



# Agenda

REGULAR MEETING OF  
THE GOVERNING BODY  
NOVEMBER 12, 2014  
CITY COUNCIL CHAMBERS

**AFTERNOON SESSION – 5:00 P.M.**

CITY CLERK'S OFFICE

DATE 11/7/14 TIME 4:25 pm

SERVED BY \_\_\_\_\_

RECEIVED BY [Signature]

1. CALL TO ORDER
2. PLEDGE OF ALLEGIANCE
3. SALUTE TO THE NEW MEXICO FLAG
4. INVOCATION
5. ROLL CALL
6. APPROVAL OF AGENDA
7. APPROVAL OF CONSENT CALENDAR
8. APPROVAL OF MINUTES: Reg. City Council Meeting – October 29, 2014
9. PRESENTATIONS
  - a) Muchas Gracias – Shannon Jones. (5 Minutes)
  - b) Launch of New Santa Fe Trails Brand: Logo, Bus Design and Street Furniture. (Jon Bulthuis) (5 Minutes)
  - c) Zozobra Report from Neighborhood and Merchant Meetings. (Ray Sandoval, Zozobra Event Committee Chair) (5 Minutes)
10. CONSENT CALENDAR
  - a) Bid No. 15/06/B – Security Services for City of Santa Fe Water Facilities; Chavez Security, Inc. (Alex Puglisi)
    - 1) Request for Approval of Budget Increase – Water Fund.
  - b) Request for Approval of Amendment No. 1 to Agreement – Restorative Justice Program Services through Santa Fe Regional Juvenile Justice Board; State of New Mexico, Children, Youth and Families Department. (Richard DeMella)
    - 1) Request for Approval of Budget Increase – Juvenile Justice Program Fund.



# Agenda

REGULAR MEETING OF  
THE GOVERNING BODY  
NOVEMBER 12, 2014  
CITY COUNCIL CHAMBERS

- c) Request for Approval of Change Order No. 4 – Phase I Southwest Activity Node (SWAN) Park; RMCI, Inc. (Mary MacDonald and David Pfeifer)
- d) Request for Approval of Professional Services Agreement – Repair, Maintenance and Service of Jacobsen Brand Equipment at MRC, Marty Sanchez Links De Santa Fe Golf Course; C & M Air Cooled Engine d/b/a C & M Turf Care Products. (Richard Thompson)
- e) Request for Approval of Ratification of Change Order No. 6 to Construction Contract – Santa Fe Reservoirs Infrastructure Improvements for Water Division; RMCI, Inc. (Robert Jorgensen)
- f) Request for Concept Approval of Sale of Real Estate Containing Approximately 2352 Square Feet Within a Portion of the West Alameda Road Right-of-Way Adjoining 131 Sandoval Street; Galisteo Street, Inc. (Edward Vigil)
- g) Independent Citizens' Redistricting Commission. (Zachary Shandler)
  - 1) Request to Publish Notice of Public Hearing for December 10, 2014:

BILL NO. 2014-33: An Ordinance Relating to Redistricting; Creating a New Section 6-18 SFCC 1987 to Establish an Independent Citizens' Redistricting Commission; Amending the Santa Fe Election Code, Section 9-1 SFCC 1987 to Require that the Independent Citizens' Redistricting Commission Shall Review and Revise the City of Santa Fe District Boundaries at Least Every Ten Years; and Making Such Other Changes as Are Necessary. (Councilor Dominguez, Councilor Trujillo and Councilor Ives)
  - 2) A Resolution Directing Staff to Provide Outreach and Education to the Public Regarding the City of Santa Fe Independent Citizens' Redistricting Commission ("Commission") and Call on Interested Persons, Who Meet the Qualifications for Commission Membership, to Apply for a Position on the Commission. (Councilor Dominguez)



# Agenda

REGULAR MEETING OF  
THE GOVERNING BODY  
NOVEMBER 12, 2014  
CITY COUNCIL CHAMBERS

h) Living Wage. (Zachary Shandler)

- 1) Request to Publish Notice of Public Hearing for December 10, 2014:

BILL NO. 2014-34: An Ordinance Amending the Business License Ordinance, Section 18-1 SFCC 1987 and the Business Registration Ordinance, Section 18-2 SFCC 1987 to Require Businesses that Apply for a Business License or Registration or Renew a Business License or Registration to Affirm that Such Businesses Are In Compliance With the Living Wage Ordinance, Section 28-1 SFCC 1987. (Councilor Maestas)

- 2) A Resolution Relating to the Living Wage Ordinance, §28-1 SFCC 1987; Directing Staff to Explore and Recommend to the Governing Body a Living Wage Program That Will Educate and Assist Santa Fe Businesses in Complying With the Living Wage Requirements and a Mechanism for City Staff to Perform Field Compliance Reviews of Businesses to Ensure Compliance With the Living Wage Ordinance. (Councilor Maestas)

- i) CONSIDERATION OF RESOLUTION NO. 2014-\_\_\_\_. (Councilor Maestas and Councilor Ives)

A Resolution in the Interest of Public Safety; Directing Parking Division Staff to Remove Four Parking Spaces on Canyon Road Eastbound, from Paseo De Peralta to Garcia Street. (Sevastian Gurule)

- j) CONSIDERATION OF RESOLUTION NO. 2014-\_\_\_\_. (Councilor Rivera, Councilor Maestas and Councilor Dominguez)

A Resolution Declaring the Governing Body's On-Going Support for the Homeless Community, Local Businesses and Established Residential Neighborhoods; Directing Staff to Convene Meetings With Agencies Who Provide Services to the Homeless and, thereafter, Analyze and Report Back to the Governing Body on the Overall Operation of the One-Stop for Homeless Services and Winter Shelter Located at 2801 Cerrillos Road. (Terrie Rodriguez)

- k) Request for Approval of 2015 Employee Holiday Calendar. (Sandra Perez)



# Agenda

REGULAR MEETING OF  
THE GOVERNING BODY  
NOVEMBER 12, 2014  
CITY COUNCIL CHAMBERS

- l) Update on Resolution 2014-26 Relating to the Feasibility and Fiscal Impact of Converting the Current City of Santa Fe Recycling Program Into an Automated Single-Stream Recycling Program. (Lawrence Garcia) (Informational Only)
- m) Request for Approval of Findings of Fact and Conclusions of Law for Case #2014-87 and 2014-89, Two Consolidated Appeals of the August 12, 2014 Decision of the Historic Districts Review Board (HDRB) in Case #H-13-095 Approving the Demolition of Non-Contributing Commercial Structures and Construction of New Structures with Conditions at 321, 325, 329 W. San Francisco Street in the Downtown and Eastside Historic District. (Zachery Shandler)
- n) Pursuant to Resolution 2014-76 - Interim Report on the Weekend Shuttle Pilot Project - Santa Fe University of Art and Design. (Jon Bulthuis) (Informational Only)
- o) Request to Publish Notice of Public Hearing for December 10, 2014:  
  
Bill No. 2014-35: An Ordinance Repealing and Readopting Article IX of The Uniform Traffic Ordinance to Establish that Parking Violations Related to Parking Meters, City Parking Lots and City Parking Garages are Civil Parking Violations and Subject to Administrative Adjudication and Collection from an External Collection Agency; and Making Such Other Changes as Are Necessary to Meet the Purposes of this Ordinance. (Councilor Dimas) (Sevastian Gurule)
- 11. Request for Approval of Amendments to an Existing Lease Agreement Dated June 1, 2010 Between the City of Santa Fe and 60 E. San Francisco Street Ltd. Co. (d/b/a Santa Fe Arcade) for 440 Square Feet of Air Rights Over City-Owned Property Adjacent to the Northern Boundary of 60 E. San Francisco Street. (Edward Vigil)
- 12. Request for Approval of Implementation Option per Resolution 2014-54 Regarding Donated Computers for Indigent Children Program. (Renee Martinez)
- 13. CONSIDERATION OF RESOLUTION NO. 2014-\_\_\_\_. (Mayor Gonzales)  
A Resolution Establishing City of Santa Fe Legislative Priorities for Consideration by the New Mexico State Legislature During the 52nd Legislature - State of New Mexico - First Session, 2015. (Brian Snyder)



# Agenda

REGULAR MEETING OF  
THE GOVERNING BODY  
NOVEMBER 12, 2014  
CITY COUNCIL CHAMBERS

14. Summary of Council Requested Procurement Issues from the October 29, 2014 City Council Meeting. (Robert Rodarte)
15. MATTERS FROM THE CITY MANAGER
16. MATTERS FROM THE CITY ATTORNEY  
Executive Session  
In Accordance with the New Mexico Open Meetings Act §10-15-1(H)(7) NMSA 1978, Discussion Regarding and Pending and Threatened Litigation in Which the City of Santa Fe Is or May Become a Participant. (Kelley Brennan)
17. MATTERS FROM THE CITY CLERK
18. 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
  - Arts Commission
  - Nighttime Economy Task Force
    - Request for Approval of Listed Candidates and Nine (9) Month Extension of Time for Taskforce to Report on Recommendations to Governing Body.**
  - Airport Advisory Board
  - Mayor's Youth Advisory Board
  - Santa Fe City and County Advisory on Food Policy



# Agenda

REGULAR MEETING OF  
THE GOVERNING BODY  
NOVEMBER 12, 2014  
CITY COUNCIL CHAMBERS

## H. PUBLIC HEARINGS:

- 1) **CONSIDERATION OF BILL NO. 2014-29: ADOPTION OF ORDINANCE NO. 2014-\_\_\_\_.** (Councilor Ives)  
An Ordinance Relating to Sewer Service Charges – Amending Rule 8 of Exhibit A of Chapter 22 SFCC 1987 to Increase the Monthly Service Fee and Monthly Usage Fee for the Wholesale Rate; Relating to Extra-Strength Surcharges – Amending Rule 12 of Exhibit A of Chapter 22 SFCC 1987 to Increase the Mass Base Charge; and Making Such Other Changes as Are Necessary. (Bryan Romero)
- 2) **CONSIDERATION OF BILL NO. 2014-30: ADOPTION OF ORDINANCE NO. 2014-\_\_\_\_.** (Councilor Bushee and Councilor Lindell)  
An Ordinance Amending Subsection 20-6.1 SFCC 1987 to Clarify that it Is Unlawful to Possess One Ounce or Less of Marijuana and Certain Marijuana Paraphernalia. (Councilor Bushee and Councilor Lindell) (Kelley Brennan)
- 3) **Case #2014-91 & Case #2014-92 - Consolidated Appeals.** Allen Jahner (Applicant Appellant) and Old Santa Fe Association (Organization Appellant) Both Appeal the September 9, 2014 Decision of the Historic Districts Review Board (HDRB) in Case #H-11-105 Approving the Application with Conditions at 237 & 239 East de Vargas Street Located in the Downtown and Eastside Historic District. (David Rasch and Zachary Shandler)

## I. ADJOURN

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

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

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

SUMMARY INDEX  
SANTA FE CITY COUNCIL MEETING  
November 12, 2014

<u>ITEM</u>	<u>ACTION</u>	<u>PAGE #</u>
<u>AFTERNOON SESSION</u>		
CALL TO ORDER AND ROLL CALL	Quorum	1
APPROVAL OF AGENDA	Approved [amended]	1-2
APPROVAL OF CONSENT CALENDAR	Approved [amended]	2
CONSENT CALENDAR LISTING		2-4
APPROVAL OF MINUTES: REGULAR CITY COUNCIL MEETING – OCTOBER 29 2014	Approved	4
<u>PRESENTATIONS</u>		
MUCHAS GRACIAS – SHANNON JONES		4-5
LAUNCH OF NEW SANTA FE TRAILS BRAND: LOGO, BUS DESIGN AND STREET FURNITURE		5
ZOZOBRA REPORT FROM NEIGHBORHOOD AND MERCHANT MEETINGS		5-7
<u>CONSENT CALENDAR DISCUSSION</u>		
REQUEST FOR APPROVAL OF CHANGE ORDER NO. 4 – PHASE I SOUTHWEST ACTIVITY NODE (SWAN) PARK; RMCI, INC.	Approved	8-11
CONSIDERATION OF RESOLUTION NO. 2014-93. A RESOLUTION IN THE INTEREST OF PUBLIC SAFETY; DIRECTING PARKING DIVISION STAFF TO REMOVE FOUR PARKING SPACES ON CANYON ROAD EASTBOUND, FROM PASEO DE PERALTA TO GARCIA STREET	Approved	11

<b><u>ITEM</u></b>	<b><u>ACTION</u></b>	<b><u>PAGE #</u></b>
CONSIDERATION OF RESOLUTION NO. 2014-94. A RESOLUTION DECLARING THE GOVERNING BODY'S ON-GOING SUPPORT FOR THE HOMELESS COMMUNITY, LOCAL BUSINESSES AND ESTABLISHED RESIDENTIAL NEIGHBORHOODS; DIRECTING STAFF TO CONVENE MEETINGS WITH AGENCIES WHO PROVIDE SERVICES TO THE HOMELESS AND, THEREAFTER, ANALYZE AND REPORT BACK TO THE GOVERNING BODY ON THE OVERALL OPERATION OF THE ONE-STOP FOR HOMELESS SERVICES AND WINTER SHELTER LOCATED AT 2801 CERRILLOS ROAD	Approved [amended]	12-28
PURSUANT TO RESOLUTION 2014-76 – INTERIM REPORT ON THE WEEKEND SHUTTLE PILOT PROJECT – SANTA FE UNIVERSITY OF ART AND DESIGN. (INFORMATION ONLY)	Information/discussion	28-30
REQUEST TO PUBLISH NOTICE OF PUBLIC HEARING FOR DECEMBER 10, 2014: BILL NO. 2014-35: AN ORDINANCE REPEALING AND READOPTING ARTICLE IX OF THE UNIFORM TRAFFIC ORDINANCE TO ESTABLISH THAT PARKING VIOLATIONS RELATED TO PARKING METERS, CITY PARKING LOTS AND CITY PARKING GARAGES ARE CIVIL PARKING VIOLATIONS AND SUBJECT TO ADMINISTRATIVE ADJUDICATION AND COLLECTION FROM AN EXTERNAL COLLECTION AGENCY; AND MAKING SUCH OTHER CHANGES AS ARE NECESSARY TO MEET THE PURPOSE OF THIS ORDINANCE	Approved	30-32
REQUEST FOR APPROVAL OF AMENDMENTS TO AN EXISTING LEASE AGREEMENT DATED JUNE 1, 2010, BETWEEN THE CITY OF SANTA FE AND 60 E. SAN FRANCISCO STREET, LTD., CO. (D/B/A SANTA FE ARCADE) FOR 440 SQUARE FEET OF AIR RIGHTS OVER CITY-OWNED PROPERTY ADJACENT TO THE NORTHERN BOUNDARY OF 60 E. SAN FRANCISCO STREET	Approved a/a	33
REQUEST FOR APPROVAL OF IMPLEMENTATION OPTION PER RESOLUTION 2014-54 REGARDING DONATED COMPUTERS FOR INDIGENT CHILDREN PROGRAM	Approved	33-35



<u>ITEM</u>	<u>ACTION</u>	<u>PAGE #</u>
CONSIDERATION OF RESOLUTION NO. 2014-95. A RESOLUTION ESTABLISHING CITY OF SANTA FE LEGISLATIVE PRIORITIES FOR CONSIDERATION BY THE NEW MEXICO STATE LEGISLATURE DURING THE 52 <sup>ND</sup> LEGISLATURE – STATE OF NEW MEXICO – FIRST SESSION 2015	Approved	35-39
SUMMARY OF COUNCIL REQUESTED PROCUREMENT ISSUES FROM THE OCTOBER 29, 2014 CITY COUNCIL MEETING	Referred to Committees for disc.	40
MATTERS FROM THE CITY MANAGER	Information/discussion	40
MATTERS FROM THE CITY CLERK	None	41
COMMUNICATIONS FROM THE GOVERNING BODY	Information/discussion	41-42
<u>EVENING SESSION</u>		
CALL TO ORDER AND ROLL CALL	Quorum	43
PETITIONS FROM THE FLOOR		43-46
<u>APPOINTMENTS</u>		
Arts Commission	Approved	45-47
Nighttime Economy Task Force	Approved	47
Airport Advisory Board	Approved	47-48
Mayor's Youth Advisory Board	Approved	48
Santa Fe City and County Advisory Council on Food Policy	Approved	48-49
<u>PUBLIC HEARINGS</u>		
CONSIDERATION OF BILL NO. 2014-29: ADOPTION OF ORDINANCE NO. 2014-34. AN ORDINANCE RELATING TO SEWER SERVICE CHARGES – AMENDING RULE 8 OF EXHIBIT A OF CHAPTER 22 SFCC 1987, TO INCREASE THE MONTHLY SERVICE FEE AND MONTHLY USAGE FEE FOR THE WHOLESALE RATE; RELATING TO EXTRA-STRENGTH SURCHARGES – AMENDING RULE 12 OF EXHIBIT A OF CHAPTER 22 SFCC 1987, TO INCREASE THE MASS BASE CHARGE; AND MAKING SUCH OTHER CHANGES AS ARE NECESSARY	Approved	49-54

