



# Agenda

REGULAR MEETING OF  
THE GOVERNING BODY  
AUGUST 13, 2014  
CITY COUNCIL CHAMBERS

**AFTERNOON SESSION – 5:00 P.M.**

CITY CLERK'S OFFICE

DATE 8/8/14 TIME 1:47

BY \_\_\_\_\_  
PREPARED BY \_\_\_\_\_

1. CALL TO ORDER
2. PLEDGE OF ALLEGIANCE
3. SALUTE TO THE NEW MEXICO FLAG
4. INVOCATION
5. ROLL CALL
6. APPROVAL OF AGENDA
7. APPROVAL OF CONSENT CALENDAR
8. APPROVAL OF MINUTES: Reg. City Council Meeting – July 30, 2014
9. PRESENTATIONS
  - a) Update on Youth Soccer Program -- Dreamers in Action and the Deferred Action for Childhood Arrivals (DACA) (Juan Deosis)
10. CONSENT CALENDAR
  - a) Bid No. 14/24/B – Colonia Prisma Park and Agreement between Owner and Contractor; Lee Landscapes, Inc. (Mary MacDonald)
    - 1) Request for Approval of Budget Adjustment – Project Fund.
  - b) Bid No. 14/25/B – Southside Transit Center – Bus Shelters and Agreement between Owner and Contractor with Construction Contingency; Pro-Fab, Inc. (Mary MacDonald)
  - c) Bid No. 15/02/B – City-Wide Uniforms. (Robert Rodarte)
    - 1) Boot Barn
    - 2) Capital City Uniforms
    - 3) Neve's Uniforms
    - 4) Santa Fe Sports and Images



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- d) Request for Approval of Professional Services Agreement – Construction Services at North Railyard District Including Alcaadesa Street, Railyard Plaza Extensions and Completion of Camino De La Familia; Santa Fe Railyard Community Corporation. (Robert Siqueiros)
- e) Request for Approval of Procurement under Cooperative Price Agreement and Professional Services Agreement – Fire Station #7 and Marty Sanchez Links Clubhouse & Pro Shop Reroofing Projects; Cooperative Education Services (CES)/J3 Systems, LLC. (Jason Kluck)
- f) Request for Approval of Grant Award and Agreement – Track Development and Maintenance at Buckman MX Track at La Tierra Trail Area in Santa Fe; New Mexico Department of Game and Fish. (David Chapman)
  - 1) Request for Approval of Budget Increase – Grant Fund.
- g) Request for Approval of Grant Application and Award – Airport Federal Improvement Program Project; U.S. Department of Transportation, Federal Aviation Administration. (Francey Jesson)
  - 1) Request for Approval of Budget Increase – Grant Fund.
- h) Request for Approval of Grant Award and Agreement – Procurement of Maintenance Supplies Needed to Maintain the Airport Including but Not Limited to, Wind Cones, Paint, Paving Materials and Airfield Light Bulbs; New Mexico Department of Transportation, Aviation Division. (Francey Jesson)
  - 1) Request for Approval of Budget Increase – Grant Fund.
- i) Request for Approval of Grant Award and Agreement – 2014 Emergency Management Performance Grant Program; New Mexico Department of - Homeland Security & Emergency Management. (Andrew Phelps)
  - 1) Request for Approval of Budget Increase – Grant Fund.
- j) Request for Approval of Professional Services Agreement – DWI Rehabilitation School Facilitator for Police Department (RFP #14/37/P); Kathleen Lawicki d/b/a Santa Fe DWI School, LLC. (Police Chief Eric Garcia)



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- k) Request for Approval of Budget Increase Based on the Allocation from FY 2015 State Fire Protection Fund. (Jan Snyder)
  - l) CONSIDERATION OF RESOLUTION NO. 2014-\_\_\_\_. (Councilor Trujillo)  
A Resolution Adopting the 2016-2020 Infrastructure Capital Improvements Plan (ICIP). (Isaac Pino)
  - m) CONSIDERATION OF RESOLUTION NO. 2014-\_\_\_\_. (Councilor Maestas)  
A Resolution Directing Staff to Identify the Benefits, Feasibility, Needs and Options for Creating an Independent Office of Inspector General. (Kelley Brennan)
  - n) CONSIDERATION OF RESOLUTION NO. 2014-\_\_\_\_. (Councilor Maestas)  
A Resolution Calling on Our State Legislative Delegation to Request a State Attorney General's Opinion to Clarify the Taxing Power a Home Rule Municipality Possesses Pursuant to the N.M. Constitution and Statutory Law and Whether a Home Rule Municipality has the Authority to Impose a Tax on Items that Are Not Expressly Prohibited from Taxation Pursuant to State Law. (Kelley Brennan)
11. Update on New Mexico Municipal League Policy Development. (Councilor Maestas)
12. MATTERS FROM THE CITY MANAGER
13. MATTERS FROM THE CITY ATTORNEY

## Executive Session

- a) In Accordance with the New Mexico Open Meetings Act §10-15-1(H)(7) NMSA 1978, Discussion Regarding Pending Litigation in Which the City of Santa Fe is a Participant, Qwest Corporation v. City of Santa Fe, Case No. 14-2008 in the U.S. Court of Appeals for the Tenth District.
- b) 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 Attorney Kelley A. Brennan.



