENSER LICENSE #28011, WITH ON-PREMISE CONSUMPTION ONLY, FROM 207 W. SAN FRANCISCO STREET TO CROW BAR, 205 W. SAN FRANCISCO STREET (YOLANDA VIGIL)**

The staff report was presented by Yolanda Y. Vigil, City Clerk, from her Memorandum of January 22, 2016, which is in the Council packet, noting that Crow Bar is going to change the premises with interior modifications, and staff recommends that as a condition of approval the interior modifications comply with the Land Use Code, that they be required to obtain all necessary permits and licenses, comply with all Fire, Building and Land Use Code Requirements, and comply with all City Ordinances as a condition of doing business in the City.

**Public Hearing**

**Richard Cassidy, 548 Bluffs Lane, was sworn.**

Mayor Gonzales asked Mr. Cassidy if he agrees with all of the conditions of approval imposed.

Mr. Cassidy said yes.

Mayor Gonzales said then the license is going from the Burro Lounge to the Burro Alley Café.

Mr. Cassidy said it is the same location, which is being divided into two spaces.

**Public Hearing was closed**

**MOTION:** Councilor Trujillo moved, seconded by Councilor Maestas, to approve the request from Morning Star/Lucero, LLC, for a transfer of location of Inter-Local Dispenser License #28011, with on-premise consumption only, from 207 W. San Francisco Street to Crow Bar, 205 W. San Francisco Street, with all conditions of approval as recommended by staff.

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

**For:** Mayor Gonzales, Councilor Dominguez, Councilor Ives, Councilor Lindell, Councilor Maestas, Councilor Rivera and Councilor Trujillo.

**Against:** None.

Mayor Gonzales asked Mr. Cassidy when this business will be open.

Mr. Cassidy said it is closed currently.

Mayor Gonzales asked if both are going to be opened.

Mr. Cassidy said, "I can't account for the lessors of the secondary space."

Mayor Gonzales asked which side Mr. Cassidy is taking.

Mr. Cassidy said he is taking 205 W. San Francisco which is not on the corner.

Mayor Gonzales asked when it will open.

Mr. Cassidy said, "As soon as we're done with any remodeling, or anything we need to take care of.

Ms. Vigil said, "Mayor, if I could. The other business already has applied, and I think they're working their way through the H-Board. So they will be in the other space fairly soon as well."

Mayor Gonzales asked if they going to the H-Board because they are going to reconfigure the building.

Ms. Vigil said, "I'm not sure what they're doing, if they're doing a remodel or what."

## **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:**

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**Mayor Javier M. Gonzales**

ATTESTED TO:

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Yolanda Y. Vigil, City Clerk

Respectfully submitted:

  
Melessia Helberg, Council Stenographer

CITY COUNCIL MEETING  
EXECUTIVE SESSION  
January 27, 2016

The Governing Body of the City of Santa Fe met in an executive session duly called on January 27, 2016 beginning at 6:35 p.m.

**The following was discussed:**

In Accordance with the New Mexico Open Meetings Act §§10-15-1(H)(7) and (8) NMSA 1978, Discussion Regarding Threatened or Pending Litigation in Which the City of Santa Fe is a Participant; and Discussion of the Purchase, Acquisition or Disposal of Real Property or Water Rights by the City of Santa Fe, Including, Without Limitation, the Request of Archers de Santa Fe to Extend the Term of Its Lease of Approximately 128.4 Acres of Land Off West Caja del Oro Road.

PRESENT

Mayor Gonzales  
Councilor Dominguez  
Councilor Ives (out 7:56 p.m. – 8:02 p.m.)  
Councilor Lindell  
Councilor Maestas  
Councilor Rivera  
Councilor Trujillo

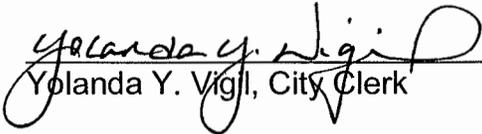
ABSENT

Councilor Bushee  
Councilor Dimas

STAFF PRESENT

Brian K. Snyder, City Manager  
Kelley A. Brennan, City Attorney  
Yolanda Y. Vigil, City Clerk  
Matthew O'Reilly, Asset Development Director

There being no further business to discuss, the executive session adjourned at 7:30 p.m.

  
Yolanda Y. Vigil, City Clerk