<u>ITEM</u>	<u>ACTION</u>	<u>PAGE #</u>
CONSIDERATION OF BILL NO. 2014-29: ADOPTION OF ORDINANCE NO. 2014-95. AN ORDINANCE AMENDING SUBSECTION 20-6.1 SFCC 1987, TO CLARIFY THAT IT IS UNLAWFUL TO POSSESS ONE OUNCE OR LESS OF MARIJUANA AND CERTAIN MARIJUANA PARAPHERNALIA	Approved	55
CASE #2014-91 & CASE #2014-92 – CONSOLIDATED APPEALS. ALLEN JAHNER (APPLICANT APPELLANT) AND OLD SANTA FE ASSOCIATION (ORGANIZATION APPELLANT) BOTH APPEAL THE SEPTEMBER 9, 2014 DECISION OF THE HISTORIC DISTRICTS REVIEW BOARD (HDRB) IN CASE #H-11-105 APPROVING THE APPLICATION WITH CONDITIONS AT 237 & 239 EAST DE VARGAS STREET LOCATED IN THE DOWNTOWN AND EASTSIDE HISTORIC DISTRICT	Postponed to 02/11/15	56
MATTERS FROM THE CITY ATTORNEY		
EXECUTIVE SESSION	Approved	56
MOTION TO COME OUT OF EXECUTIVE SESSION	Approved	56-57
ADJOURN		57

**MINUTES OF THE  
REGULAR MEETING OF THE  
GOVERNING BODY  
Santa Fe, New Mexico  
November 12, 2014**

**AFTERNOON SESSION**

A regular meeting of the Governing Body of the City of Santa Fe, New Mexico, was called to order by Mayor Javier M. Gonzales, on Wednesday, November 12, 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 Carmichael A. Dominguez  
Councilor Signe I. Lindell  
Councilor Joseph M. Maestas  
Councilor Christopher M. Rivera  
Councilor Ronald S. Trujillo

**Members Excused**

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**

Bryan Snyder said there is a request to postpone H(3) on the evening agenda to February 11, 2015.

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

**VOTE:** The motion was approved unanimously on a voice vote with Mayor Gonzales, Councilors Bushee, 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 Maestas, to approve the following Consent Calendar, as amended.

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

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

**Against:** None.

## **10. CONSENT CALENDAR**

- a) **BID NO. 15/06/b – SECURITY SERVICES FOR CITY OF SANTA FE WATER FACILITIES; CHAVEZ SECURITY, INC. (ALEX PUGLISI)**
  - 1) **REQUEST FOR APPROVAL OF BUDGET INCREASE – WATER FUND.**
- b) **REQUEST FOR APPROVAL OF AMENDMENT NO. 1 TO AGREEMENT – RESTORATIVE JUSTICE PROGRAM SERVICES THROUGH SANTA FE REGIONAL JUVENILE JUSTICE BOARD; STATE OF NEW MEXICO, CHILDREN, YOUTH AND FAMILIES DEPARTMENT. (RICHARD DeMELLA)**
  - 1) **REQUEST FOR APPROVAL OF BUDGET INCREASE – JUVENILE JUSTICE PROGRAM FUND.**
- c) ***[Removed for discussion by Councilor Ives]***
- d) **REQUEST FOR APPROVAL OF PROFESSIONAL SERVICES AGREEMENT – REPAIR, MAINTENANCE AND SERVICE OF JACOBSEN BRAND EQUIPMENT AT MRC, MARTY SANCHEZ LINKS DE SANTA FE GOLF COURSE; C & M AIR COOLED ENGINE D/B/A C & M TURF CARE PRODUCTS. (RICHARD THOMPSON)**
- e) **REQUEST FOR APPROVAL OF RATIFICATION OF CHANGE ORDER NO. 6 TO CONSTRUCTION CONTRACT – SANTA FE RESERVOIRS INFRASTRUCTURE IMPROVEMENTS FOR WATER DIVISION; RMCI, INC. (ROBERT JORGENSEN)**

- f) **REQUEST FOR CONCEPT APPROVAL OF SALE OF REAL ESTATE CONTAINING APPROXIMATELY 2352 SQUARE FEET WITHIN A PORTION OF THE WEST ALAMEDA ROAD RIGHT-OF-WAY ADJOINING 131 SANDOVAL STREET; GALISTEO STREET, INC. (EDWARD VIGIL)**
- g) **INDEPENDENT CITIZENS' REDISTRICTING COMMISSION. (ZACHARY SHANDLER)**
  - 1) **REQUEST FOR APPROVAL OF AN ORDINANCE RELATING TO REDISTRICTING; CREATING A NEW SECTION 6-8 SFCC 1987, TO ESTABLISH AN INDEPENDENT CITIZENS' REDISTRICTING COMMISSION; AMENDING THE SANTA FE ELECTION CODE, SECTION 9-1 SFCC 1987 TO REQUIRE THAT THE INDEPENDENT CITIZENS' REDISTRICTING COMMISSION SHALL REVIEW AND REVISE THE CITY OF SANTA FE DISTRICT BOUNDARIES AT LEAST EVERY TEN YEARS; AND MAKING SUCH OTHER CHANGES AS ARE NECESSARY (COUNCILOR DOMINGUEZ, COUNCILOR TRUJILLO AND COUNCILOR IVES).**
  - 2) **REQUEST FOR APPROVAL OF A RESOLUTION DIRECTING STAFF TO PROVIDE OUTREACH AND EDUCATION TO THE PUBLIC REGARDING THE CITY OF SANTA FE INDEPENDENT CITIZENS' REDISTRICTING COMMISSION ("COMMISSION") AND CALL ON INTERESTED PERSONS WHO MEET THE QUALIFICATIONS FOR COMMISSION MEMBERSHIP, TO APPLY FOR A POSITION ON THE COMMISSION (COUNCILOR DOMINGUEZ).**
- h) **LIVING WAGE. (ZACHARY SHANDLER)**
  - 1) **REQUEST TO PUBLISH NOTICE OF PUBLIC HEARING FOR DECEMBER 10, 2014:**
    - a) **AN ORDINANCE AMENDING THE BUSINESS LICENSE ORDINANCE, SECTION 18-1 SFCC 1987 AND THE BUSINESS REGISTRATION ORDINANCE, SECTION 18-2 SFCC 1987 TO REQUIRE BUSINESSES THAT APPLY FOR A BUSINESS LICENSE OR REGISTRATION OR RENEW A BUSINESS LICENSE OR REGISTRATION TO AFFIRM THAT SUCH BUSINESSES ARE IN COMPLIANCE WITH THE LIVING WAGE ORDINANCE, SECTION 28-1 SFCC 1987. (COUNCILOR MAESTAS, COUNCILOR BUSHEE AND COUNCILOR IVES)**
    - b) **A RESOLUTION RELATING TO THE LIVING WAGE ORDINANCE, §28-1 SFCC 1987; DIRECTING STAFF TO EXPLORE AND RECOMMEND TO THE GOVERNING BODY A LIVING WAGE PROGRAM THAT WILL EDUCATE AND ASSIST SANTA FE BUSINESSES IN COMPLYING WITH THE LIVING WAGE REQUIREMENTS AND A MECHANISM FOR CITY STAFF TO PERFORM FIELD COMPLIANCE REVIEWS OF BUSINESSES TO ENSURE COMPLIANCE WITH THE LIVING WAGE ORDINANCE (COUNCILOR MAESTAS, COUNCILOR BUSHEE AND COUNCILOR IVES)**

- i) *[Removed for discussion by Councilor Trujillo]*
- j) *[Removed for discussion by Councilor Bushee]*
- k) **REQUEST FOR APPROVAL 2015 EMPLOYEE HOLIDAY CALENDAR. (SANDRA PEREZ)**
- l) **UPDATE ON RESOLUTION 2014-26 RELATING TO THE FEASIBILITY AND FISCAL IMPACT OF CONVERTING THE CURRENT CITY OF SANTA FE RECYCLING PROGRAM INTO AN AUTOMATED SINGLE-STREAM RECYCLING PROGRAM. (INFORMATIONAL ONLY) (LAWRENCE GARCIA)**
- m) **REQUEST FOR APPROVAL OF FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR CASE #2014-87 AND 2014-89, TWO CONSOLIDATED APPEALS OF THE AUGUST 12, 2014, DECISION OF THE HISTORIC DISTRICTS REVIEW BOARD (HDRB) IN CASE #H-13-095 APPROVING THE DEMOLITION OF NON-CONTRIBUTING COMMERCIAL STRUCTURES AND CONSTRUCTION OF NEW STRUCTURES WITH CONDITIONS AT 321, 325, 329 W. SAN FRANCISCO STREET IN THE DOWNTOWN AND EASTSIDE HISTORIC DISTRICT. (ZACHARY SHANDLER)**
- n) *[Removed for discussion by Councilor Bushee and Councilor Maestas]*
- o) *[Removed for discussion by Councilor Ives]*

**8. APPROVAL OF MINUTES: REGULAR CITY COUNCIL MEETING – OCTOBER 29 2014.**

**MOTION:** Councilor Lindell moved, seconded by Councilor Maestas, to approve the minutes of the Regular City Council meeting of October 29, 2014, as presented.

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

**9. PRESENTATIONS**

**a) MUCHAS GRACIAS – SHANNON JONES.**

Councilor Maestas and Councilor Dominguez presenting. Councilor Maestas said he is presenting this Muchas Gracias on behalf of the entire Buckman Direct Diversion Board for his dedication and service to the BDD Project as Facilities/Maintenance Superintendent as well as Acting Facility Manager. He noted Mr. Jones is the new Wastewater Division Director.

Councilor Dominguez said the transition at the BDD was seamless because of Mr. Jones' leadership, knowledge and his understanding of the political dynamics which exist on a joint City/County relationship.

Mr. Jones thanked the City for this recognition, commenting that there is an amazing BDD staff which makes things happen, as well as an amazing Board which is dedicated to getting things done, noting they serve the whole community.

**b) LAUNCH OF NEW SANTA FE TRAILS BRAND: LOGO, BUS DESIGN AND STREET FURNITURE. (JON BULTHUIS)**

A copy of a power point presentation is incorporated herewith to these minutes as Exhibit "1."

Jon Bulthuis presented information via power point with regard to the new logo, bus design and street furniture. He talked about the branding and marketing of the system, noting he believes there is a strong service to market. He said ridership has more than doubled in the past 10 years, and he wants to continue on that path. Please see Exhibit "1" for specifics of this presentation.

Mr. Bulthuis said he appreciates the support for Transit, and the opportunity to purchase the needed fleet, noting there are 5 new buses that will be on the street by the end of the year and the 7 buses which have been authorized, which are under construction, which will be on the street approximately one year from now. He said this is approximately half of the core fleet. The other half still has to be replaced.

**c) ZOZOBRA REPORT FROM NEIGHBORHOOD AND MERCHANT MEETINGS. (RAY SANDOVAL, ZOZOBRA EVENT COMMITTEE CHAIR)**

Mr. Sandoval presented information via power point. Please see Exhibit "2 for specifics of this presentation.

Mr. Sandoval said thanked Barbara Lopez, Annette Granillo as well as Gilda Montano from Santa Fe Beautiful. He said they will be giving 3 thank-you parties over next 3 Tuesdays, one at the Parks Department, Fire Department and Police Department. He said they will be providing lunch for these employees.

Mayor Gonzales said the Kiwanis have been extraordinary in terms of outreach to the community, and making sure before and after voices were heard, ideas came to the forefront. He said the Plaza may have been closed because of the art vendor who needed to protect their art, but there were nightclubs open in the area and there was capacity to handle the crowd. He wonders if it was more of a communication issue on our part, or is it an issue to try to open more venues after Zozobra for people to continue their festive mood in.

Mr. Sandoval said he believes it is both. He said, "We didn't do a very good job in communicating what businesses would be open, and one of the reasons he wants to partner with the Chamber and the Convention Center to create a website. And we'll also highlight those businesses at the event and tell people what places will be open after Zozobra."

Mr. Sandoval continued, "There were some businesses that wanted to take a "Wait and See" attitude. We can plan for every contingency, but I think we showed downtown, at least the restaurants, that this can be profitable for them. He said several restaurants closed early and told him they have no intention of doing that the next time we have Zozobra. He said partnering better to make that communication will help this as well."

Councilor Bushee said she is grateful for the approach taken, which at first seemed incendiary with the businesses, but Mr. Sandoval has done the necessary outreach. She asked him if it is his feeling that people felt much better about the delivery of the event this time around.

Mr. Sandoval said, "Yes. We have a lot of folks that want to go back to a Fiesta Friday, and we've talked with our partners at the Fiesta Council and we're just not prepared to do that. We've talked with neighbors, businesses. Some businesses would rather have both events on one weekend. But, to do this in a safe and productive, we want to make sure we're doing things that are smart to bring visitors to the City and to spend money while they're that weekend. I think we can accomplish it. And thank you for starting the dialogue with those businesses."

Councilor Bushee appreciates their outreach to the neighborhood in general. She said, "With you at the helm, we've had a much better sense of communication, outreach and participation from those that are affected most by it. So I appreciate that."

Mr. Sandoval said it's not just the venue, we have to be responsible for our footprint and to really be good citizens and neighbors.

Councilor Bushee asked if we can anticipate some kind of night life after next year's Zozobra.

Mr. Sandoval said, "Absolutely. We're going to spend a lot of time thinking about this over a couple of months and we'll come back and report our recommendations. I do not want visitors to come to the City have an amazing unique cultural experience with the burning of Zozobra and then leave with a bad taste in their mouth."

Councilor Bushee said in the past, her favorite thing to do was to go down to the Plaza and enjoy the food and music and fun and visit with my longtime friends and neighbors. She said, "Maybe we can get back to that." She said it's back on a Friday and has been separated and severed from Fiestas, but maybe we can come up with something.



Mayor Gonzales said part of that challenge would be the Labor Day Arts & Crafts Market, so we would have to see how that goes. And as for the night life, I think the Councilor is right, it would be nice to see more. Let's keep in mind that The Skylight opened over the summer, and we have Evangelos, and The Den and a few other spaces that I think have that type of capacity to handle some of the nightlife, the activity. To me, it seems like we need more food venues for people, because maybe they don't want to show up to a bar and want to eat with their families, and that is something that we should look at and expand."

Mr. Sandoval said a big complaint was that people decided they wanted to get to the Park to see the show, stake out their place, and thought they would eat later, and there was just no place to go.

Councilor Bushee said maybe there's a way to shift it a bit, but still focus it downtown.

Councilor Trujillo said, "I was very critical of you guys two years ago, from the complaints we received from the constituent. In these last two years, the Kiwanis have gone above and beyond, and a lot has to do with you and the members of the Kiwanis Club and it is great what you guys have done. One of biggest things I got from my constituents, is that it is nice because the kids didn't have to get and go to school the next day. That had a lot of impact on a lot of families in the community."

Councilor Trujillo continued, "For the first time ever in this community, we were able to hold a 24-hour softball tournament, something we've needed for a long time. We go to other cities in New Mexico as well as in other states where they have 24 hour softball tournaments. The Kiwanis lent its name to the Santa Fe Softball Association, first ever Zozobra Classic Burnout. That happened at midnight. And I think a lot of players, prior to the tournament, took their families to see Zozobra, which was great. He said if anybody has been to Ft. Marcy lately, they've seen the beautiful new scoreboard out there which was donated by the Kiwanis. He thanked them for what they're doing in the community."

Mayor Gonzales said this all happens because Kiwanis is raising money for scholarships for the youth of our community, commenting this is the reason Zozobra exists.