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14. Action Regarding Pending Litigation in Which the City of Santa Fe is a Participant, Qwest Corporation v. City of Santa Fe, Case No. 14-2008 in the U.S. Court of Appeals for the Tenth District. (Kelley Brennan)
15. MATTERS FROM THE CITY CLERK
16. COMMUNICATIONS FROM THE GOVERNING BODY

**EVENING SESSION – 7:00 P.M.**

- A. CALL TO ORDER
- B. PLEDGE OF ALLEGIANCE
- C. SALUTE TO THE NEW MEXICO FLAG
- D. INVOCATION
- E. ROLL CALL
- F. PETITIONS FROM THE FLOOR
- G. APPOINTMENTS
  - Audit Committee
  - Children and Youth Commission
  - Mayor's Youth Advisory Board
  - Santa Fe Regional Juvenile Justice Board
  - Bicycle and Trail Advisory Committee
  - Planning Commission
  - Historic Districts Review Board
- H. PUBLIC HEARINGS:
  - 1) CONSIDERATION OF BILL NO. 2014-20: ADOPTION OF ORDINANCE NO. 2014-\_\_\_\_. (Mayor Gonzales, Councilor Dimas and Councilor Ives)  
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. (Noah Berke)
- I. ADJOURN



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

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

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

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August 13, 2014**

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REQUEST FOR APPROVAL OF BUDGET ADJUSTMENT – PROJECT FUND	Approved	9-11
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<u>ITEM</u>	<u>ACTION</u>	<u>PAGE #</u>
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Historic Districts Review Board	Approved	30
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CONSIDERATION OF BILL NO. 2014- 20: ADOPTION OF ORDINANCE NO. 2014-26. AN ORDINANCE RELATING TO THE <i>CITY OF SANTA FE UNIFORM TRAFFIC ORDINANCE</i> ; 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	Approved	32-41
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**MINUTES OF THE  
REGULAR MEETING OF THE  
GOVERNING BODY  
Santa Fe, New Mexico  
August 13, 2014**

**AFTERNOON SESSION**

A regular meeting of the Governing Body of the City of Santa Fe, New Mexico, was called to order by Mayor Pro-Tem Peter N. Ives, on Wednesday, August 13, 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 Peter N. Ives, Mayor Pro-Tem  
Councilor Patti J. Bushee  
Councilor Bill Dimas  
Councilor Carmichael A. Dominguez  
Councilor Signe I. Lindell  
Councilor Joseph M. Maestas  
Councilor Ronald S. Trujillo

**Members Excused**

Councilor Christopher M. Rivera

**Others Attending**

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

**6. APPROVAL OF AGENDA**

**MOTION:** Councilor Dominguez moved, seconded by Councilor Dimas, to approve the agenda as published.

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



**7. APPROVAL OF CONSENT CALENDAR**

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

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

**For:** Mayor Pro-Tem Ives, Councilor Bushee, Councilor Dimas, Councilor Dominguez, Councilor Lindell, Councilor Maestas and Councilor Trujillo.

**Against:** None.

**Absent for the vote:** Mayor Gonzales

**10. CONSENT CALENDAR**

- a) *[Removed for discussion by Councilor Bushee]*
- b) **BID NO. 14/25/B – SOUTHSIDE TRANSIT CENTER – BUS SHELTERS AND AGREEMENT BETWEEN OWNER AND CONTRACTOR WITH CONSTRUCTION CONTINGENCY; PRO-FAB, INC. (MARY MacDONALD)**
- c) **BID NO. 15/02/B – CITY-WIDE UNIFORMS. (ROBERT RODARTE)**
  - 1) **BOOT BARN**
  - 2) **CAPITAL CITY UNIFORMS**
  - 3) **NEVE’S UNIFORM**
  - 4) **SANTA FE SPORTS AND IMAGES**
- d) **REQUEST FOR APPROVAL OF PROFESSIONAL SERVICES AGREEMENT – CONSTRUCTION SERVICES AT NORTH RAILYARD DISTRICT INCLUDING ALCADESA STREET, RAILYARD PLAZA EXTENSIONS AND COMPLETION OF CAMINO DE LA FAMILIA; SANTA FE RAILYARD COMMUNITY CORPORATION. (ROBERT SIQUEIROS)**
- e) **REQUEST FOR APPROVAL OF PROCUREMENT UNDER COOPERATIVE PRICE AGREEMENT AND PROFESSIONAL SERVICES AGREEMENT – FIRE STATION #7 AND MARTY SANCHEZ LINKS CLUBHOUSE & PRO SHOP REROOFING PROJECTS; COOPERATIVE EDUCATION SERVICES (CES)/J3 SYSTEMS, LLC. (JASON KLUCK)**

- f) **REQUEST FOR APPROVAL OF GRANT AWARD AND AGREEMENT – TRACK DEVELOPMENT AND MAINTENANCE AT BUCKMAN MX TRACK AT LA TIERRA TRAIL AREA IN SANTA FE; NEW MEXICO DEPARTMENT OF GAME AND FISH. (DAVID CHAPMAN)**
  - 1) **REQUEST FOR APPROVAL OF BUDGET INCREASE – GRANT FUND.**
- g) **REQUEST FOR APPROVAL OF GRANT APPLICATION AND AWARD – AIRPORT FEDERAL IMPROVEMENT PROGRAM PROJECT; U.S. DEPARTMENT OF TRANSPORTATION, FEDERAL AVIATION ADMINISTRATION. (FRANCEY JESSON)**
  - 1) **REQUEST FOR APPROVAL OF BUDGET INCREASE – GRANT FUND.**
- h) **REQUEST FOR APPROVAL OF GRANT AWARD AND AGREEMENT – PROCUREMENT OF MAINTENANCE SUPPLIES NEEDED TO MAINTAIN THE AIRPORT INCLUDING BUT NOT LIMITED TO WIND CONES, PAINT, PAVING MATERIALS AND AIRFIELD LIGHT BULBS; NEW MEXICO DEPARTMENT OF TRANSPORTATION, AVIATION DIVISION. (FRANCEY JESSON)**
  - 1) **REQUEST FOR APPROVAL OF BUDGET INCREASE – GRANT FUND.**
- i) **REQUEST FOR APPROVAL OF GRANT AWARD AND AGREEMENT – 2014 EMERGENCY MANAGEMENT PERFORMANCE GRANT PROGRAM; NEW MEXICO DEPARTMENT OF HOMELAND SECURITY & EMERGENCY MANAGEMENT. (ANDREW PHELPS)**
  - 1) **REQUEST FOR APPROVAL OF BUDGET INCREASE – GRANT FUND.**
- j) **REQUEST FOR APPROVAL OF PROFESSIONAL SERVICES AGREEMENT – DWI REHABILITATION SCHOOL FACILITATOR FOR POLICE DEPARTMENT (RFP #14/37/P); KATHLEEN LAWICKI D/B/A SANTA FE DWI SCHOOL, LLC. (POLICE CHIEF ERIC GARCIA)**
- k) **REQUEST FOR APPROVAL OF BUDGET INCREASE BASED ON THE ALLOCATION FROM FY 2015 STATE FIRE PROTECTION FUND. (JAN SNYDER)**
- l) *[Removed for discussion by Councilor Ives]*
- m) **CONSIDERATION OF RESOLUTION NO. 2014-65 (COUNCILOR MAESTAS). A RESOLUTION DIRECTING STAFF TO IDENTIFY THE BENEFITS, FEASIBILITY, NEEDS AND OPTIONS FOR CREATING AN INDEPENDENT OFFICE OF INSPECTOR GENERAL. (KELLEY BRENNAN)**