Councilor Dominguez thanked Mr. Sandoval, saying he believes the success is the result of the hard work the organization has done. It is something you are able to do with some flexibility, a lot of homework, and really a reaction to the neighborhoods, the business community, the constituency. He said, "So thank you and your organization for that, because it is really a result of the work the organization has done."

Councilor Bushee congratulated Mr. Sandoval and his team for the job he has done.

Mr. Sandoval thanked Councilor Lindell for attending all of the meetings with them, because it really helped.

## **CONSENT CALENDAR DISCUSSION**

### **10(c) REQUEST FOR APPROVAL OF CHANGE ORDER NO. 4 – PHASE I SOUTHWEST ACTIVITY NODE (SWAN) PARK; RMCI, INC. (MARY MacDONALD AND DAVID PFEIFER)**

Councilor Ives said he is curious about the significant costs due to delays and the fact the contractor is going to have to demobilize and then remobilize in the Spring to finish some of the work, a total of about \$119,000. He would like to understand the causes of the delay, noting there is talk about planned utilities by others and a number of other things..

Mary MacDonald said, "The two main reasons are that we've had the delays and we couldn't complete, especially the green portions, the park this year, are the lack of the planned utilities, and we have plans in motion now, of course, but lack of the planned utilities caused a trickle effect. And the other part of it was that we had in timely fashion had applied for an effluent discharge permit, without which we could not start irrigating. We could grow the entire system, but we could not start irrigating. And we just, today, received that permit from NMED. They had a sizeable turnover in their section that processes these permits and takes care of them for us, including our key contact who left in the Spring and that caused that lack of being able to confidently plan. But then the irrigation pump itself, three phase, substantial electricity, no simple short 110 run of power would have powered that up."

Ms. MacDonald continued, "So we could have potentially completed things without potable water for phase 1, but the lack of electrical and a discharge permit created the delays."

Councilor Ives said he is curious about the phrase, "Planned utilities by others."

Ms. MacDonald said, "That's true. There currently are dirt road, compacted, graded, dirt road extensions of Jaguar Drive and Plaza Central, and the completely done first grade of those two road connections that lead to the planned entrance to SWAN Park. So the contractor had in the original contract to get everything to, including the Park entry road, right to that stub-out at Plaza Central. And it was always a plan throughout design. And we had multiple meetings with the developer, everything was in good order as far as schedule and having those roads paved and utilities brought down."

Councilor Ives said the only other line item, which was a big one, in the delay cost was the extended job site overhead for final completion, and asked what that term means, noting that cost \$84,000 plus.

Ms. MacDonald said, "There was a part of delay that City caused in trying to adequately and fairly deal with the lack of planned utilities, especially electrical. And the City first, finding out about it, and then trying to deal with it as effectively as possibly to hopefully save money and get it back on track through a good effort, then caused the contractor's build project schedule got further delayed by that. So it

essentially cost us about 35 days of time extensions and it cost them, for this period time, just a little more than \$1,000 a day to be out there. For the first 6 days of this delay, they didn't charge, but then the rest of the 35-37 days is what is included in this cost."

Councilor Ives said, "I guess my only request going forward is that hopefully, however we do our contracting, that we can do it in such a way that we don't face again additional charges of more than \$100,000 for delay having to do, in part, the actions of others. Just a request going forward. I certainly understand the nature of these things and I appreciate the explanation."

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

**DISCUSSION:** Councilor Lindell said we are paying about \$160,000 to a contractor to not complete any work, although understands we owe the contractor that money. She said this is a tremendous amount of money to spend and get nothing for it. She asked in these kinds of situations is there sufficient time to meet with the contractor and renegotiate to perhaps lessen the damage and find something else they might do during that time frame.

Ms. MacDonald said, "We in fact did negotiate with them quite a bit to keep the costs limited to what it here. But due to plantings, the major delay is planting, they are going to complete, and would have as I mentioned at a previous committee meeting – would have completed the project effectively if not for these problems. But the planting was something we couldn't get around. There's a long time frame that starts with getting the soil amendments down and wet and ready. You have to be able to discharge that irrigation water to proceed into the Fall. And that, and the electrical supply is what we have left, the plantings and the electrical supply. PNM, we're proceeding with an agreement with PNM as you might be aware and there wasn't anything more for them to do over the winter."

Councilor Lindell said, "I'm just horrified that we're paying \$160,000 for really nothing in return on this Change Order. And I hope that procedurally we have learned something from it, and that we have changed our procedure, so we never see something like this again. It's a painful amount of money to pay for this, and if we in fact mitigated it from a larger amount, that's even worse. So, that's what I have to say about this."

Councilor Bushee asked if the irrigation system is in place enough so we could begin the planting now. She said we've had an extraordinary Indian Summer, and the soil isn't frozen. There seems to be no reason, even if they hand-watered within the \$160,000 that could not get that planted and established.

Ms. MacDonald said, "My understanding from the landscape architect is we could, if we had power, we're certainly still lacking power for the irrigation pump, now that we have the permit we could, if we had power, we could plant trees. But the sod is a very different kind of sequence and the roots won't grow. They won't establish."

Councilor Bushee said it's that you can't get the treated effluent there because of the pump, and so how quickly can you get electricity. She said it seems to her we have the rest of this month, December, January, February March essentially to plant. She said, "Our ground doesn't freeze that much anymore, even when we have a hard winter. But when do you expect electricity."

Ms. MacDonald said, "We're bringing forward the PNM Agreement to Public Works Committee, in fact we did, so we will be at Council with the PNM Agreement on December 10, 2014."

Councilor Bushee asked the reason it couldn't be at this meeting or the next meeting.

Ms. MacDonald said they had to wait for PNM do the design and generate the agreement. She said, "There is a long delay, Councilor Bushee."

Councilor Bushee said, "You will have electricity by December, and the ground still will not have been frozen. It doesn't mean you have to put the sod in. What about the rest. It seems we should get something for that amount of money. I agree with Councilor Lindell."

Ms. MacDonald said, "It's probably cheapest to bring them back when all the planting is going to be done, due to these delays being not caused by the contractor. We have to pay general conditions and mobilizations if they come back. And there's no way I know of for us to keep them busy with plantings and complete it. So I think we would end up paying more if they did some over the winter. If we bring them back in the Spring, it's the minimal time we can have them out there and get everything done quickly."

Councilor Bushee said, "I'm reticent to vote for this. I don't know if that happened for the rest of us, so then you may have to have a Plan B."

Councilor Maestas said, "When we heard this weeks ago in Committee, in looking at the Staff Memo that summarized the Change Order, my initial reaction was, this is substantial. It's a high ticket price relative to the original contract amount. And I just didn't see enough of a staff summary, because this Change Order comprises a whole number of events that occurred that led to the whole Change Order. And so it really required me to go through the packet. And, fortunately, the correspondence from the contractor was most helpful in explaining the nature of what had occurred, the damages the contractor had incurred, complete with a stand along and separate estimate for each occurrence. And so all that I would ask in the future is that staff distill the correspondence and the justification from the contractor, kind of like findings of fact so we can decide what staff's interpretation is, and the reason behind their recommendation to approve the Change Order. But having read everything.... I thought the costs were more than reasonable. Unfortunately, liquidated damages in construction contracts have been around for a long time and we should expect that." He would like to see incentives and disincentives for early completion. He thinks we can do a better job in the future.

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

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

**Against:** Councilor Lindell and Councilor Bushee.

**11(i) CONSIDERATION OF RESOLUTION NO. 2014-93 (COUNCILOR MAESTAS AND COUNCILOR IVES). A RESOLUTION IN THE INTEREST OF PUBLIC SAFETY; DIRECTING PARKING DIVISION STAFF TO REMOVE FOUR PARKING SPACES ON CANYON ROAD EASTBOUND, FROM PASEO DE PERALTA TO GARCIA STREET. (SEVASTIAN GURULE)**

Councilor Trujillo said he wants verification that this request absolutely is about public safety. He wants to hear from the Chief that this definitely is in the interest of public safety and there are issues with getting the fire truck there. He said, "I want formal verification."

Chief Litzenberg, said, "We were asked to an evaluation which the Fire Marshal did. He measured the width of the road and determined that it was unsafe with the parking spaces there, and it would be safer with the parking spaces removed for access for a fire truck both westbound and eastbound. The Fire Marshal made the determination if it would be safer for the public if the spaces were removed."

Councilor Trujillo asked if this will come back for an annual review.

Mr. Gurule said the Resolution includes language that the staff will monitor the impact and we can report back to the Governing Body.

**MOTION:** Councilor Trujillo moved, seconded by Councilor Maestas, to adopt Resolution No. 2014-93.

**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.

**Absent for the vote:** Councilor Bushee.

**11(j) CONSIDERATION OF RESOLUTION NO. 2014-94 (COUNCILOR RIVERA, COUNCILOR MAESTAS AND COUNCILOR DOMINGUEZ). A RESOLUTION DECLARING THE GOVERNING BODY-S ON-GOING SUPPORT FOR THE HOMELESS COMMUNITY, LOCAL BUSINESSES AND ESTABLISHED RESIDENTIAL NEIGHBORHOODS; DIRECTING STAFF TO CONVENE MEETINGS WITH AGENCIES WHO PROVIDE SERVICES TO THE HOMELESS AND, THEREAFTER, ANALYZE AND REPORT BACK TO THE GOVERNING BODY ON THE OVERALL OPERATION OF THE ONE-STOP FOR HOMELESS SERVICES AND WINTER SHELTER LOCATED AT 2801 CERRILLOS ROAD. (TERRIE RODRIGUEZ)**

**Disclosure for the Record:** Councilor Trujillo said, "I want to disclose that my wife Amber Espinoza-Trujillo serves on the Board of the Interfaith Shelter. In the past I have recused myself from these issues for that reason. I have recently had talks with Kelley Brennan, and Kelley can explain that you feel that I am able to vote on this issue. And I want to just clarify it for the public anyway."

Ms. Brennan said, "I think the disclosure is required, but there certainly is no pecuniary loss or gain that I can discern, and if you feel that you can maintain an open mind and vote fairly on the question, I see no reason to recuse yourself."

Councilor Trujillo said, "I will be staying for the discussion and voting on this issue."

Councilor Bushee said, "There are a lots of folks, I think, here for this particular issue this evening. Mayor it is okay if they raise their hand if that's what they're here for."

Mayor Gonzales said yes.

Councilor Bushee said, "Okay, so there's a lot of interest in this issue I would gather. So, what I would proposed, Councilor Rivera, I welcome the fact that you at least have changed the spirit of the Resolution that you have first proposed, which I felt was fairly unvetted and perhaps a little draconian. But this one still, I don't feel really hits the mark, and so I'm going to give you a few of my thoughts on this. And I know there are folks that affected by this that leave nearby, and I can tell you I've been serving and representing District 1 for a couple of decades. And you know we have St. Elizabeth's Shelter in District 1, and they used to call The Resource Days there, in particular on Fridays. And we call it One-Stop Services now. I see your sign, you don't really have to hold it up too high."

Councilor Bushee continued, "I went through a series of public meetings where we invited the neighbors, the shelter, any of the stakeholders that were affected by the scenario. What really piqued for me my interest in it is the area not only has St. Elizabeth's there and have Resource Days, but it has 5 venues that serve alcohol within walking distance. And what culminated this was a stabbing, where several chronic inebriate homeless residents of our community were beginning to become violent. So we

had these hearings and meetings, and it was very clear that it was a hot issue, but it really come down to what the City was willing to do to really provide resources to address the problems."

Councilor Bushee continued, "And everybody knows, and I see Bo shaking her head because she was part of those meetings, and being there I feel like I gave blood in some of those meetings with some folks. But I will say is that I don't feel like this Resolution really addresses the concerns of the people in this room. I understand the few things that I see in here. It says 'Convene meetings with agencies who provide services to the homeless,' and then it says, 'Evaluate the current management structure..... and evaluate the current management structure and evaluate the location and facility.' It has many *[inaudible]* like short term movement of the homeless community and long term movement of the homeless community. And I want to tell people, we have a plan to end homelessness, whether or not we can actual effectuate that."

Councilor Bushee continued, "But what I can say is this problem is not black and white. I call it a problem, this concern that everybody has is not simply about where it's located now, because certainly the problems are going persist wherever it's located. And that was the case with St. Elizabeth's and the Resource Days. And when I consider that also this Resolution doesn't address is the issues behind the issue which is really the behavioral health and mental health issues in this part of the world and alcoholism. We're dealing with a population of chronic inebriates that are probably causing the majority of the problems."

Councilor Bushee continued, "And so what I would ask is that we not vote on this Resolution this evening, and that we actually convene a series of public meetings where there are hearings on the issues and everybody gets a chance. I really feel like... I've heard everything. These are less than ideal circumstances and I'm very empathetic to neighborhood problems, I really am. But what I can say. I have to tell you about the genesis of this facility. What was less than ideal or less that perfect was the fact we were having people die. I drove here this evening and the temperature gage hit 28 degrees on my way here. That was earlier this evening. We had women, children, families who had nowhere to go. Literally, people were dying."

Councilor Bushee continued, "And so what happened is this really wonderful group of community members Came together and said we want to do something about this. We managed to get them \$15,000 however many years ago was that, was that 5 years ago. They band-aided together an overflow shelter or operation essentially. And the City really didn't do much. We had a nice plan to end homelessness. We said everybody deserves and should get a home. I've watched this issue and I've looked at it. I've looked at what Albuquerque's trying to do, what other cities are trying to do, and the problem just increases here. I've gone to the Legislature every year to try to lobby for a local option excise tax to get more treatment beds in this community. But the liquor lobby is so strong in this part of the world that we'll never get that done, it seems."

Councilor Bushee continued, "So I have to say that this Resolution that just starts to translate a problem and say this shelter, this facility is not addressing the needs. It doesn't even make a distinction between the resource operation and the facility and the homeless care. And so I can't imagine that we are

going to set much in motion with the way this is written. And I would ask that we table this and that we bring together everybody and hash this out. And in fact, I think the City needs to prepare to expend more resources, and I've had this conversation with our City Manager. It is incumbent upon the City. This is a City facility to provide the kind of security that's needed in the neighborhood, the kind of lighting that might be needed in the neighborhood, because I don't believe there is any on Harrison Road. To provide the parking if there is a problem with that. We have security contracts and if we can't get a permanent police station there. The answers we came to in the Railyard were, we hired full time security, we got cameras, we got more bicycle cops going around, we had people really participating."

Councilor Bushee continued, "So far the direction has been to point fingers and say you're not doing a good enough job in operating the facility. And I have to just remind people when they came to us to offer to help the fact that we, the City of Santa Fe was doing nothing to address the fact that people were dying in the cold here that had no place to live. And they came through to us, and I think we need to come through for them. I'm passionate about this because I've watched this happen for years. This problem does not go away and I don't feel like this Resolution is coming from the right place, or will get us to the right end results. So I would ask that we table it. I know there's some Memorandum of Understanding of operations that's forthcoming, and I know there's a lease that needs to be addressed. I know there are neighborhood issues and concerns, and there have been a couple of meetings with Councilors and neighbors, but this, as you can see, than what this Resolution can, I feel, accomplish."

**MOTION:** Councilor Bushee moved, seconded by Councilor Lindell, to approve this postpone this request, until we are able to undergo a series of stakeholder meetings and City staff would be available, the City Manager, the Police Chief and anyone who could be available, and Councilors, to postpone to a date certain after we achieve those hearings, and then have staff write the report of what took place there, what the suggestions are and what else we can do.

**DISCUSSION:** Councilor Bushee said, "We held, I don't know how many meetings in the Railyard, and we got there. And so I will just ask that we approach this differently."

Mayor Gonzales asked if there can be discussion on a Motion to Postpone.

Ms. Brennan said, "I don't see why not, but the motion is to postpone to a date certain and that date would be named."

Councilor Bushee said, "Three months, I don't know. Two months. Whatever it's going to take. I know people are anxious about it. One month, whatever you can achieve to get this done."

Councilor Rivera said, "I don't know if many of you know, but I spent most of adult life working on an ambulance here in the City of Santa Fe. So, unlike many people who read about homeless people dying, I've seen it first hand. I've responded to homeless people in places, picked them up with an ambulance where you would never expect them to be. And I cared for them, and taken them to a hospital and made sure they were cared for during my time there."



Councilor Rivera continued, "With that being said, I do support the homeless shelter. No one on this Council, the Mayor, nobody, wants to see the homeless shelter go away. This Resolution is simply designed, one the lease is up, so for the City to do its due diligence, do the lease, see if there's any changes we wanted to make, and see if there are any changes that the shelter wanted to make. The second part of it was to convene as many groups as possible, and I didn't close it to just a certain amount of groups, or just the original participants, but to open it to whomever provides services to the shelter, which includes medical, possibly mental health. To convene as many people as possible to see if we can provide better services for the homeless. And why people would be opposed to providing better services than we're currently providing is beyond me."

Councilor Rivera continued, "This is an opportunity to get as many players back to the table as possible to see if can do better, and I think we can. There are many times I drive by the Shelter, and I don't have to tell you, many of your volunteer, there are people on Harrison Road, there are sitting there waiting, they're eating on the side of the Road. Can we do better, yes we can. And why we would be opposed to that is completely beyond me. So, can we do better with mental health issues. Definitely. Do we have enough space there. I had an email today from a volunteer, she's a nursing student, who said we need to do better with medical services at the shelter. We don't have enough room there."

Councilor Rivera continued, "And that's what I was trying to get to. Maybe the way I came about it was completely wrong. Maybe it came across to people in different ways. The people I was able to respond to and let them know what my intentions were, were very open to it, but I wasn't able to get back to everybody that emailed me. Can we provide more beds. I think we can. Can we do better. I think we can. Parking issues. Yes, we have use of the tire place for now, but if that place sells and turns into another business, we're limited again to the parking that is at the shelter. And I've been there when the parking lot is full."

Councilor Rivera said, "I volunteer on Saturdays, during the noontime hour, sometimes to feed the homeless, with our Church group. And it's sad to see people, kids, grab their lunch, sit on the road, sit on the sidewalk, sit on the curbs to eat their lunch. Why don't we have a sheltered area that's covered, protected from the sun, protected from the elements, with picnic tables where they can sit down and eat a nice meal. We can do better. That's what this Resolution was designed to do. It morphed into something other than that for other reasons. That was not my intention. I support the homeless shelter, we need to have a homeless shelter. I would never, ever, want to see us go back to a place where we didn't have a shelter. Because, like I said, I've seen people first hand, I've been there."

Councilor Rivera continued, "I too am passionate about this, but we can do better. Don't limit yourselves to just what is there and happy. Just because they're homeless, doesn't mean they don't deserve the best that we have to offer. And if that means a bigger facility, let's start that discussion. That's what is designed for, to bring people back together to have those discussions, start those discussions. So in summary, Councilor Bushee, I think we're on the same page, whether we get there a different way, we can definitely have that discussion. Those were my intentions. I want to make them clear to everybody, that I, in no way, ever want to see us go back."

Councilor Trujillo said, "I don't think anybody has ever said you're not compassionate. You being a firefighter for many years and as the Chief, you've seen first hand. I think what happened, the way it was written, when it said the shelter, that sent up a flag to a lot of people in this community. Especially those who go and help every day. All this time has been spent trying to get the shelter going, and it was just a shell. And I, myself saw the volunteers, tirelessly giving their time for architecture, food, demolition to get this place going. And now we have a finished product, and this is what we have right now. I don't disagree with you, we can do better."

Councilor Trujillo continued, "As someone who volunteers, I just think it was the way it was worded. I too am compassionate, and I have seen what happens on Harrison Road. I've dealt with inebriates at night, and it can be extremely violent, but it is a disease and we need to show compassion. That's what the Homeless Faith Shelter is about is welcoming our homeless brothers and sisters, giving them a place to stay. I have been working to get more walkways across Cerrillos Road and throughout the City so we don't have these problems. I am compassionate to the neighbors. This reminded me in District 4 where they were going to put a halfway house. I understand, and it's unfortunate it has to be in neighborhoods, and I use the word all the time, why can't they use it. It's called NIMBY – Not In My Backyard. And I think that it's got to be in somebody's back yard, and it's unfortunate that we are having these discussions."

Councilor Trujillo continued, "I understand the neighborhood. I understand the businesses. I understand businesses don't want panhandling in front of their business. If we are going to do it collaboratively, we are going to have these discussions. My biggest concern is, if we don't sign the contract. There is always the option..... The whole thing is if we are going to sign it. I would like this contract to have been signed months ago when it should have been. He said there is concern with a month-to-month contract, we could come back and say we're not renewing it. Right now it is in limbo. If Interfaith has the security that it is going to be there for 2-3 years, let's have these discussions. I'm not against the discussions. Let's bring all the players to the table and actually have these discussions."

Councilor Trujillo said, "I'm willing to put this on my Public Works Agenda and have discussions, have hearings on it and have everybody come. Once this is done, a lot of people go another way, another way will come. I see you all here now, and if we do have these discussions, I expect to see you here. That is being part of the community and being part of the dialogue. I want to hear from everyone. So that's all I'm going to say. And Councilor Rivera, like I said, nobody doubts your compassion, because you've seen it all. But again, I would invite my colleagues and anyone who works at the City, to take a night and take your family to a shelter and sit with some of your people. There are a lot of intelligent people that come to the shelter, and they want a meal, a bed and someone to talk to. That is what I get out of it. After I greet them I go sit with them and just have a nice conversation. Some of these people come from different parts of the world, but a lot of them are locals, people I know and went to school with. It breaks my heart when I see a homeless person I grew up. It's unfortunate. So I'm just going to leave it at that. Thank you."

Councilor Maestas said, "I'm a cosponsor on this legislation because I really feel it is a worthwhile effort. The change that led to the Substitute Resolution reflected a lot of deliberation by the sponsor, Councilor Rivera. And I think he's put a lot of time and effort into it, and it does have a very strong collaboration component. So I think we should move forward with this effort, with a few changes. And if this motion

doesn't pass, I would like to suggest some language. But before I do, and I want to explain my support for this legislation. When I heard the title.... Who can argue with trying to assess the services we provide for the homeless and we want to improve it as a result. But what I didn't know, and it troubled me, since I signed on as cosponsor, is the pending nature of the lease, and I think there's a lack of trust out there. I think many perceive this effort to hold the renewal of the lease and the MOA hostage, pending the outcome of this effort."

Councilor Maestas continued, "And I think tonight, we can disassociate the lease renewal from this effort. We can do that tonight with some language in this Resolution. And I think that will reestablish trust and we can make this more of a long term effort. And so to totally put to rest, as Councilor Trujillo said, this unnecessary apprehension. Let's just totally separate these issues. Let's direct staff, through this legislation, with an amendment to renew the lease and the MOA and let's move forward with this effort as a long-term effort with the same timelines. I really do believe this can make sense and be balanced and some of the issues addressed. But there is an undertone here, the longer we shuffle and delay in renewing this lease. And I think we should make a statement tonight as a Governing Body and take a position on this lease through this legislation."

Councilor Maestas continued, "So I can't support the motion, but if it fails I would be glad to make a motion to amend this piece of legislation."

Councilor Ives said, "I would echo everything that Councilor Maestas just said. I too would like to see this lease come forward so we can get it in place. So the immediate issue there, especially given the change in weather and season, I think we need to send a signal that we strongly support the Homeless Shelter in its effort to do the mission delivery that it does so capably within our community. I too, have some proposed language to offer to the Resolution. I think we always have to be willing to evaluate what we're doing, and making sure we're doing it in best way possible, and that is a matter that concerns not only the group we're seeking to serve here who are people who are challenged by various aspects of our society, the homeless. And also the neighbors within that community, the businesses within that community. And, because this is an issue which clearly resonates across our City as evidenced by everybody here tonight, we do want to involve all interested parties in those discussions. I may have a few suggestions to modify the Resolution."

Councilor Dominguez said, "Speaking to the motion, it looks like there is some movement happening up here, I will say that as far as I'm concerned, what the Resolution seems to do is exactly what Councilor Bushee suggested, and it's collaborate with the community. I think this is something which is very beneficial. I'll wait to see if there is a withdrawal of the motion, but before that, since there's been some good speeches here tonight, I will say that I'm a little concerned about way this has all come up. I received some emails, internal emails, from the Interfaith Group and others. I don't think that it should be poised as you're either for the homeless or against the homeless, because that is not the issue. I think this City, the previous Council and this Governing Body tonight, has said clearly in many forms or fashion that we support taking care of the homeless and doing what we can for the homeless."

Councilor Dominguez continued, "I spent time when I was high school, before many of you were probably here in Santa Fe, working with the homeless at St. John's Church. I've seen the results of folks who are homeless being incarcerated just so they can not be homeless anymore. I certainly understand the value it brings to a community in caring for the homeless. But I will say this, all of a sudden, this turned into you're either for the homeless or against the homeless kind of debate, and that bothers me."

Councilor Dominguez continued, "The lease isn't on the table tonight. All of a sudden, I'm getting bombarded with emails and calls about sign the lease. I'm not sure why that lease hasn't been brought to us, but I will tell you that the Devil's in the details in how we deal with this through that lease. I believe that the concerns the neighbors have are legitimate. I'm not saying the solution is just to pick it up and move it, but I think those concerns are legitimate. And it is not only incumbent on this Governing Body to listen to those concerns and validate them, but it is also incumbent on the organizations running the shelter to listen to them and validate them."

Councilor Dominguez said, "And having this you're for them or against them kind of debate does not help this community one bit. I think the spirit of Councilor Rivera's bill is in the right vein, and that is that we can do better, we have done better, but we can continue to do better. And that's not going to happen without legitimate dialogue recognizing the elephants in the room, and doing it for the right reasons. Not just to be able to make a political speech or say that we've contributed to the community. It's about making sure we are reaching those people who are impacted, not only as homeless people, but the neighborhoods that surround them. Maybe we do need to have, I don't know how many meetings you had Councilor Bushee, but I certainly know there haven't been that number of meetings in this instance."

Councilor Dominguez continued, "So what I see this Resolution doing is starting the dialogue, about how we can do better. I would say we haven't had a public hearing on this, and I'm not sure if anybody is interested in that. But that means, you're going to have to have, as Councilor Rivera said in his invocation – open minds and open hearts, and they are going to have to look at their neighbors, and more importantly, look at themselves. And with that Mayor, I'm interested to see what may be brewing, but I do not stand in support of the motion right now."

Councilor Bushee said, "As I stated from the start, I didn't feel like this was wrong some times. I just didn't feel they were inclusive or expansive enough. So the dialogue I was hoping to have..... and never did I say the neighbors' aren't legitimate. That's where we started in the Railyard, and my eyes were opened after we met a half a dozen times with different groups of people, and maybe more in the end. And I never questioned the intention or motives or either Chris or you. I spoke passionately against the initial Resolution, which said move the shelter as sort of outcome, without even having had the effort. And I was grateful to see, and I mentioned that when I first started this evening, that I was grateful that you have made those changes, but I didn't think they went far enough."

Councilor Bushee continued, "I don't want to delay this process and have it go on for months. I just think we need to expand the conversation, and that's all I was hoping. Because what you have is convene meetings with other agencies that provide services, and it was sort of a band-aid in some ways. And even though it's not directly tied to this, I think that's why staff was holding out and going for the operating

agreement. They're not listening, the two of them that are writing that operating agreement. But I think we need to have.... let me just say one more thing. The real problem not so much, I need you to hear this Chris, the real problem is not so much what takes place at the shelter but what happens when the residents leave at 7:30 in the morning in the cold and have no where to go, or they're loitering around to eat. And a lot of these are problems the City needs to find solutions for. I think we need the rest of this room and more, to stay involved, and come to more hearings, so I'm going to withdraw my motion and make another motion."

**WITHDRAWAL OF THE MOTION:** Councilor Bushee withdrew her motion.

**MOTION:** Councilor Bushee moved, seconded by Councilor Trujillo, to adopt Resolution No. 2014-94 with some amendments as follows: "I would ask that we convene a series of at least 3 hearings, rather than just meet with agencies dealing with the homeless, that we meet with all stakeholders; secondly I would attach that we would direct staff that we sign a 3-year lease as part of this arrangement.

**DISCUSSION:** Councilor Bushee said, "You can decide it's your District, I will go to these meetings if you want to have 3 meetings, or meetings at public works. I met in the neighborhood, in churches that could hold 100 people, and then sometimes, directly at the area, a lot of different people came every time. I brought the Chief of Police, I brought the Fire Chief, I brought the City Manager, I brought Terrie. I brought different people every time. We would take notes so we could make sense of it."

Councilor Bushee continued, "The first Resolution talked about finding another situation, and finding on Siler Road or somewhere. We took \$1 million out of our Public Works budget to build this facility and renovate this facility, and we don't have the funds to consider somewhere else. And it is cold. If you had said to end homelessness in 10 years.... I don't know how, but I would love to see that. What we have is a lofty plan, but the reality is, when it's this cold, people need somewhere to go. And we picked that spot after looking everywhere. It's on Cerrillos Road. We did what we could. St. Elizabeth's is in a residential neighborhood where people were stabbing one another and defecating on peoples' stoops. We have a lot of things to address and we did it. It took a lot, and everybody had to stay involved. And I'm just asking that we make amendments so this Resolution.... I'm trying to negotiate here with you, because we get to do this and this is almost a *[inaudible]*, can we have meetings with all stakeholders involved in the public with City staff present.

Mayor Gonzales said, "One of the things we need clarification on, and Councilor Maestas brought it up, and Councilor Bushee is trying to address it in the motion, is the issue of the lease itself not being tied to this. And maybe from the administrative side, you can address that component, because I think there's been a lot of conversation here tonight, but we've not been able to bring some finality. One of the things I know for certain is that there will be a lease with the Interfaith. One of the things I know for certain is there is a promise that was made, not only to the advocates for homelessness, but to the neighborhood, that there would be some type of expectations and the delivery of service to both the individuals that walked into the shelter and the neighborhoods that were present to run the shelters. Although I think I saw something where there were Resolutions in the past that said there were no neighborhoods in the area and that was the justification for purchase. But there clearly are, and there are businesses. So, can you

provide an update of where we are on an operations agreement and on execution of the lease that's been worked on.

Mr. Snyder said, "As you're well aware, I'm in the process of working with staff on an operations agreement, as directed by the Council, I believe that was the last time Interfaith Shelter was here giving a presentation. I am working with Legal staff to make sure the operations agreement.....I haven't come up with a name on it, if it's an MOA or a MOU – a Memorandum of Agreement or a Memorandum of Understanding, whatever it's called.... I want to make sure it is aligned with the lease language. That is why the Lease Agreement has not been signed to date. We have every intention of signing the Lease Agreement, but at this time we're working with Legal to amend the Lease Agreement to put in some simple language to make sure there is alignment with that. The goal is to sign the Lease Agreement, even while we are working on an MOU or MOA, the operations agreement, so that's where we are today."

Mr. Snyder continued, "I talked with several of you. My intention of timeframes, is to bring the operations agreement back through the committee process for your review and approval in the upcoming committee meetings. And targeting the December Council meeting for ultimate approval of the operations agreement. The [inaudible] specifically behind the operations agreement is feedback we've heard from public meetings we've already had in this area that I attended, as well as staff that have been working with the Interfaith Shelter. So, that's the basis of starting the dialogue, and then bring it through the committee process."

Mayor Gonzales said, "So it's clear that that is a separate issue from what is being considered tonight, but I know it's been brought up quite a bit. So, for the record, I want to make sure we ask that question. Second, have you or your staff indicated to anybody from the Interfaith Shelter that there is not an interest either in signing the lease or in moving the homeless shelter."

Mr. Snyder said, "No Councilors, I have not. I can't speak for staff, but I have not given any direction..."

Mayor Gonzales said, "Have you provided any information to the Interfaith Shelter saying there was no intention of signing the lease, or that there is an intention to move the shelter."

Ms. Rodriguez said, "No. Mayor Gonzales, no."

Mayor Gonzales said, "I think it's important for the public to understand that we are going to proceed forward with the execution of a lease. I'm not sure how it got out. Maybe it was, as was indicated, that there was some expectation that a lease wasn't going to be signed because the homeless shelter was going to be moved. But it's been well articulated tonight, as Councilor Rivera passionately said, that we can do better and this Resolution, the Resolution hopefully as it stands, will reach out to all the people who work every day in trying to address homelessness in Santa Fe to come together to make sure that, one, it's being delivered at the most optimum levels. So the individuals working with homelessness and trying to alleviate the homelessness in our community are able to sit around the table and talk about, with their staff, is it being done as best as we can. Is there a coordinated effort that can take place. Because right now, it seems there are a lot of people focused on homelessness and that's important."