- n) **CONSIDERATION OF RESOLUTION NO. 2014-66 (COUNCILOR MAESTAS). A RESOLUTION CALLING ON OUR STATE LEGISLATIVE DELEGATION TO REQUEST A STATE ATTORNEY GENERAL'S OPINION TO CLARIFY THE TAXING POWER A HOME RULE MUNICIPALITY POSSESSES PURSUANT TO THE N.M. CONSTITUTION AND STATUTORY LAW AND WHETHER A HOME RULE MUNICIPALITY HAS THE AUTHORITY TO IMPOSE A TAX ON ITEMS THAT ARE NOT EXPRESSLY PROHIBITED FROM TAXATION PURSUANT TO STATE LAW. (KELLEY BRENNAN)**

**8. APPROVAL OF MINUTES: REGULAR CITY COUNCIL MEETING – JULY 30, 2014**

**MOTION:** Councilor Trujillo moved, seconded by Councilor Dimas, to approve the minutes of the Regular City Council meeting of July 30, 2014, as presented.

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

**9. PRESENTATIONS**

- a) **UPDATE ON YOUTH SOCCER PROGRAM – DREAMERS IN ACTION AND THE DEFERRED ACTION FOR CHILDHOOD ARRIVALS (DACA). (JUAN DEOSIS)**

A copy of all material in the handout provided by the New Mexico Dreamers in Action and DACA, are incorporated herewith collectively to these minutes as Exhibit "1."

Juan Deosis, Community Organizer, New Mexico Dreamers in Action said he left a folder [Exhibit "1"] on the desks for the Governing Body. He is here along with the others to brief the Governing Body on the work of Dreamers and with undocumented immigrant youth. Mr. Deosis described the contents of Exhibit "1."

Mr. Deosis said Deferred Action for Childhood Arrivals [DACA] is a federal program that allows young individuals to get a work permit, social security number and have legal protection from deportation. Mr. Deosis said there are approximately 2.5 million undocumented youth in the United States, and every year 80,000 turn 18, 65,000 graduate from high school, but only 5-10% go to college. He said of those that go to college that are undocumented only a small fraction 1-3% graduate from college.

Mr. Deosis said he is one of the 1-3% that graduated from college, saying he is a young, undocumented individual who has lived in Santa Fe all of his life. He graduated from Santa Fe High School, Santa Fe Community College then attended Highlands University and he is in the process of completing his Master's degree in Albuquerque.

Mr. Deosis said the soccer was a 10 week project with two main goals: First, using soccer as a way to engage young people, they engaged 180 Santa Fe Public school students, 50 of which were able to successfully request their deferred action. Secondly, all 180 students were educated and engaged in their right to go to college. He said SB 582 passed by the Legislature in 2005, allows any student, regardless of immigration status to receive in-state tuition and access to the State Lottery Scholarships. He said many students are not aware of this. He said soccer was used to educate and engage undocumented students, and to try to make sure all can work legally, have the opportunity to contribute to the economy and be safe in Santa Fe.

*Mayor Gonzales arrived at the meeting*

Carla Romero is a student at Santa Fe Community College. Ms. Romero said she came to the United States when she is 12 and she is documented which is a huge thing which changed her life. It opened many doors which were closed previously. She said having a social security number let her go from working long shifts at Wendy's to be a educational assistant for the Santa Fe Public Schools. She said DECA has been good for some, but not everybody. She said many of their friends and family members were left out. She said there is a lot of potential within their community which needs to be recognized, noting without a social security number opportunities are limited, and it needs to be limitless. She wants to expand DECA to others so their life can be changed like hers was and to be able to work in something they enjoy.

Mr. Deosis said many opportunities and jobs are not available to them because of their immigration status.

Mauricio Lopez said he was born in Mexico and came to New Mexico with the idea to look for opportunities, happiness and prosperity for his family. He said he is one of the 1-3% of students. He graduated from Santa Fe High School, attended the Community College and then Highlands University, and next year he will finish his Masters in Social Work. He is a mentor and social worker for organizations in Santa Fe and a dance instructor for a dance company, and loves this community and the opportunity he received. He acknowledges the privilege of being documented, and being able to learn and further his education mostly through New Mexico Dreamers in Action. He said his parents were born in Mexico, but are here with him now, and introduced his mother Letitia Marquez, whom he was able to bring to the United States.

Mr. Deosis translated Spanish to English for Ms. Marquez, who spoke about her deep feelings for the United States, and DECA which has changed the lives of her children which has changed her life. Her oldest child wanted to quit school because he had no hope of finishing school, but she encouraged him to continue school which he did with the help of DECA. She said parents are encouraged to continue their education as well. She said she is working to expand the work of DECA to others because it changes lives and makes people productive in America. She said, "Thank you, United States for all of the opportunities."