Mayor Gonzales continued, "But I don't gather a sense that there is a lot of collaboration and making sure there is continuing care. Because, ultimately the goal, if we're going to talk about ending homelessness, we have about talk about transitional plans to housing. We've got to make sure along the care network that people are able to address substance abuse, mental health issues, making sure if someone comes in with alcoholism, that they can have the immediate service to help them out. I think this Resolution actually asks for an assessment on that. And I'm sure the Inter-Faith would happy to work with this on how that assessment can be compiled. But ultimately, I thinks the public expects, if we're going to have a homeless shelter, it's got to be more than just being able to assure that a person has a safe place to go on a cold night. It's got to be about what happens when they wake up in the morning when they go into the light, so they have that level of care that's in place."

Mayor Gonzales continued, "So I'm hoping all of this can retreat from the issue of the fact that we want to just pick up this homeless shelter and move it somewhere just because the neighborhood is being affected by it. Or that, we are going to keep it here because a lot of work has been done on it. And refocus on what is the best for the individual who truly is homeless, and if the City is delivering the optimum services for all the money that has been spent to that individual. Because we've all focused tonight on the lease, but not on the homeless, the compassionate care. And sometimes we always have to be continuous in a way that is respectful and in honor of human life."

Mayor Gonzales continued, "So, hopefully to the mission itself, we can proceed forward and we can encourage and bring together all the providers of services to our homeless population, so they can assess whether finally being properly. I know that St. Eve's has stated several times that they need to grow. It is true it's not enough to handle the level of care that they need, so they are looking to extend. It seems like it would be timely to have a conversation with the Inter-Faith who knows that this facility isn't serving the population as well it could be. Can there be opportunities for expansion and growth in a collaborative way. That's what I understand that you are asking. Not to close this up and move it out anywhere that it could possibly go."

Mayor Gonzales continued, "And I will tell you that in meetings with neighbors and others, people have advocated that we move the homeless shelter out of town, that we move it to the jail. And what I've said is that no way are we going to do that. As a City, we are going to have the shelter in the City for the people to be cared for. So I think it's important that we send messages to everybody that we can do things better and there's a smarter way to do things. And the fact that there are so many people that care every day in what happens to them, and the fact they exist in the City is a beautiful thing. We've just got to bring them to the table and talk about how we can do it better. So, to the motion, Councilor Rivera."

**FRIENDLY AMENDMENT:** Councilor Rivera asked to amend the motion to compromise with a two-year lease, because there will be enough discussion and dialogue that are going to find out that we can do better, and that may mean doing something different with the lease. If we find that what we're doing is the best we can do, then if they want to sign a 10-year lease that is fine. **THE AMENDMENT WAS FRIENDLY TO THE MAKER AND SECOND, WITH THE CONDITION THAT IT IS EFFECTIVE IMMEDIATELY ON THE PASSAGE OF THIS RESOLUTION AND CALLING FOR AT LEAST 3 STAKEHOLDERS MEETINGS BEYOND THE AGENCIES LISTED. THERE WERE NO OBJECTIONS BY THE OTHER MEMBERS OF THE GOVERNING BODY.**

Councilor Bushee said the Board of the non-profit has to fundraise, and the City isn't handing them the "pile of cash" they need to maintain that facility.

Councilor Dominguez said, "I have a procedural question on the motion. I think we're sort of on the same track. Is it just the provision that a two-year lease be signed or agreed to, because I think we still need to see the lease and some of the details in the lease."

Councilor Bushee said, "Yes. That a lease be signed after the passage of this Resolution, that staff work quickly to come to a conclusion. This Memorandum of Operation, where did that come from. That's not a requirement of the lease, it's not a requirement of the Resolution. Well I'm asking, because the MOU seems to be a delay of the lease."

Councilor Dominguez said, "I'm wondering Councilor Bushee and staff, I guess maybe for Legal, can we have two separate items, or two separate agreements. One is the provision that we have a two-year lease, and then a separate agreement that kind of spells out the details of that. I'm a little reluctant to even ask that question, because the details may not fit well with the two-year provision. I like the idea of having that two-year lease, I just don't know what the lease says that may contradict the two-year provision. I don't know."

Councilor Bushee asked what the lease currently provides in this regard

Ms. Brennan said, "As I understand it, the lease provided for a one-year, and then, upon signature in this round, it would be for a three-year term, so effectively making it a two-year term is reducing the provision in the lease. And to answer Councilor Dominguez's question, there can be two agreements, but it would be ideal if they were executed at the same time. Failing that, we can have a provision in the lease that would make it subject to the execution and agreement between the parties of the MOU."

Councilor Bushee said the lease is now month-to-month, and asked how the City would get of the lease if it is unhappy with the tenants.

Ms. Brennan said, "Councilor, I can't say at this moment, because I don't have the lease in front of me. I would be very surprised if there were not a provision to terminate the lease if it defaults."



Councilor Dominguez said, "So it looks we're kind of like doing something that is conceptual. I agree with that. I agree that we need to get the lease term down, whether it's 2 or 3 years, but I still think that the details of that lease is something that needs to be vetted by the Governing Body. We don't know if there if there is a fiscal impact to some of that. I have no idea if the lease is going to call for additional staff time, or additional staff resources, and I'm not saying it does or it doesn't. I'm just saying that these are some of the things we need to be able to see. I guess what I'm saying, is I'm in support of the motion, the idea of going to two-years, as long as we can see the lease at some point."

Councilor Bushee said, "Can I clarify that I think what will happen after the stakeholders meetings, is that maybe the MOU would be defined from those meetings, which is really how you want to address the operations. The lease just says they're going to occupy this space. We clearly have never said we would give them more money, they've been doing this on a shoestring."

Councilor Dominguez said, "But it says how we're going to occupy that space."

Mayor Gonzales said, "Right. So, as a tenant of a City building, basically the lease will lay out what the expectations are, right. That they're delivering services, they're keeping their doors open, and those are all items I'm assuming will be in the least, to make sure that it's more than just occupying the building."

Councilor Bushee asked if that is in the lease.

Ms. Brennan said, "Again, I don't have the lease in front of me. I assume it defines the services they are providing and when. The MOU, I think, is intended, after the discussions recently, to address a number of neighborhood concerns as well as staff concerns that have been identified through the process. We can certainly, as we move an MOU forward, and I think there has been, as the City Manager indicated, a number of discussions with neighbors and staff about there could be hearings when considered by committees of the Council. That should embrace that other set of circumstances."

**FRIENDLY AMENDMENT:** Councilor Maestas said perhaps we should add language that does not unnecessarily limit staff in negotiating the term of the lease. Councilor Maestas suggested amending the motion to use language that, "the initial lease period be not less than two years." This gives some assurance to advocates of the facility they have two years there, with the potential for renewal, and assures the neighbors it's less than 3 years, probably 2 years, and that will give the community enough time to implement what Councilor Rivera is calling for in his proposed Resolution. Councilor Dominguez asked that it be included as a separate "Be It Further Resolved," so it's clear and not buried in the rest of the language. **THE AMENDMENT WAS FRIENDLY TO THE MAKER AND SECOND, AND THERE WERE NO OBJECTIONS BY THE OTHER MEMBERS OF THE GOVERNING BODY.**

Mayor Gonzales asked Ms. Brennan if she "captured that."

Ms. Brennan said, "Yes. I think... we have heard some suggestion from Councilor Dominguez that the lease would travel with the MOU when it comes before Council, wherever this happens, or if it anticipated that the lease be executed, subject to the subsequent execution of the...."

Councilor Dominguez, "I think it has to. I think that the terms, the details of the lease need to be vetted, but the disclosure that there is a two-year agreement, I think is appropriate enough. That's really what I'm getting to. I think it needs to travel with the lease."

Mayor Gonzales said, "Not to throw a monkey-wrench in the verbiage, but if you are serious about convening all the providers and the community, and we identify paths to more convenient or better locations within this time period. Could that be addressed in this, because there's got to be, I think to the providers out there who are advocating for a larger space or a more collaborative effort, we're going to identify whether that can happen over the next year or not. I'm assuming it probably will take at least two years to build something, so that may not be an issue. So it doesn't prevent identifying other areas where there could be services provided. That's the only issue in this conversation."

Ms. Brennan said, "That's correct. And all agreements are also open to discussion by agreement of the parties. And it seems to me that you have that fundamental agreement to agree to agree."

Councilor Bushee said, "Mayor you know that impassioned speech that you said nobody wants to move this facility, and then you just doubled back around and said...."

Mayor Gonzales said, "I didn't double back around, so don't put words in my mouth."

Councilor Bushee said, "Well, what I'm trying to say is the reason people are here, and it seems black and white and they're for against kind of thing, is because the Resolution that was first introduced, started out in those terms. Let's move the shelter. And so the discussion has yet to take place with all the stakeholders to talk about how we can improve the operations. And I am trying to give some assurance that the security to the operations be in that location for at least two years for the Board that has been handed this problem to operate that, the new Executive Director. And I'm separating out this MOU, because I actually don't know where the MOU came from. It's not as if we asked for an MOU. Who did."

Mr. Snyder said, "The City Council asked for this MOU, this operating agreement."

Councilor Bushee asked, "When."

Mr. Snyder said, "When Inter-Faith presented two meetings ago as an informational item, I was directed to work on an operational agreement."

Councilor Bushee asked if "we voted on that."

Mr. Snyder said, "I was directed to by the Governing Body, as part of that discussion."

**CLARIFICATION OF MOTION BY MAKER:** Councilor Bushee said, "Anyhow, back to the point. I made a motion. My motion suggests that we have, at a minimum of 3 stakeholder meetings, public hearings and that we also sign a two year lease effective immediately. The MOU from my understanding can come after all these hearings, because we're already say in the lease what services are to be offered and it's going to be at that facility. It doesn't stop us from having a forum discussion in those parameters."

Mayor Gonzales said, "I don't think anyone is arguing that point."

Councilor Rivera asked, "Are there any legal issues with forcing a lease to be signed without really having any information about it."

Ms. Brennan said, "I believe that the lease, again, it's not in front of me, since it provided for execution after the first year for a three-year term, I would assume that authorization would be for less than three-years. And I would put a provision in it that required the subsequent agreement of the parties on operations parameters, as a condition of that signature."

Mayor Gonzales said, "So on this point, just quickly, I was just consulting with Councilor Dominguez, everything is ready to go, unless the Councilors are saying otherwise, there is no need to bring the lease back to the Council."

Ms. Brennan said, "I don't believe so."

Mayor Gonzales said, "The Council right now, let's be clear, does any member of the Council wish for the lease to come through the process before we grant this."

Councilor Dominguez said, "I think maybe you misunderstood me, Mayor. I think there are things that the City should negotiate with the Shelter that can be in the lease. Such as maybe mandating that the shelter have at least one annual meeting with the neighbors, something like that. That's stuff that needs to be spelled out in the terms in the lease itself. I'm okay with the years. I'm okay with having that shelter there for at least two years as articulated in the motion. But I think there are things the City needs to be responsible for, that need to be mandated in that lease, and there are things that the organization needs to be responsible for that can be articulated in that lease as well. So I'm having trouble with severing the difference between the time limit on the lease and the details that go in that lease."

Mayor Gonzales said, "So do you want to see the lease. Do you want it to come back through committees."

Councilor Dominguez said, "I don't think it would hurt."

Mayor Gonzales said, "Okay. If it's going to come back through committees, just for the public so they know in terms of when the lease will be executed. It should not be any later than December 10, 2014, our next City Council meeting. Correct."

Mayor Gonzales asked, "Amongst the Council, for at least a pathway to execution for the Interfaith, so they know a date certain for the two-year lease to be determined. It will go to Finance, any other committees that want to see it."

Councilor Bushee said my motion was something different than what you're doing."

Mayor Gonzales said, "I'm just asking real quick before the motion is heard, just in the pathway for the public if there is. So it will be Finance. Any others. I'm just want to know what the pathway is, so we can all consider it prior to it, because I think the public wants to know and Inter-Faith wants to know when we can get a lease signed. Right. If the Councilor wants to see the lease, they're not going to get a lease then until December 10<sup>th</sup>, unless you guys are saying otherwise. Then we can grant the Manager the ability to sign the lease without us seeing it prior to that."

Councilor Bushee said, "It's my understanding that this Memorandum of Understanding could outline the operational requirements, the things that are missing. A standard lease is going to talk about who's going to be in the building and what they're going to do in that building. We had a lease, Terrie, how many years was the Inter-Faith there, different director."

Ms. Rodriguez said the initial lease was for one year. It was renewed again and then we had 1 three-year renewal and now this is the request for the second three-year renewal.

Councilor Bushee said I didn't see a whole change, or any discussion of any of those leases in the past. What I see is this operational agreement, that will say the City does this, the shelter does this, somewhere in between. That's what I see coming out of those discussions. That's why my motion said 3 stakeholder meetings at a minimum, and I can add after the stakeholder meetings that the Memorandum of Understanding or Agreement will be outlined out how the shelter is to operated and the arrangement between the City and the Inter-Faith Organization. That would be another motion I would add. And my other piece of the motion, at a minimum of two years it would effective after the passage of this Resolution. So there assurances on behalf of the organization that is doing work for us really, that they would have a chance to fundraise and be able to continue the operations at the shelter. I separate the two because I think that's important. And after the [inaudible], I think we can have a real opportunity to talk about what's missing, but it's about operations. It's not about who is going to be in that building and for how long and what services they will deliver. It's operations."

**FRIENDLY AMENDMENT:** Councilor Bushee said she would propose to add to her motion that after the stakeholder meetings that a Memorandum of Understanding or Agreement will be outlined out how the shelter is to operated and the arrangement between the City and the Inter-Faith Organization, and after the meetings staff will bring forward an MOU to go through the Committees. **THE MOTION WAS FRIENDLY TO THE SECOND AND THERE WERE NO OBJECTIONS BY THE OTHER MEMBERS OF THE COUNCIL.**

Councilor Dominguez said, "Mayor, I think that addresses my concerns, especially if we have a separate Therefore Be It Resolved as Councilor Maestas offered. I think that last part you said about the MOU, I think addresses my concerns."

Councilor Bushee said, "I have added language about the MOU. Did you get that. About requiring an MOU after the sequence of meetings that staff brings forward, and go through the Committee process and the committees can hold them as public hearings if they want to."

Councilor Maestas said, "I would like to suggest maybe using specific language for the document, unless, staff you gathered everything that she said and you can translate that into a very exact amendment to this. Can anyone read it back?"

Councilor Bushee said, "After the stakeholder meetings bring an MOU forward through the committee process."

Ms. Brennan said, "As I understand, this will be signed, and this included a Be it Resolved clause that the term be not less than two years, that a number of stakeholder meetings, and this is about process, three, I believe involving neighbors, staff and representatives of Inter-Faith, that the MOU that is the result of that process, come back through committees, and come to the Council and those committees can hold public hearings on that. I think that's it. Okay."

Councilor Ives said, "Usually.... I can certainly remember having had the Governing Body act on various leases in the past. The notice here tonight was dealing with this Resolution, not with lease renewals, so I'm just asking the question, procedurally about our capacity here tonight to act immediately on the leases."

Ms. Brennan said, "I believe we are giving direction to staff. I believe intrinsic in that lease, based on what from Terrie, I had understood it was a one-year term with a two-year renewal. But what she is saying is this was authorized with a one-year initial term, a three-year renewal and we are now on the second three-year renewal. So I think Council has authorized this lease, and to the extent it is for not less than two, I don't think we're adding to the term of the lease, which I think would require additional notice."

Mayor Gonzales said Councilor Bushee has added the amendment to direct staff to execute the lease with the language that is in place, to conduct the hearings. He said, "Councilor, I'm assuming the coordination, the gathering of the agencies is still part of it."

Councilor Bushee said, "It's stakeholders. All stakeholders at public hearings at a minimum of three stakeholder meetings involving any pertinent staff as well."

Mayor Gonzales asked Councilor Rivera if he has any final questions.

Councilor Rivera said no, just to thank all of you for the discussion on this, and to thank everyone for attending the meeting. He said, "I know it's not going to make everyone happy, but we're trying to move forward, again, in a positive direction, so I hope we all leave with that in mind. And we want to do what the

Mayor said, what's really best for our homeless community and how we can collaborate to do so. Thank you."

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

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

**Against:** None.

**Explaining his vote:** Councilor Ives said, "Yes, although I would like to make a short statement when we conclude."

Councilor Ives said, "I have no doubt that we have reached the right result here this evening. I am curious still about some of our procedural issues. So I would like to engage in a discussion with probably counsel and the City Clerk about how we do lease renewals, to make sure I'm clear on the process."

**11(n) PURSUANT TO RESOLUTION 2014-76 – INTERIM REPORT ON THE WEEKEND SHUTTLE PILOT PROJECT – SANTA FE UNIVERSITY OF ART AND DESIGN. (INFORMATION ONLY) (JON BULTHUIS)**

Councilor Bushee said she didn't hear this at Public Works, and asked the date where we had all the use on 9/26 and 9/27. I can't remember. I know we've had some functions. What that a special function on the Plaza.

Mr. Bulthuis said it was an event that was coordinated by the University, but he doesn't know what the specific event was..

Councilor Bushee said, "Relatively speaking, Thursday night was a big tank, and the Friday night was a better night, and Saturday wasn't so bad. But relatively speaking, were these the expected numbers, or how do you feel about these numbers."

Mr. Bulthuis said, "We are still assessing the makeup of the turnout. And we'll give a staff report at the December meeting. I know that was anticipated for this meeting, but because of other responsibilities, I haven't had a chance to get to that."

Councilor Bushee said she was surprised to see this item on consent, and she didn't get it at Public Works, "so those are my questions, so I will move for approval."

Councilor Ives said it is informational and a vote isn't necessary.

Councilor Bushee said, "I don't even know why it's here it's informational. I don't know why it's on consent."

Mayor Gonzales said it is more informational, but it is on Consent for approval. He said, "I will say, that at least in the preliminary conversation with Jon, the shuttle is not carrying as many people as we would have liked. So, it's a little bit disappointing, but it's doing as much as we would have liked for it to have done."

Councilor Maestas said, "Thanks Jon, and that was one of my issues, as I read the Resolution, that what we got in our packet does not even come close to the description of the deliverable for tonight's report. I had to try and discern and interpret raw data, and this seems to be a pattern. So I think we really need to redouble our efforts in terms of what's presented to Council. I think it's good for us to have the supporting raw data, but the Resolution does say that staff will provide recommendations regarding potential service expansion to other campus locations, identify the overall performance of the pilot project. I think the only thing I could gather was Thursday was a bomb, based on the raw data."

Councilor Maestas continued, "And just for the future, if you can't make the deadline, let us know. I would be willing to wait for a detailed report. I would totally understand any delays associated with the staff report. But I just think, given our timeframe, it's not desirable for us just to look through raw data and draw our own conclusions. Especially when we drafted a Resolution that was pretty explicit in terms of what we wanted. That's all I have Mr. Mayor."

Mayor Gonzales said, "The staff is always available to contact too. I know I talked to Jon after I saw the same thing, Councilor Maestas, put in a call and said, what does this mean. He said it's not working the way we wanted it to Mayor."

Councilor Lindell asked when is the end date of this program.

Mr. Bulthuis said, "I believe it is December 20<sup>th</sup>."

Councilor Lindell said then we'll have another report in December.

Mr. Bulthuis said, "The reason you didn't have a detailed report today, was because I had other duties that were more pressing, frankly, so I had to get after those. But I have committed in the Memo to come back in December, make the staff recommendation and look for direction from the Council as to how to go forward."

Councilor Lindell said, "So we funded it through the end of December. Just in looking at the raw data and working on it a little bit, we gave it a good try, gave it a good shot. And it doesn't seem like this program is giving us the returns we wanted."

Mayor Gonzales said, "To the credit of the staff, Councilor, they went out and pulled this off without a fiscal cost to the City. They were able to deal with the scheduling so there wasn't a cost in terms of the bottom line for transportation, correct me if I'm wrong."

Mr. Bulthuis said that is correct.

Councilor Lindell said then there was no fiscal impact from this program.

Mr. Bulthuis said, "We reassigned staff, so it was all existing resources."

Mayor Gonzales said, "I think I know where the Council is going, and potentially, we know it's not hitting the mark, being able to pull the plug if you need is something you ought to do. Right. And not feel like you have to go through it just because it says it's going to be in place for a period of time. Right. And I think you have to use your judgment and discretion, although it's not in the resolution, I don't know that the Council would have a lot of heartburn if you pulled the plug on it because there was no one showing up to the bus in the nighttime side of it."

Mr. Bulthuis said, "I'll certainly stand for any direction from the Council related to that."

Councilor Maestas said, "On the positive side, I think I interpreted the data correctly, we were concerned about the early termination of the pilot shuttle, and we thought we would strand or leave folks partying downtown on the weekends without a way to get back after 11:00 p.m. As I look at the numbers, at least on the busiest night, we almost had balance in terms of those departing the University and those coming back within that time period. I think there was a deficit of maybe 5. When you analyze this, maybe look at this issue, one of his top issues which is taking people on a one-way trip, and they are there to party downtown, and they have no means of getting back." He hopes they won't drive and will get somebody else to drive them if they've been drinking.

**10(o) REQUEST TO PUBLISH NOTICE OF PUBLIC HEARING FOR DECEMBER 10, 2014:**

**BILL NO. 2014-35: AN ORDINANCE REPEALING AND READOPTING ARTICLE IX OF THE UNIFORM TRAFFIC ORDINANCE TO ESTABLISH THAT PARKING VIOLATIONS RELATED TO PARKING METERS, CITY PARKING LOTS AND CITY PARKING GARAGES ARE CIVIL PARKING VIOLATIONS AND SUBJECT TO ADMINISTRATIVE ADJUDICATION AND COLLECTION FROM AN EXTERNAL COLLECTION AGENCY; AND MAKING SUCH OTHER CHANGES AS ARE NECESSARY TO MEET THE PURPOSE OF THIS ORDINANCE (COUNCILOR DIMAS). (SEVASTIAN GURULE)**

Councilor Ives thanked Councilor Dimas for bringing this forward, noting it has been discussed for several years. He said, "In some of the preliminary discussions about going to the civil side for collections there was a feeling that a particular State Statute would require 50% of amounts collected to be directed to the State. What is the circumstance there."



Mr. Gurule said it is his understanding that decriminalizing these citations would not require us to pay 50% of our revenue to the State, and said Mr. Walker will elaborate on that.

Alfred Walker, Assistant City Attorney said, "That statute refers specifically to speed vans and red light cameras. It does not apply to other nuisance or civil violations the municipality might come up with."

Councilor Ives said he is very glad to hear that, because it was something that shut down all the discussions two years ago when we first initiated them.

Councilor Ives said on page 2 of the Memorandum, under Proposed Policies and Procedures, #2 provides that 'the City will pursue all remedies for collection of the unpaid debt,' and then #4 provides that once it "... Has been sent to a collection agency payment can only be made to the collection agency." He asked, "Do we not intend, and I will be honest, I don't know the extent to which collection agencies can pursue things other than through phone calls and those various types of mechanisms. And as I recall, there are some offenders in our parking system who had not insignificant numbers of tickets and therefore fines applicable. Is there no other circumstance where we would not want to pursue them through other means. What's the intent, the thought there."

Mr. Gurule said, "My understanding of this section is that we will accept payment up and through the point in which that citation has been funneled over to a collection agency. At that point in time, and only at that time, can a payment directly through the collection agency. We will try to pursue collection on any outstanding citations that we possibly can."

Councilor Ives said, "Civil citations presumably could be pursued in court. Where do you see the Municipal Court fitting into this process."

Mr. Gurule said, "With the citations that are decriminalized, I don't feel that we are going to have a relationship with the Municipal Court to adjudicate those, unless there is a suit that is filed against the City, in which case I believe that would end up going through District Court. The other citations that are not decriminalized will continue working through the Municipal Court process."

Councilor Ives asked the statute of limitations for a parking violation under the terms of the Ordinance.

Mr. Gurule said, "During the presentation to Public Safety, former Assistant Judy Amer had report that in her research, the statute of limitations was one year from date of issuance."

Councilor Ives said he thought that was because they were criminal matters, misdemeanor matters and therefore not enforceable after that one year statute.

Mr. Gurule said, "That is correct for those that are still criminalized. For the decriminalized citations, my understanding is, and you can correct me, I don't think there is a statute of limitations on the decriminalized ones."

Mr. Walker said, "Yes, there is a statute of limitations, I'm not exactly sure what it would be, but it's certainly longer than a year. And I haven't looked at which statute would apply. And there is a catch-all statute as I recall in the civil limitations permit, and I don't remember what that is. Yes, it's certainly going to be much longer than a year."

Councilor Ives said he would be curious to know. He said, "One of the reasons we racked up that \$7 million from 2000 to 2013, was so much of it was no longer collectible except by impassioned request, which didn't seem to be a terribly effective mechanism."

Mr. Walker said, "That's correct. I think with these procedures, part of the difficulty was just the way things were set up and the capacity of the Municipal Court. There were a number of citations that just never made it over to Municipal Court. As I read this, as I take a look at this, these are all going to be in the system. They are all going to be pursued, and if legal action needs to be taken, it's going to be taken at least relatively quickly, so I wouldn't think we would have the limitations issue."

Councilor Ives said if there were large amounts of fines racked-up under this Ordinance, he presumes we still have the possibility of going to Municipal Court and asking for redress, because the Statute of Limitations on a judgment would be 14 years, thus much longer.

Mr. Walker said, "Municipal Court would not have jurisdiction over any of our civil infractions. We could presumably, if it was below the threshold amount, we would file in Magistrate Court or even in District Court to pursue those, but we wouldn't be going through Municipal Court for that. But there would be a way to collect on the debt."

Councilor Ives said he would love for Mr. Walker to enlighten him on the reason the Municipal Court would not have jurisdiction, but that can be done off-line.

**MOTION:** Councilor Ives moved, seconded by Councilor Maestas, 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, and Councilor Trujillo.

**Against:** Councilor Bushee

**Absent for the vote:** Councilor Rivera.

**Explaining her vote:** Councilor Bushee said, "You know, I have concerns about the costs of the additional staff, and so I'm going to vote no for this one. Sorry."

**11. REQUEST FOR APPROVAL OF AMENDMENTS TO AN EXISTING LEASE AGREEMENT DATED JUNE 1, 2010, BETWEEN THE CITY OF SANTA FE AND 60 E. SAN FRANCISCO STREET, LTD., CO. (D/B/A SANTA FE ARCADE) FOR 440 SQUARE FEET OF AIR RIGHTS OVER CITY-OWNED PROPERTY ADJACENT TO THE NORTHERN BOUNDARY OF 60 E. SAN FRANCISCO STREET. (EDWARD VIGIL)**

A copy of *Revisions to Section 4 of Proposed Lease Agreement*, dated November 12, 2014, submitted for the record by staff, is incorporated herewith to these amendments as Exhibit "3."

Matthew O'Reilly said the item before you is an amendment to an existing lease agreement which was entered into by the City in June 2010. The existing lease agreement went through all City Council committees and ultimately was approved by the Governing Body. Mr. O'Reilly noted that an amendment sheet of suggested revisions to Section 4 of the proposed Lease Agreement, which were suggested by Councilor Lindell, are on the Governing Body's desk, and staff would recommend this revision be included in the Agreement [Exhibit "3"]..

Councilor Bushee asked what these changes do.

Mr. O'Reilly said they require that the lease rate be negotiated between the City and the Lessee, prior to commencing with any additional terms of the lease.

**MOTION:** Councilor Bushee moved, seconded by Councilor Lindell, to approve this request, with the proposed amendments.

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

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

**Against:** None.

**12. REQUEST FOR APPROVAL OF IMPLEMENTATION OPTION PER RESOLUTION 2014-54 REGARDING DONATED COMPUTERS FOR INDIGENT CHILDREN PROGRAM. (RENEE MARTINEZ)**

Renee Martinez said, "I am here to present options for donating City PC's that are retired to indigent children. The options were submitted to the Finance Committee, and their recommendation was we go ahead to proceed and start to prepare the computers that are retiring from City use, and work with the Santa Fe Public Schools to identify what children would best benefit from those computer. And also, Councilor Trujillo was kind enough to say he would like to work with me and the IT Department to load on a more standard refresh program for City PC's as a whole. And I'll stand for questions.

Councilor Bushee said she is glad we're going to do this and that Ms. Martinez is here to implement it. She said, "I would ask that you expand it perhaps beyond the public schools to places like the Boys and Girls School. Is that possible, or is that stated already in the Resolution."

Ms. Martinez said the Resolution is not specific as to whom we give computers to.

Councilor Bushee said, "I would suggest you start there maybe. They would certainly have a grasp on some kids that might not have the means to participate in a school resource program like that. The other is, if more than 10 computers are provided in any given month, we're going to let a contractor, a local firm charge us \$90 per computer. I would suggest you would cap that no more than 10 computers per month to avoid that cost, if that can be a recommendation. I don't know that we have to approve anything, do we. If that's the case, I would make that motion."

**MOTION:** Councilor Bushee moved, seconded by Councilor Lindell, to approve this request, with an amendment that they start with the Boys & Girls Club, and cap it at 10 per month so we don't incur any additional costs.

**DISCUSSION:** Councilor Maestas said, "I want to echo what Councilor Bushee said. In reading this, it's a great program, but in light of the property tax hike that was passed by the Schools that focused on integration of technology to assist in learning in the Schools.... I'm reluctant to identify specific non-profits that serve our disadvantaged youth. But I would like us to identify those existing non-profits, in addition to the Boys and Girls Club, and perhaps revisit this with the Schools and see what their plan is to equip students with computers."

Councilor Maestas continued, "I think there definitely is a need out there and it's laudable to work with the schools, but I agree, in light of this property tax increase specifically identified for technology integration in schools, I think we ought to identify other non-profit that serve youth to see if they can receive these computers."

Councilor Rivera noted he had tasked Ms. Martinez to do this, and thanked her for her work on this along with Lisa Martinez. He said Option #1 obviously is the recommendation.

Councilor Ives said this is great, and he is happy to join as a cosponsor on the measure going forward.

Mayor Gonzales said, "Equally important are indigent families getting access to computers. Part of the big issue, I think when we talk about workforce development and building up skill sets and creating access to better jobs, there is a digital divide. Not so much in what's happening in the home, in terms of the broadband, but what's happening in the home without access to the computer so that parents can go on line and learn a skill set or take an on-line class. I'm hopeful that part of this isn't just about turning over a computer to a young child, but that there can be full integration into the home to get the skill set to move into the workforce. Hopefully, as we move forward, that can be part of the actions."

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

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

**Against:** None

**13. CONSIDERATION OF RESOLUTION NO. 2014-95 (MAYOR GONZALES, COUNCILOR MAESTAS AND COUNCILOR IVES). A RESOLUTION ESTABLISHING CITY OF SANTA FE LEGISLATIVE PRIORITIES FOR CONSIDERATION BY THE NEW MEXICO STATE LEGISLATURE DURING THE 52<sup>ND</sup> LEGISLATURE – STATE OF NEW MEXICO – FIRST SESSION 2015. (BRIAN SNYDER)**

A copy of a Working Draft of a Resolution dated 11/12/14, A Resolution establishing City of Santa Fe Legislative priorities for consideration by the New Mexico State Legislature during the 52<sup>nd</sup> Legislature, State of New Mexico, First Session, 2015, is incorporated herewith to these minutes as Exhibit "4."

An Action Sheet from the Public Works/CIP and Land Use Committee meeting of Monday, November 10, 2014, is incorporated herewith to these minutes as Exhibit "5."

A copy of *Legislative ICIP Priorities*, identified as legislative priorities by Public Works Committee on November 10, 2014, entered for the record by Isaac Pino, is incorporated herewith to these minutes as Exhibit "6."

Mr. Pino said Ms. Byers is passing out the final iteration of the ICIP [Exhibit "6"], noting this went twice to Public Works and Finance and it went to the Public Utilities Committee. He said Mark Duran is here to answer any questions.

Councilor Dominguez thanked staff for their work and thanked the Committee as well. He said, "I will say that it was somewhat painful, but it was informative, and I'm hoping if things change next year, that we have a little more time to consider the changes and have a better or smoother process. Not that this was not worth the effort, but maybe next year if we can do it a little smoother it might be helpful. I know that some of that is out of your control because of what DFA and the Legislature may or may not do."