Mr. Deosis said his own mother got her GED from the Community College. He acknowledged key partners and allies in attendance in implementing this program, Monica Sanchez for Representative Ben Ray Lujan's Office and Letitia Delgado from Senator Udall's office, noting both Congressmen Lujan and Senator Udall have helped them in their efforts.

**Alegra Love, Immigration Attorney**, said her work is funded through the Adelante Program in the Public Schools, and she is a volunteer with New Mexico Dreamers and Action, which does the organization that brings the clients. She said over the past 1½ years, they have filed more than 200 cases. She said to pay a private attorney on a DACA case is \$1,500, which is a low estimate, noting \$300,000 in work has been through Adelante and DACA. There 100 approvals and 100 cases pending and they have consulted with "hundreds and hundreds and hundreds and hundreds of families." She said not every family qualifies for DACA, but it valuable for them to understand their rights and to connect with organizations such as NM DIA so they can be part of a community which is fighting for their rights. She said they have obtained 31 Fee waivers in working with homeless children in Santa Fe, and each fee waiver is worth \$500, so that is \$15,000 in that effort. She said the opportunities for these students would not exist without the work of Adelante, DACA and NM DIA.

**Miguel Angel Acosta** said he is not undocumented, having been born in the United States. He said things have worked well for him because of the things which were put in place. He said these young people have not had these opportunities, but they now are being created. He is working with the Santa Fe Public Schools in its establishment of a new high school called Engage Santa Fe. It is a new alternative high school, based on the south side. He same to qualify for DACA youth must be enrolled in school. He said most undocumented students are not in school because they have to work and help support their families. He was contracted to recruit 75 students, and there already are 160 students. He said this is an example of partnerships which are being developed under the leadership of Mayor Gonzales, the School Superintendent and the City Council to support the development of the entire community. They would like to continue a conversation around a long term partnership to keep this program moving forward in the long term.

Councilor Dominguez thanked Mr. Deosis and the others for taking time from their day to come and visit with the Council. He said he was excited when they agreed to make this presentation. He said it seems most often we are disconnected from the challenges and struggles which you and your families are experiencing. He said this is an opportunity for us to hear this from your perspective. He said he attended one of the soccer tournaments, and there is a real sense of community at the soccer games. He said it exists as well in the baseball leagues which are offered by the immigrant community as well. He encouraged the Governing Body to take advantage of these opportunities which are provided.

Councilor Dominguez said he would like the Governing Body to have a more formal relationship with this group so we can educate ourselves about the importance of the immigrant community to our community, and how important you are as human beings and people to society. He said he will work with Mr. Deosis on this.

Councilor Bushee thanked the group for coming, saying she knows about the organization. She would like to know "how we can help you." She asked if the Community College is doing what it can to promote this program, and asked if this presentation has been made to the Santa Fe School Board.

Mr. Deosis said the next presentation will be to the School Board. He said Santa Fe Community College is one of its partners. He said Fabian Trujillo, Economic Development as well as Former Mayor Coss have supported their work directly previously, so they do have numerous allies.

Councilor Bushee noted there is an Immigration Committee with the City, and suggested they get on that Agenda, to see how we can follow up with Councilor Dominguez's suggestion for a more formal relationship.

Mr. Deosis said they know the Santa Fe Immigration Committee very well and its Chair Alejandra Seluja. He suggested it would be good to have a young student to represent "our community on that committee."

Mr. Deosis introduced two students from Capital High and SF High who through the process for their work permit and now have that opportunity – Ruben Guzman and Jonathan Aragon, both of whom play soccer for their schools and have received their deferred action.

Councilor Bushee asked who helps to fund the scholarships and there is some way that we can help with the \$465 to enroll.

Alegra Love said one of the problems with the program is that \$465 is a lot of money for a lot of families, especially when they have more than one student in the family. She said the only way students can qualify for a fee waiver is if you are homeless, or unaccompanied and under the age of 18. She said Guadalupe Credit Union is doing micro-loans for people for this process. However, the fee remains one of the biggest stumbling blocks. She has a pile of applications ready to send, but the families are waiting to get the money together.

Councilor Bushee would like to explore through the Immigration Committee, or working with some of you, to find ways to help the waiver system move forward or find funds for scholarships.

Ms. Love said it would be better to create a community fund from which to give loans or scholarships to kids to go through the process, noting they have tried to get the waiver changed and they are not budging.

Councilor Bushee said it seems wrong they have to be homeless or unaccompanied to qualify..

Ms. Love said the renewal is \$465 as well..

Mayor Pro-Tem Ives said a member of the School Board is in attendance and asked if she would like to speak to this issue.

**Susan Duncan, School Board Member**, said she is here as an individual citizen and not representing the School Board. However, she is familiar with the work of the Dreamers in our schools, and it has been outstanding and helped so many students to get their Deferred Action. She said it is an incredible service they are providing that nobody else really is doing. She said the Schools are thankful for the help they've given to so many of our students to go through this process and get the help they need to get their Deferred Action.

Councilor Maestas thanked everyone for coming this evening. He said this program was established by Executive Order and is not the result of federal legislation.

Ms. Love said this is correct, noting that would be The Dream Act that Congress still refuses to pass. It is an Executive Order from the President and can be revoked at any time.

Councilor Maestas noted that the effective date of the program was June 15, 2012, and we passed the initial two-year period of the program, but there are no renewal guidelines.

Ms. Love said that is outdated, and the renewal guidelines came out this Spring and went into effect two months ago. The problem is the renewal is very expensive, but it is a fairly easy process, noting it takes her about 20 minutes. She said the President and White House have started to talk very publicly about expanding the program to include women like Letitia, people with children who are citizens and dreamers. We are going to start thinking seriously as a community and a City about how to get services to everyone who might benefit from that process if it does happen.