**MOTION:** Councilor Dominguez moved, seconded by Councilor Maestas, to adopt Resolution #2014-95, with an amendment as follows: "Measures that would educate the Legislature, their staff, and executive branch on the financial and public health impacts of alcohol use and abuse, to be attached to the sections we have regarding the liquor legislation."

**DISCUSSION:** Councilor Maestas said, "I had a question on the list of water projects that we propose to pursue through the Water Trust Board. Does the Water Trust Board entertain applications for wastewater treatment projects and not just water projects."

Mr. Duran said, "I believe they do."

Councilor Maestas said, "The reason I question that now, at this point, is if you look at those projects, they're all water projects. And we just completed a series of water rate increases, and as you know our Water Fund considers capital improvements. So I'm wondering how vital these capital improvements are to our water fund. But if you look at the Wastewater Fund, and we're going to be hearing the merits of legislation to increase the sewer rates, the \$4 million digester that's in the ICIP, is in the capital improvement plan for the Wastewater Fund. I think we should look for efforts to minimize these rate increases, and so, my question is, why wasn't the Wastewater digester put on the list for Water Trust Board monies as a means to eliminate or minimize that hike in the Wastewater Fund rates. So my question is why didn't we consider some of the capital improvements that we're trying to fund in the Wastewater Fund through the rate increase, and pursue that through the Water Trust Board."

Mr. Snyder said, "I don't have a good answer as to why. I'm very familiar with the Water Trust Board from my Utilities and Water Division days. However, we've never solicited money for wastewater, so I'm not sure if it available for wastewater projects. I know it's for water, water infrastructure, watersheds, stormwater, but I'm not aware it is available for wastewater. We can definitely look into that and I will have an answer to you on that. I do know, from the wastewater standpoint, that wastewater is in the process of going through a master plan for all of the infrastructure. We know we've had problems with the digesters. Several of you on Council realize that, because we came back to you because of an emergency leak a year and half or so ago. But, from a funding standpoint, I'm not sure about the Water Trust Board. We can definitely look into that."

Councilor Maestas said, "So my point being is that I think anytime we have an opportunity to pursue capital improvements that impact proposed rates, we should do that. And so I just question, maybe the judgment by staff in pursuing all water projects and not making an attempt to pursue that digester, which is a \$4 million capital project and it's factored into the Wastewater Fund and tied to the rates. That's just a suggestion I think going forward."

Councilor Maestas said, "The other question I had was, I was asked to take a lead in this effort, and this has really grown, but there are some additions I'm not aware of, such as on page 6 of the Resolution, line 4 as follows:

1. *Amend State law to repeal the sections of HB641 that phased out the hold harmless provision and enacted a new municipal hold harmless tax and reenact the Hold Harmless distribution from the State to Municipalities.*

Is that just a roll-back of the repeal of the Hold Harmless, because I don't know.... was this New Mexico Municipal League legislation. Where did this come from. Was this added in Committee or can anyone maybe...."

Councilor Dominguez said, "I can answer that, Mayor. So basically, we just took what we had from last year's Legislative Priorities, and just included some of that in here, and so that came from last year's Legislative Priorities as it relates to the Hold Harmless. I think, and you can correct me if I'm wrong, Mark, but I think it's consistent with what it is that we have said as to the impact of the Hold Harmless to the City of Santa Fe. And so I think you can speak more to it than I can Mark, but really that's where it came from."

Councilor Maestas said, "I just think we can't un-ring the bell. The repeal of the Hold Harmless has happened, and I think this may conflict with Section 1, on page 4, and that's our number one policy priority and that's asking for full gross receipts tax reform. I realize maybe that's just our way of saying we don't like what's happened. Let's replace everything that was in place for hold harmless. But this could conflict with our desire for comprehensive tax reform."

Councilor Dominguez said, "It wasn't meant to, but I hear you."

Councilor Maestas said, "But I guess if we want to make a statement, I guess if anything it's a statement. And then the other thing too, is there seems to be a missing portion of the Resolution. The top of page 8, there's no heading for Section 3. If you look at page 6, you have.... oh, I'm missing an entire page."

Mr. Duran said, "I think it goes from page 6 to page 8, and the last page is page 7. So just insert page 7 in between those two."

Councilor Maestas said, "And then the alcohol related additions. Now is this past policy as well. It is."

Councilor Dominguez said, "Yes, except for the sense that I had in the motion that I made. And it was that Committee. It was at Public Works, which I know you're not a part of."

Councilor Maestas said, "In looking at the finalized CIP Table. Mark is this kind of what you wanted. You wanted us to be in the ballpark of \$1.2 million. Have you had a chance to look at the write-ups in the Public Works in the ICIP. We have a straight, like a spreadsheet listing of all the projects, but then we have kind of like a summary sheet dedicated to that one project. And I know there's several questions in the Capital Outlay form. It is phased: Do you have the money. Is it shovel ready. Now, based on the projects that we've put forward, would you say these would fare very well in the application process, based on the summary sheets provided by Public Works of each project. Or like, would you say these would fare pretty well. I know some of them have recurring costs. The Traffic Calming improvements, the total of \$4.2 million over the next 4 fiscal years or so. But each of those expenditures are distinct phases of those projects like, would you say."

Mr. Pino indicated that is correct.

Councilor Maestas said this is all he has.

Councilor Dominguez said, "I just wanted to ask the lobbyist whether or not those two provisions conflict with each other, because I certainly don't want to do that. It just seems to me as though... I agree with you Councilor Maestas, Hold Harmless 'is what it is,' but at the same time, I hate to just take any opportunities that may exist to address that if it happens at the Legislature. So maybe you can tell us a little bit more about that Mark."

Mr. Duran said, "Okay. I think that the way I would envision this is how it would be presented to the Santa Fe Legislative Delegation. And that is, from a messaging standpoint, we want our Delegation to understand that we're still reeling from the repeal of the Hold Harmless, and that this item is really a messaging to that effect. It was part of last year's Resolution. Maybe the bell can't be un-rung, but we still want it noted for the fiscal impact that it is having on the City. Otherwise, our priority is then the priority that Councilor Maestas spoke about, which is general tax reform. I would think that would be a good way to position it."

Councilor Dominguez said, "I agree. I think we're probably going to get more value from trying to get some tax reform, than necessarily the Hold Harmless. At the very least we need to... every Finance Committee meeting, I cringe when I see that, what that impact is. So, my motion 'is as it is.' Thank you Mayor."

Councilor Trujillo said, "The only question I have is dealing with Section 5, on page 4, I see District 3 projects but nothing for District 4. And Councilor Lindell has some... okay I didn't see that one. Can I see it Councilor. So, do we have the District 4's in there. I don't understand like."

Mr. Pino said he should look at the Resolution that Ms. Byers passed out, the updated Resolution in which it is included.

Councilor Bushee asked, "Where are the District 1 priorities in the new Resolution. They aren't in there either."

Mr. Pino said, "I have all of the District priorities, and I am going to provide Mark with a separate spreadsheet so we can give it individually on those."

Councilor Trujillo said, "Okay, that's fine, that's all."

Councilor Ives said, "That was my question, how do we approve this, and yet deal with those District priorities."

Mr. Pino said the only requirement is that the two Councilors agree on those priorities, and that has been accomplished."

Councilor Ives said, "So, are we putting those District priorities forward to the Legislature in this Resolution."



Mr. Duran said, "Yes. I think the way it worked out was that this Resolution would have all the City-wide priorities, and then we will still be able to work out what the District priorities are. Take those consensus District priorities so those overlay the Legislators who they pertain to, and talk to them individually about the District priorities in their particular District where it overlays. And then, still move forward with those District priorities as capital outlay priorities, asking for the Legislative Delegation after they fund City-wide priorities, to help participate in those District priorities. So it will take the same process moving forward. .

Councilor Ives said, "So we would do a separate Resolution on those presumably at the next meeting of the Governing Body."

Mr. Duran said, "I guess we would do it that way also. Sure."

Councilor Maestas I do think we need to incorporate those into this Resolution. I hate to incorporate something that doesn't exist yet. I don't know if we're willing address that separately at the meeting on December 10<sup>th</sup> which will give us one final opportunity to come up with 3 projects per District. He asked if the maker and second would like to include that contingent upon consensus among Councilors.

Councilor Dominguez said why don't we just give direction to staff to bring that back to the Governing Body so we can have a final vote on that. He said let's give that direction and we can formalize in a piece of legislation.

Councilor Maestas has been working on the policy items for quite a while, noting the ICIP portion was excruciating at time. He thanked the Committee for their work in winnowing down the list, commenting ht thinks we are very close to consensus. He said this will make for a better meeting with the State Legislative Delegation. Councilor Maestas asked to be added at as a cosponsor. He said this is a robust legislative agenda which is well thought out and comments everyone for participating in the debate.

Councilor Ives asked to be added as a cosponsor.

Mayor asked Mr. Duran if he is clear on what is being done.

Mr. Duran said, "I am. It was 3 District priorities and we will work on a separate Resolution for the District priorities."

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

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

**Against:** None.

**Explaining his vote:** Councilor Dominguez said, "Yes, and thank you Councilor Rivera for working with me on the District priorities.

**14. SUMMARY OF COUNCIL REQUESTED PROCUREMENT ISSUES FROM THE OCTOBER 29, 2014 CITY COUNCIL MEETING. (ROBERT RODARTE)**

Robert Rodarte said, "After reviewing the minutes of the last Governing Body meeting, he was reviewing 11(i) and noticed there were a lot of questions pertaining to the procurement process. I highlighted them in my Memo according to my perception of the minutes of the meeting. And I'm open to questions related to procurement."

Councilor Bushee said, "I feel like this discussion is more appropriate at the Committee level, and we've moved way past the public hearing time, so I would ask that Robert have this scheduled at Public Works and Finance Committees for a thorough discussion."

Mayor Gonzales expressed appreciation to Mr. Rodarte for waiting all evening, and for responding to some of the requests. He thinks allowing for this to take place at the Committee level will provide him a lot more insight and direction.

**15. MATTERS FROM THE CITY MANAGER**

Mr. Snyder said in line with what Councilor Bushee just mentioned, he has noticed a trend in the last several meetings where our afternoon session runs way past 7:00 p.m. and into the evening session. He said, "One of the things Yolanda and I have been kicking around, and putting this out as food thought, that we move the Afternoon Session start time from 5:00 p.m. to 4:00 p.m. I'm not looking for action now, or discussion, but I'm just putting it out there because it seems to be a great idea."

Mayor Gonzales said we don't have to deliberate on it now, but let's think about it and come back with some type of dialogue.

Councilor Bushee said the Governing Body Procedural Rules provide that we will have our public hearings at 7:00 p.m. The idea is that we stop and have them. She said, "To be honest, we've debated that. We started at 4:00 p.m. for years, and working people had a hard time getting here."

Mayor Gonzales said he likes the idea of having a hard stop at 7:00 p.m., and move to the public hearings, and that is what we'll do in the future.

\*\*\*\*\*

**MOTION:** Councilor Rivera moved, seconded by Councilor Bushee, to reconsider approval of the previous agenda, to move Item #16, Matters from the City Attorney to the end of the Evening Agenda, and to approve the Agenda as amended.

**DISCUSSION:** Mayor Gonzales asked if it is necessary to have a vote on this.

Ms. Brennan said, "I think you have to either table it to the end of the meeting, or move to modify the agenda."

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

\*\*\*\*\*

**16. MATTERS FROM THE CITY ATTORNEY**

This matter was moved to the end of the Evening Agenda

**17. MATTERS FROM THE CITY CLERK**

There were no matters from the City Clerk.

**18. 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 November 12, 2014, is incorporated herewith to these minutes as Exhibit "7."

**Councilor Rivera**

Councilor Rivera had no communications.

**Councilor Trujillo**

Councilor Trujillo had no communications.

**Councilor Lindell**

Councilor Lindell had no communications.

**Councilor Dominguez**

Councilor Dominguez introduced a Resolution Adopting the 2014 Santa Fe City and County Advisory Council on Food Policy Food Plan Entitled *Planning for Santa Fe's Food Future: Querencia, A Story of Food, Farming and Friends*. Councilor Bushee asked to Cosponsor. A copy of the Resolution is incorporated herewith to these minutes as Exhibit "8."

Councilor Dominguez invited everyone to attend the Listening Session on December 6, 2014, on Food Security at Zona del Sol. He said everyone is welcome to the luncheon on Friday, December 5, 2014, at the Community College.

**Councilor Ives**

Councilor Ives had no communications.

**Councilor Bushee**

Councilor Bushee had no communications.

**Councilor Maestas**

Councilor Maestas introduced the following.

1. A Resolution authorizing City staff to collaborate with Santa Fe County staff to explore, research and analyze the feasibility of the recommendations in the December 2012 *Final Report of a Preliminary Economic Feasibility Assessment of a Publicly-Owned Electric Utility for the City of Santa Fe and Santa Fe County*; directing staff to report back to the Governing Body on staff's findings which shall include options, pros and cons, recommendations and fiscal impact related to such recommendations.
2. A Resolution relating to Montano Street; repealing Resolution No. 2013-4 which mandated City staff take no further action to connect Montano Street; and directing staff to explore and make recommendations to the Governing Body on whether a through-street will benefit the Montano Street Neighborhood and the City at large, by relieving traffic, parking and emergency access problems.

Councilor Maestas said he would like to recognize all of the City staff that helped to plan and coordinate the Veterans Day parade and ceremony. "They did a great great job."

**Mayor Gonzales**

Mayor Gonzales had no communications.

**END OF AFTERNOON SESSION AT APPROXIMATELY 7:30 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 7:30 p.m. 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 Carmichael A. Dominguez  
Councilor Signe I. Lindell  
Councilor Joseph M. Maestas  
Councilor Christopher M. Rivera  
Councilor Ronald S. Trujillo

#### **Members Excused**

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**

**John Clemen** said he has been out of State and in reviewing the newspapers when he returned, he saw the comments between the City Manager and the new Police Chief. He understands the Mayor appointed the Chief of Police, and he also understands that since the new Chief has been here that crime has gone down about 30% and he is all for that. He suggested, "Perhaps the Police and other Emergency Services report directly to the Mayor rather than to the City Manager." He said the City Manager has a lot of problems, and he just heard about water. He thinks this is a good idea. Secondly, he said there are too damned many regulations and the City is in trouble financially as far as keeping people here and bringing people in. He hopes the Mayor and Councilors start giving serious thought as to how to keep things outside of the Roundhouse, because it will always be here. He said the growth and prosperity of the City is outside of that and something we should all start concerning ourselves with. He said perhaps the Mayor is only worried about shuffling paper, and it seems you have a lot of paper here.

**David McQuarie, 2997 Calle Serrada.** Mr. McQuarie said the things that concerns him tonight are that all intersections must be brought to standards. He said in 2013 the Mayor's Committee asked you not to spend money, public funds for upgrading ramps because they weren't scheduled or on the plans to be done. He said he thinks the key intersection was not made [inaudible]. He said a 6 inch curb is an impossible barrier to him. He said it is discrimination when you provide access but they leave us out. He said he is against it. He said the Plan Review Committee said no on 2013, and the work was done anyway, but they forgot the access. He said you recently did a bunch of ADA ramps and not a single one are accessible. He said, "Why do you keep doing to us. [inaudible] What's the matter with you. [inaudible] Make it accessible for everybody."

**Tom Montoya, 1521 Cienega,** thanked God for his life, and for the public service of all the Governing Body does to make our City a better place. It is his prayer that you don't surrender to the convenience of political correctness, or compromise the truth of political expedience. If we stand for nothing we risk everything. He told a story of an Irishman trying to get into heaven. He said you sit in positions of leadership and you must understand the need never to give into the simple philosophy that it must be right because everyone is doing it. He said do not be deceived and summon the courage to travel the narrow path and enter through a narrow gate. He said leadership is more than the policy of public measure, it is a matter moral purpose. He said we live in a world in need of change and leaders at all levels from all walks of life, who are God conscious that keep us aware of our moral, spiritual and social duty, leaders who can uplift and inspire us to dream. He said, "No matter how difficult the night, joy cometh in the morning." He said may we always believe in bright days in moments of uncertainty.