Mayor Gonzales said, "I think because of that very fact, that any changes to this program are not dependent on federal legislation, really allows us, even as a Governing Body to work with our Congressional Delegation and appropriate departments within the Obama administration, such as Homeland Security, to really be vocal and improve and change some of these rules that make it so burdensome to get in the program. I agree with Councilor Dominguez, I think we really can maybe sponsor legislation here urging our delegation to work with Homeland Security and the Obama administration to improve this program. To begin, we're not dependent on Congress, which is really a good thing these day. I think there are opportunities to improve this program and make it easier for you, not just to get into the program, but stay in the program and get an education. I really thank you for being here and I pledge my support. Councilor Dominguez, thank you for bringing this to our attention, and I think there's a lot we can do to help formally."

Mr. Deosis said, "In closing, we are working extremely hard and we are organizing our community through our organizing the undocumented youth in the schools, we are organizing our parents. And we definitely look forward to a sustainable, long-term relationship with the City of Santa Fe, with Mayor Gonzales in continuing to fund and invest in Deferred Action and our undocumented immigrant youth. Thank you for your time."

Mayor Gonzales said, "First, I want to directly address, as Mayor, every Dreamer that is here and tell you that you matter to our community, your families are part of our community, we're grateful, we're a stronger community because of your presence here. And I just want to continue to encourage you to do everything you can when you graduate from high school. Because, even when you look at the statistics of Dreamers and graduation rates, they are at a higher level proportionate to the rest of the general population, so we know you're going to graduate. We know you're going to go to College. In many respects we want you to come back to Santa Fe because this is your home and we need your talents in our community. I know that all of us are here, as we are for the entire youth of this community, to continue to support your efforts, but we want to, because you are a part of this community. Your families are a part of this community and it is important that you communicate that to your parents and to your aunts and uncles and other out there that this community stands with you. Thank you for continuing to Dream the American Dream, and doing everything that you do to make our community a very special place. And I look forward, Juan, to working with you at the national level. The U.S. Conference of Mayors has made immigration reform a top priority. Mayors across this country are continuing to advocate in the Congress that Congress does something, and I will continue to be certainly an advocate and a voice at the national level through the U.S. Conference of Mayors on ways we can get the government to expand the program for families and other. So thank you for being here."

Mr. Deosis said, "Mayor Gonzales, we're excited to work with you. Thank you."

### **CONSENT CALENDAR DISCUSSION**

**10(a) BID NO. 14/24/B – COLONIA PRISMA PARK AND AGREEMENT BETWEEN OWNER AND CONTRACTOR; LEE LANDSCAPES, INC. (MARY MacDONALD)**  
**1) REQUEST FOR APPROVAL OF BUDGET ADJUSTMENT – PROJECT FUND**

Councilor Bushee said she raised a concerns at Public Works, and she doesn't see that anything has changed. She is concerned that the deletion of the shade structure was the wrong deletion. She said this area is pretty exposed and there are not a lot of trees, and wonders if this is the best move for families. She said she took it off to vote against it. However, she is more interested in knowing if there is any adjusting. She understands the amount of money not in line with the bid. She said, "It seems to me, maybe losing a little bit of cement here or there, and coming up with an alternative material and still keeping some way for families to have a shade structure over some picnic tables would be something I would want to pursue."

Ms. MacDonald said she is right about the need for shade. In this case, it was planned to go over one picnic table with room for a second picnic table later on, hopefully. Or if we don't need the construction contingency, which is very small, we can afford the second ADA picnic table. She said they already have included some replacement of concrete, and we are now down to one remaining ADA accessible path and we likely are to "cross wires with the ADA Committee if we eliminate any more concrete." She said this isn't a sure thing at all. She said there is hope on the near horizon, noting the Chair of POSAC found out about our shortfall.



Councilor Bushee said she thought somebody was pursuing impact fees.

Ms. MacDonald reiterated that there is good support at POSAC for an approval for a significant amount of Park Impact Fees. She said if that happened, she has a good idea that the shade structure would be the first item added back into the project.

Councilor Bushee asked if we need to delay this in any way to facilitate that so you don't have to come back

Ms. MacDonald said that was seriously considered, but if we delay approving the contract, due to the time it takes to cycle through for approval after the meeting to get an executed contract, we will run out of planting time this year.

Councilor Bushee asked if part of her motion to approve, could be that if new funds become available that we will include at least the shade structure and perhaps the other picnic table. She is trying to facilitate this in the hope you don't have to come back to this Committee.

Ms. MacDonald said that would be a helpful recommendation and approval.

Councilor Bushee asked Ms. Brennan if "I can make that motion."

Ms. Brennan apologized saying she didn't hear all of the discussion.

Councilor Bushee reiterated that they had to delete almost \$50,000 of amenities from a new park, Colonia Prisma because the bid came in higher than available funds. They are going to pursue impact fees this week. She asked if we move this forward so they can get started with plantings and such, can we not have them come back if the impact fees are forthcoming.

Ms. Brennan said, "Yes."

**MOTION:** Councilor Bushee moved, seconded by Councilor Dominguez, to approve this request, "in hopes that you receive some additional funds, and we will fund the remaining amenities that have been deleted."

**DISCUSSION:** Councilor Bushee said she is holding out for the shade structure.

Councilor Maestas asked if are we allowed to dedicate certain impact fees to specific projects, and is this precedent setting in any way.

Ms. MacDonald said, "Not at all. This has been routinely done. A portion of impact fees do get allocated to Park Impact Fees and the Capital Improvement Advisory Committee routinely considers and considers apportionment of yearly or available Park Impact Fees for various parks."

Councilor Maestas said then the revenues are insufficient to cover the amenities, so we need a budget adjustment as well to go along with this.

Ms. MacDonald said, "What I understand about the follow up to that Park Impact Fee Consideration Committee, the CIAC, is that once they have approved the funds they normally can move it into the Park Budget, and additional Council approval isn't needed to transfer those funds into the Parks budget.

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

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

**Against:** None.

**Explaining her vote:** Councilor Bushee said, "Yes. And I did not limit my pursuit to the impact fees. I hope there is some money available to get this done and completed."

**10(I) CONSIDERATION OF RESOLUTION NO. 2014-67 (COUNCILOR TRUJILLO). A RESOLUTION ADOPTING THE 2016-2020 INFRASTRUCTURE CAPITAL IMPROVEMENTS PLAN (ICIP). (ISAAC PINO)**

Councilor Ives said in his Memo dated July 29, 2014, Mr. Pino notes that the list has been priorities, but when it came to Public Works there was a statement that it was reorganized to cover deferred maintenance issues and other categories. He said he understands this as a list that is categorized to include easily 100 projects, and we also seem to be saying we have various priorities within the reorganized list which is confusing to him. He asked if this is meant to represent a priority list in terms of those matters we would want to put forth to the Legislature in terms of our priorities, or it simply a cataloguing of a multitude of projects we prepare annually that we want to be potentially available to the Legislature to take action on, in terms of allocation of CIP funding.

Mr. Pino said the list before the Governing Body is something DFA requires to submit annually in order to be considered for legislative funding. He said, "The way the projects are listed was provided by the Finance Committee two meetings ago. But I need to add that the list is inconsequential ultimately to what projects get presented for funding by the Legislature. It has been very typical that when we have our annual meeting with our Legislative delegation that project will come from the bottom of the list, or middle of the list. To DFA it is neither here nor there. When a State Legislator decides they are going to sponsor a bill to fund a project, nobody from DFA runs back to them and says it's not that high on the list. At the Finance Committee, they listed deferred maintenance projects as priorities, traffic projects as priorities and to have the non-profit pass through be our 5<sup>th</sup> priority because those are mostly administrative pass-throughs, such as the Rodeo Grounds, soccer fields."

Councilor Ives in the Memo of July 29, 2014, it says that SWAN Park would be included in the City's top 5 priorities, which suggests that at least Items 1-5 represent the top 5 priorities for the Governing Body in terms of ICIP projects. He said the listing in the area of deferred maintenance, was the Calle Po Ae Pi road in the newly-annexed part of the City which is indicated it is added to the list in the top 10 projects list. The word priority is not use, but it certainly doesn't appear to fall within that category of deferred maintenance. He said, "I'm just trying to understand. Are we talking about a simply seminal listing of all the potential projects that we would like to potentially have the Legislature look at. Or, are we intending on creating a priority list, in which case, I'm not sure the discussion has been really engaged in. I attended Public Works because I was curious about what I saw as the inconsistencies in the Memo in how it was describing how this was coming forward. I have no problem saying this is a list of all the projects that the City puts forth on that ICIP list. My problem is in saying that these define our priorities because that is a discussion I haven't been engaged in, and it certainly represents a significant departure from some of last year's listings. So, if that were the case, I would love to see further discussion on that."

Mr. Pino said, "I would advise you to simply look at it as the ICIP list, without category, or without priority. The sun shades that were funded came from almost dead last off the list last year to get funding. I think the very same thing could occur this year, depending on which project we present in our priorities. When it becomes critical is in December, when we have that Legislative breakfast and we pass out our document, and we've already looked for sponsors. That's when it's critical to have our priorities in order and says these are the top three projects we want funding for this year. And as long as they appear on the ICIP list, that's the purpose the ICIP list serves. So I wouldn't be concerned. You correctly point out that SWAN Phase 2 can't be deferred maintenance since it's not built yet, but it would have remained down on the expansion list to move up. If that winds up being a priority of the Council when the time comes, it doesn't matter where it comes in from the list. So I wouldn't concern myself too much with categories or this being viewed as a priority, but I would in December when we present our priorities to the delegation."

Councilor Ives said he agrees with everything Mr. Pino said, and agrees both projects should be within the ICIP listing.

**MOTION:** Councilor Ives moved, seconded by Councilor Trujillo, to "approve the ICIP list, understanding that it is a list of all the ICIP projects across the City, and not necessarily in prioritized order."

**DISCUSSION:** Councilor Maestas said he would like to look at this exercise in reverse, instead of deferring our focus on establishing a real priority list to identify our Legislative agenda, he would like to see it done when we develop the ICIP. He said this is the final format, but he doesn't think we're wedded to this format in identifying our ICIP, and particularly in coming up with a ranking. We can develop our own ranking criteria for our own ICIP projects. He would like us to develop our own ranking criteria for the top 20, and get that well done in advance of the December meeting. He said we are looking at all the needs of the City on this list. This is another option that may be better instead of kicking the can down the road and waiting until December to start looking at these. He doesn't think we are limited to the State's format for ICIP, and shouldn't dictate our prioritization process because we can have our own process, and then put it in the form acceptable to the State.

Mr. Pino said, "I agree with everything you said, except for one thing. The format is all DFA seems to care about, as long as it's in the format it's in. They don't pay attention to priority, but everything else, including the subordinate pages and everything has to be exactly according to form. And we've made mistakes in the past and they call us out, and it turns into a big drama to make sure that we have everything properly listed. But getting started early on our priorities and what to present, getting sponsors lined up and everything else certainly make sense."

Councilor Maestas said all he is saying is let's make it meaningful for us, instead of considering to be a formality, because these are all capital improvements that are on the table. He thinks it's the right context and even the right time, so it is only a matter of looking at the current ranking in December, although there might be some minor changes.

Councilor Bushee said this process should start when we are considering our every two-year CIP bond. She said there was \$500,000 for drainage on West Alameda, and asked why that didn't make this list and asked if it can be added.

Mr. Pino said it can be added, but this is our last shot.

Councilor Bushee wants to be sure Salvador Perez is on the list, and asked if the Soccer Complex made the list. Unidentified said the Soccer Complex is on the list.

Councilor Bushee asked if we funded all of the needs for the GCCC.

Mr. Pino said we'll never be able to fund all of the needs at GCCC.

Councilor Bushee said, "Well then we should just have a running slush fund for the needs of the GCCC." She said this is the shortest ICIP list she's seen.

**FRIENDLY AMENDMENT:** Councilor Bushee would like to amend the motion to add \$500,000 for West Alameda and the widening of the Old Santa Fe Trail at \$1 million and City Hall renovations for \$500,000.  
**THE AMENDMENT FOR \$500,000 FOR WEST ALAMEDA AND THE WIDENING OF OLD SANTA FE TRAIL WAS FRIENDLY TO THE MAKER.**

**DISCUSSION ON FRIENDLY AMENDMENT PRIOR TO AGREEMENT BY SECOND:** Councilor Bushee asked about the Old Santa Fe Trail widening at \$1 million which wasn't funded.

Councilor Dominguez said there are some categories that are vague in general so we can fit some of these things that aren't specific into those categories. He asked, "That's part of the intent of this as well. Right."

Mr. Pino said, "That came from Finance Committee. It was a well thought out approach actually, to put the deferred maintenance from General Fund projects first, traffic safety second, deferred maintenance from Enterprise Funds third, then expansion items like some of the ones Councilor Bushee just mentioned, and then finally the pass through to the non-profits. So some of these, for instance, West Alameda drainage

would be an expansion, and the Old Santa Fe Trail widening and the City Hall renovations would all be expansion. And renovations might be deferred maintenance, depending on what we put in there for renovation.”

Councilor Dominguez said in the past, aside from priorities, there wasn’t much consideration given.... it could be expansion or maintenance. It was as long as there was something on the list that had something vaguely related to that project and it was okay. It was acceptable.

Mr. Pino said, absent any structure for categorizing the projects, the Finance Committee gave us that structure. And one could argue whether it’s in the right order or not, but with the growing list of deferred maintenance, it makes sense to him to have that at the top.

**THE AMENDMENT WAS FRIENDLY TO SECOND, AND THERE WERE NO OBJECTIONS BY THE OTHER MEMBERS OF THE GOVERNING BODY.**

**CLARIFICATION OF FRIENDLY AMENDMENT.** Councilor Ives clarified that he agreed that the Friendly Amendment should include the improvements at City Hall.

Councilor Maestas said we need an ongoing, updated, annual consolidated infrastructure assessment of infrastructure needs with rankings, and find a way we are comparing apples to apples, “what you’re recommending to us as Public Works Director, instead of letting the political projects carry the day and overshadow a lot of the deferred maintenance, a lot of these possibly high risk infrastructure rehabilitation projects. I think we need something consolidated, something we have at all times updated and prioritized.”

Mr. Pino said he has all of the data, and prioritizing it into a single document would make a lot of sense, because that would give us our priorities when we come to you on CIP every two years. He said if we decide to do another GO Bond and it is already prioritized and quantified, it would be a matter of going to what we have all agreed are our priorities. He said staff will work on consolidating all data they have so we can start considering such a report.

Councilor Trujillo agrees with Mr. Maestas, and said we need to deal with it at Public Works earlier. He said he has seen some priorities which were pushed by one Councilor. He said last year it was the Airport, on which he wasn’t in favor, when there are other priorities he thinks should have done. He said this is an excellent idea.

Councilor Bushee said perhaps Councilor Trujillo could formulate something for the next list, because she thinks we need to look at some ADA and/or railing improvements at Ft. Marcy ball field..

Councilor Trujillo said his concern is, “the minute we start doing any kind of thing at Ft. Marcy, doesn’t something kick-in with ADA compliance, meaning the entire park. I know we put in the one railing, but the minute we start doing something like that, we will have to look for the \$6.5 million to renovate the entire park. So that’s my whole concern. If we start doing little bits and pieces, will we have to tear out what we’ve already done.”

Mr. Pino said, "I think small projects like that can just be done like the last set of rails that was put in on an individual basis, because there is a project in the ICIP asking to redo the whole park, knowing exactly the point that you just made Councilor, that ADA kicks in for everything at that point."

Councilor Bushee said she just wanted to see if it was on the radar screen.

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

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

**Against:** None.

**11. UPDATE ON NEW MEXICO MUNICIPAL LEAGUE POLICY DEVELOPMENT. (COUNCILOR MAESTAS)**

A copy of *NMML Proposed 2014-2015 Statement of Municipal Policy and Proposed 2014-2015 Annual Resolutions*, are incorporated herewith to these minutes by reference, and are contained in the Council packet.

Councilor Maestas said he was appointed to the Intergovernmental Relations and Taxation Committee and the Resolutions Committee. He noted on packet page 19, 3.2.04 Home Rule Municipalities is existing policy that is what we are requesting by Resolution – our taxing authority be returned to us after changed by the Legislature subsequent to the creation of Home Rule Municipalities in the Constitution.

Councilor Maestas noted on packet page 22, Section 4.3.29 Public Transit Funding. He said part of our strategy should be how we can relieve the demand for General Fund revenues, which is asking for appropriate such as Transit Funding. He said staff of the League crafted this brand new policy, working closely with Jon Bulthuis and himself, and it has been adopted by the Resolutions Committee.

Councilor Maestas said on packet page 54, Resolution 2014-19, is the Resolution adopted by this Governing Body, summarizing all the issues we have as municipalities. The only change to which he agreed in the Resolutions Committee was on page 55 which struck redundant language, because we passed a separate resolution on that issue. He said a staff committee of Brian Snyder, Kelley Brennan, Ike Pino, noting Melissa Byers and Marcos Martinez helped as well, and thanked all of them for doing a great job in researching a lot of these issue. The strategy was to pass a stand-alone resolution in the event that the Legislature cannot address GRT reform policy in the next session. The Legislature has acknowledge it is a need, but is taking a go-slow approach, study it, hold hearings, and our backup plan is to at least get full taxing authority as a home rule municipality.

Councilor Dominguez thanked Councilor Maestas for his work at the NMML, noting he has attended committee meetings in the past, noting we can be very instrumental in policy. He asked if these statements been approved by the NMML

Councilor Maestas said these have been approved by the Resolutions Committee, and they then will be ratified at the Annual Business Meeting at the NMML Annual Conference. Once approve, it can't be changed.

Councilor Dominguez asked if there is any sense of priority, or is this where the battle is going to be.

Councilor Maestas said the Committees are asked to prioritize this legislation, but that is a huge fight, and the Committees generally punt and rank them all high.

Councilor Maestas said on Page 58, Resolution 2014-22 concerning the GRTs on food, stems from the League's desire to reinstate that tax on food. He said they felt this was counter to what we're trying to do in terms of reform. He said the NMML is split on this issue, and he was the only one in Committee to vote against this in the Policy Committee. However, other cities that have enacted the 3/8% GRT, which was given to us when they repealed the hold harmless, and aren't happy about trying to reinstate the tax on food, the legislation calls for repealing the 3/8% GRT.

Councilor Dominguez said he doesn't necessarily want this Governing Body to fight that fight for the NMML, but if there is something we are unanimously in support of, that we do whatever we can to bring that to the attention of the NMML. The NMML has the ability along with our lobbying efforts to change existing State law which can have a significant impact or lessen the impact on the City. He said, "Just a general statement, if there is anything we can do to help, let us know."

Councilor Maestas said on page 59, Resolution 2014-23, is the Resolution we adopted here, and that passed with no opposition or amendment. This is our backup plan if the Legislature is unwilling or unable to tackle gross receipts tax reform policy.

Councilor Maestas said on page 60, Resolution 2014-24, is also the identical Resolution adopted by the City, requesting an enactment of a tax on municipal telecommunications. He said our Resolution is modeled after the Utah Act, noting the one we adopted had the draft Act attached to it as an exhibit. However, the League as a matter of policy, does not include the actual legislation in the Resolution. "We scored another victory here and the members of the Committee liked the Utah model we advocated, thanks to staff for the research."

Councilor Maestas said another collaborative effort on behalf of public transportation, Jon Bulthuis and New Mexico Transit Alliance, which is not in the packet. It is a resurrection of an old Resolution calling on the Legislatures to establish a State Transit Fund to support municipal and regional transit capital and

operational needs. He said there was a big effort in 2007-2008, which has waned. He said there will be a big effort to get this done, as well as encouraging our Congressional Delegation to reauthorize the Federal Transportation Bill.

Mayor Gonzales thanked Councilor Maestas for his leadership on this and in informing the Council. He said, as previous Mayors have done, he took the liberty to appoint Councilor Maestas to serve as the City's Representative at the Municipal League, so he is our formal representative and serving us very well. He assumes the entire Governing Body is to participate in the Municipal League general meetings.

Councilor Maestas said yes, and the next Annual Conference is August 27-29, 2014 in Albuquerque. He encouraged his colleagues to go.

Councilor Maestas said he "threw my hat in the ring" for an At-large Board seat, which is a two-year term. He said there are 3 open positions and 3 candidates, and there could be candidates running from the floor. He said it would be nice to have an endorsement from this Governing Body.

Mayor Gonzales asked if Councilor Maestas is elected to the at-large seat, can this Governing Body add another member to represent the City.

Councilor Maestas said every City can appoint a delegate to the Business meeting, and he has been appointed as the delegate to vote on behalf of the City. He said there can be no more than one representative from any single City on the League Board.

**MOTION:** Mayor Gonzales moved, seconded by Councilor Ives to endorse Councilor Maestas to serve on the Board of Directors of the New Mexico Municipal League.

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

Councilor Ives said, regarding Resolution 2014-20 on page 56, relating to telecommunications, there is a reference to a telecommunications fee not to exceed 5%. He would urge him to speak with the City Attorney with regard to what that is 5% of might be potentially significant in determining what that means.

Ms. Brennan said, "In fact, we did, in Utah model that was attached, one of the first things you do is to define what body of revenue you are going to assess the fee against. And we had done that, but by taking it out, I think whatever the legislation is, that will be the first thing that they will look at."



**12. MATTERS FROM THE CITY MANAGER**

There were no matters from the City Manager

**13. MATTERS FROM THE CITY ATTORNEY**

**EXECUTIVE SESSION**

- A. IN ACCORDANCE WITH THE NEW MEXICO OPEN MEETINGS ACT §10-15-1(H)(7) NMSA 1978, DISCUSSION REGARDING PENDING LITIGATION IN WHICH THE CITY OF SANTA FE IS A PARTICIPANT, QWEST CORPORATION V. CITY OF SANTA FE, CASE NO. 14-2008 IN THE U.S. COURT OF APPEALS FOR THE TENTH DISTRICT.**
- B. 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 ATTORNEY KELLEY A. BRENNAN**

**MOTION:** Councilor Ives moved, seconded by Councilor Trujillo, *with Councilor Ives noting his recusal on Executive Session matter Item 13(A), as my wife has represented the City in that matter*, that the Council go into Executive Session for discussion regarding pending litigation in which the City of Santa Fe is a participant, Qwest Corporation v. City of Santa Fe, Case No. 14-2008 in the U.S. Court of Appeals for the Tenth District, in accordance with §10-15-1(H)(7) NMSA 1978, and discussion of limited personnel matters regarding performance factors for City Attorney Kelley A. Brennan, in accordance with §10-15-1(H)(2) NMSA 1978.

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

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

**Against:** None.

**Explaining his vote:** Councilor Ives, "Yes. With the exception as noted."

The Council went into Executive Session at 6:25 p.m.

**MOTION TO COME OUT OF EXECUTIVE SESSION**

**MOTION:** At 7:05 p.m., Councilor Trujillo moved, seconded by Councilor Maestas, 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.