\*\*\*\*\*

**VERBATIM TRANSCRIPT  
OF THE REQUESTED PORTION OF PETITIONS FROM THE FLOOR, ITEM #F  
CITY COUNCIL MEETING  
November 12, 2014**

**STEPHANIE BENINATO:**

I believe this is supposed to be working right now, I'm not sure. Joe is going to help me with this. Okay good. Stephanie Beninato, and I'm here again to talk about the flooding in my house and then the fact that the City doesn't want to settle with me. I think the problem is that emotions are ruling rational thought. And we have paid \$50,000 to the lawyers in Albuquerque right now, since October. And for that \$50,000, they got this lawyer to argue that the City is not a corporation. That is just a total and deliberate misstatement of law, or it is showing that he didn't do due diligence in the year before he filed that motion. In addition, the man we paid \$50,000 to, missed a deadline. He missed it by 16 days. And the City has now admitted to certain things, including that there are certain

storm drain design standards, that I will easily get to prove that the City is not following because of the final report. And I'm just showing you a couple of photos taken by the City, not by me. And I'll just show you what some reactions are. This is the initial cast of the berm that was supposed to be a temporary measure, but has suddenly become a permanent measure. This was 2,000 of gallons of water running down in 10 minutes, so 12,000 gallons an hour. And the intention was just to show the direction of the flow, not the capacity. But even in this survey [picture?], it's not moving directly north, it's coming down into the intersection, so it's not really working. On this one, if you look up in here, you see that water is being directed by the berm onto the sidewalk. And that wasn't happening before that berm was in place. And as McQuarie should note, this is a point of [inaudible] disability act stuff. If you just spread a little bit on the bottom, it's totally taking over that pad. Initial [inaudible] from Mr. Catanach a couple of days ago, he didn't even seem to care. He was just talking about how it slopes down, so of course there would be some water there. Even here, the direct result of the berm he put in without any plans without any calculations and was doing a ridiculous 12,000 gallon analysis when 40,000 gallons ran through that intersection according to the City's own report. This is the last picture Mr. Catanach took. And just look, and this isn't even serious water. We weren't talking about it had been water, we were talking about this berm creating a nice pond behind it. Mr. Catanach has never been out there in the winter to see the kind of ice pond that is [inaudible] I guess. Of course the water is not being held in a flood in a storm, it's running through there. So this kind of just disregard, when anyone can see that it is actually crossing the berm and crossing the intersection. This berm does not work. It is not sufficient to take water out of the intersection. I showed him the picture and the water actually at the top of the curb, and all he could say is it's not flooding your driveway. There's too much water coming through the intersection. It is unsafe from an engineering standard. And the City has now agreed that there's too much water coming through the intersection. And the City has now agreed that they're supposed to be putting drains on the far side of the intersection, which is exactly what the report that we paid \$8,000 for that the City shoved into a drawer and is probably ignoring. So now I'm going to ask now in a public forum that you would actually consult with the City Attorney and the City Manager and maybe Councilor Maestas who happens to be a storm drain engineer and see if it might not be wise for the City to sit down and talk settlement with me. And if the City does let this happen at this intersection it has to deal with the ice and deal with the flooding on a regular basis. Thank you."

*Note: The photos to which Ms. Beninato refers in her petition were not entered for the record.*

*I certify that this is a true and accurate transcript of the requested portion of Petitions From The Floor, Item #F, City Council Meeting, November 12, 2014.*

  
Melessia Helberg, Council Stenographer

## **G. APPOINTMENTS**

### **Arts Commission**

Councilor Bushee said you have two appointments to the Commission who have no arts background, and said she has never seen that before.

Mayor Gonzales asked which two she is speaking about.

Councilor Bushee said Chip and Ashlyn.

Mayor Gonzales said, "Chip is a member of the business community and he believes there needs to be more participation between the Arts community and the Business community, plus he has been supportive of several arts organizations in town as well as Ashlyn Perry."

Councilor Bushee said, "In a financial way and she's a marketer. I've just never, in all the time I've been here, seen someone without an affiliation in some field of the arts."

Mayor Gonzales said, "It is an effort to open and widen participation on the Arts Commission, and there have been discussions with the Arts Commission about that, and consultation. And so I don't think we're doing anything out of step in terms of offering a fresh set of eyes outside of Arts who have been supportive of the Arts to be a part of this. As was asked in the past, I've made available to the Council to offer ideas and recommendations and none have come forward for this particular one, so we are going ahead."

Councilor Maestas said, "Mayor, just a suggestion. When you make appointments to these committees, if they have any by-laws which speak to the composition of the Board or Commission, maybe you should include that. That way, if it's wide open, it's wide open. But I do know some Boards and Commission do have requirements to have a certain mix, whether it's geographic or background. But if there are by-laws that speak to these commissions, when you make an appoint, just stick it in and that way we can say okay it's wide open, or whatever, or this person is in this area. Just a suggestion."



Mayor Gonzales made the following appointments to the Arts Commission:

Bryan "Chip" Chippeaux, Chair – term ending 10/2016;  
Shanan Campbell Wells – Term ending 10/2016;  
Ashlyn Perry – term ending 10/2016; and  
Gabe Gomez – Reappointment – term ending 10/2016

**MOTION:** Councilor Dominguez moved, seconded by Councilor Rivera, to approve these appointments.

**VOTE:** The motion was approved unanimously on a voice vote with Mayor Gonzales, Councilors Dominguez, Ives, Lindell, Maestas, Rivera and Trujillo voting in favor of the motion and Councilor Bushee voting against. **Explaining her vote:** Councilor Bushee said I'm opposed to the new direction, not the people.

#### **Nighttime Economy Task Force**

Mayor Gonzales made the following appointments to the Nighttime Economy Task Force:

Kate Kennedy;  
Shannon Murphy;  
Todd Eric Lovato;  
Victor E. Romero;  
Vince Kadiubek;  
Jamie Lenfestey;  
Sonia Leyba; and  
Rochelle T. Esquerra.

**MOTION:** Councilor Ives moved, seconded by Councilor Dominguez, to approve these appointments, and to grant a nine (9) month extension of time for the Task Force to report on its recommendations to the Governing Body.

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

#### **Airport Advisory Board**

Mayor Gonzales made the following appointment to the Airport Advisory Board:

Simon Brackley – to fill unexpired term ending 02/2016.

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

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

#### **Mayor's Youth Advisory Board**

Mayor Gonzales made the following appointments to the Mayor's Youth Advisory Board:

Brianna Trujillo (St. Michael's High School) – to fill unexpired term ending 12/2015;

Manuel Segura (Capital High School) – term ending 12/2016;

Brittany Gurule (Santa Fe High School) – to fill unexpired term ending 12/2015; and

Jared Lucero (Santa Fe Preparatory School) – term ending 12/2016

**MOTION:** Councilor Bushee moved, seconded by Councilor Trujillo, to approve these appointments.

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

#### **Santa Fe City and County Advisory Council on Food Policy**

Mayor Gonzales made the following appointment to the Santa Fe City and County Advisory Council on Food Policy:

Cydney Martin – to fill unexpired term ending 01/2015.

**MOTION:** Councilor Maestas moved, seconded by Councilor Bushee, to approve this appointment.

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

Councilor Maestas said, "Just a general comment on appointments. I know soon after taking office, you kind of had staff to assess all of the many boards and commissions. I think you agreed at that time that we had quite a few, and I thought there was some moment to at least to determine whether some that were maybe stale should continue, or maybe even eliminate some. I'm sure, I guess kind of the

underlying issue was not overextending staff with so many Boards and Commissions. So has your assessment concluded. Do you have any recommendations to streamline Boards and Commissions. I know Brian just stepped out, but maybe you can give us an update on that."

Mayor Gonzales said, "Thank you Councilor Maestas. We haven't had any movement on it quite honestly. I think it is something we have to undertake. One of the things, I've talked to the City Manager about this, and it is a policy issue. It is time consuming and there are a number of commissions out there. It's the best vehicle for the engagement and participation of the community. And I think the hard thing is, to your point, does the need still exist for the commission to be in play, and making sure we reaffirm that need through some process. One of the most recent examples is the Sustainable Santa Commission which has been meeting a long time. They've developed a baseline level of data. They've got plans in place with the creation of the Climate Action Task Force and they've begun to move into those subject matter areas. They are heavily involved and are starting to drive that as a policy, so they aren't meeting as much as a Commission, and now are moving to drive some kind of implementation. So to your point, no we haven't. So I'll sit down with Yolanda and start taking the first crack at it."

#### **H. PUBLIC HEARINGS**

- 1) CONSIDERATION OF BILL NO. 2014-29: ADOPTION OF ORDINANCE NO. 2014-34 (COUNCILOR IVES). AN ORDINANCE RELATING TO SEWER SERVICE CHARGES – AMENDING RULE 8 OF EXHIBIT A OF CHAPTER 22 SFCC 1987, TO INCREASE THE MONTHLY SERVICE FEE AND MONTHLY USAGE FEE FOR THE WHOLESALE RATE; RELATING TO EXTRA-STRENGTH SURCHARGES – AMENDING RULE 12 OF EXHIBIT A OF CHAPTER 22 SFCC 1987, TO INCREASE THE MASS BASE CHARGE; AND MAKING SUCH OTHER CHANGES AS ARE NECESSARY. (BRYAN ROMERO)**

Councilor Ives said, "As reflected in the Memorandum, this is a matter that was brought up in connection with a review being done by MWH, Inc. Their study and analysis show that the wastewater rates must be adjusted in order to continue operating the Wastewater Treatment Plant and the sanitary sewer system as well as meeting bonding obligations. In terms of delving into the details of the rate changes, I turn to staff to go to the specifics."

Bryan Romero said, "Some of this information has come to the PUC, Finance and Council in different formats. One was brought forward by MWH, and the consultant himself went through the whole study and the recommendations. The rate increase will be for 5 years beginning January 1, 2015. The first year would be an average of about 5.6%, from there on it will be 4.9% per year. The main driver on this increase was debt to service coverage ratio. The Wastewater has two bonds, a 2006 and a 2012 bond and we make payments to those bonds. And as part of our obtaining those bonds, there are covenants requiring a minimum target range of 1.25. With the revenues coming in now, we're not going to meet those rates in the near future. The target range is 1.5, so the 4.9% would do that, would keep our target range at the 1.5."

Mr. Romero continued, "Earlier, one of the components is, the City of Santa Fe's Wastewater Division had several funds with money in there. And in the presentation, it shows, I think last year we had \$19 million when we were drawing it down to do some of the projects that Councilor Maestas was talking about. It would be rehabilitation projects, part of that list is digesters. We're in the middle of massive planning and we want to make sure we confirm some of these projects to make sure that we go forward in an efficient manner and making good choices, because some of these projects are rather expensive. Some are \$4 million, some are \$2 million. So we're going to be bringing that master plan forward for review in about a year. We have a consultant on board who will look at the scope of service and bring that contract to the Governing Body for approval, so that's in the works."

Mr. Romero continued, "I was here when you talked about the ICIP. Every year, I used to always put in for \$2 million for rehabilitation. We've always filled out the right forms for State Loan Fund, and that is recorded as part of the Water Board Fund as well. So we've always tried to participate in that. I don't know what level of what projects are selected or not, but we've always asked for that."

Mr. Romero continued, "The debt service coverage is based on revenues and operating costs. So, even though there is money available, we can't use that to meet that debt service coverage ratio, so that's why we have to go with the rate increase. The last presentation I think was done on the last financial report. It showed a 3.1% increase for 5 years. We've had lower consumption/usage, and there have been changes in our usage where in the past we used to assume a person a well would use 6,100 gallons per month. We've reduced it to the average that the City has determined through the usage of the entire City and now, it's 3,600 gallons, so there's some revenue drop-off there."

Mr. Romero continued, "In all, the operation and maintenance of the facility we've kept relatively flat. Some of the challenges we have are utility costs – electricity going up, gas going up water going up. So we're just like any other business, we have to meet those challenges. These are outside increases we have no control over sometimes, and that's part of the budget that we've seen increase over the years. But as far as the entire budget, we have not seen an increase in our O & M cost. I think Fernando from MWH has suggested we're just kind of meeting inflationary ways of increase. I will stand for questions."

### **Public Hearing**

### **Speaking to the Request**

#### **Claudia Borchert, Santa Fe County, Facilities Division Director and a citizen of Santa Fe.**

Ms. Borchert said she would like to provide two sets of comments. "One on behalf of Santa Fe County and one on behalf of myself, as a citizen."

Ms. Borchert said, "I sent an email to you with the comments, just for the record and you can hear them and consider them if you would please. First of all the County actively supports establishing equitable sewer rates that are needed by the Wastewater Management Division to fulfill its responsibility for collecting and treating the region's water. This is a fundamental often invisible function that most

citizens of Santa Fe rely on every single day. We know it is an important job and requires, by necessity continuing investment of capital, structural improvements as they are considered in the Wastewater Management Division Financial Plan and will be considered as they move forward to determine what their CIP needs are."

Ms. Borchert continued, "So Wastewater Management is to be commended for their diligent work to convert wastewater into clean water in order to preserve our rivers, our aquifers and potentially even to provide drinking water in the future. So I want to make sure that you understand how we stand shoulder to shoulder to all the work the Wastewater Division does, and it is important to fund that."

Ms. Borchert continued, "Secondly, I would like to mention the fact that in light of the revenue increase that the Council approved that will go into effect January 1<sup>st</sup> of this year, the Board of County Commissioners will be considering a wholesale rate change at its next Board of County Commissioners meeting on the 25<sup>th</sup>. And the third point I would like to request is that if there is any way that the Council would consider delaying the rate increase that only affects Santa Fe County to July 1, 2015. The need for that is that we have a very limited budget. We've already created our fiscal budget based on the rate increase that occurred to only the County and no other customers on the first of the year, and it would really help us to be able to play catch-up if we could budget for the increase as planned for on the fiscal year schedule. The rate increase is scheduled for the first of the year and if you could just move the rate increase to be the fiscal year beginning July 1<sup>st</sup>, that would really help us out."

Ms. Borchert continued, "I estimate that we represent about 3% of the revenues that the Wastewater Division gets, and therefore it may not have the [inaudible] right away so the Wastewater Division can cover the debt service as required. And I want to say that the rate structure as created right now is fairly cumbersome for us because it still has two components, it has units and it has the volumetric of wastewater used. It creates a burden on the County every month to have to understand how many wastewater customer we wholesale to the City and value of the use. And I would like to just put out there the possibility that the rate structure be reconsidered, and we have discussions to see if the ways to recover the costs and know exactly the rate structure. That looks fine for a residential or commercial customer, but it's a little bit more awkward for us as a wholesale customer."

Ms. Borchert continued, "The last statement I would like to make is we would like to see the City sale of effluent as an excellent revenue source in addition to raising sewer rates. The 2014 [inaudible] identified the City is providing effluent to facilities and contractors at a highly undervalued rate, and additional revenue streams which were identified for this 25% rate increase over five years could be substantially reduced. Mr. Romero added a few things I question in the Memo. It seems to me that the loss of customers to the County as a result of annexation is often pointed to as the reason there is a decrease in revenue. Along with the decrease in revenue from the County there should be a cost too, because you aren't providing the same amount of customer service in collection, so it should be a wash. If it isn't then there might need to be a consideration of a customer cost of service study to make it a wash. Because it shouldn't really be that by customers moving from retail to whole, that that's the cause for the revenue decrease. Okay that's it from my Santa Fe County hat."

Claudia Borchert said, "I would like to address you now as a citizen ratepayer and a modest one at that. I think that my monthly bill runs about \$13, and by November 2019 it probably will be \$17. And I fully support that. I think it's worth every penny, and treating this wastewater is a critical function for a municipality to provide its citizens and for the Wastewater Division to be able to have the resources they need to do that. I also want to recognize that a rate increase provides the Council and the citizens an opportunity to evaluate the policies that underlie the rates, and to use this as an opportunity to align the proposed rates with the recommendations of the June 2014 Reclaimed Wastewater Reuse Plan. Specifically, that identifies the distribution of reclaimed wastewater as severely under valued."

Ms. Borchert continued, "In fact, if I remember right, and I didn't go back and do my homework, I believe that the only revenue generated from the treated effluent, is that 10% of the water that is delivered to the racetrack, to Santa Fe Downs pays the retail rate. And I don't think there's a single other customer that pays for the treated effluent. I could be wrong. So, less than 3% of the treated effluent that is a valuable assets is generating at retail level. If all the wastewater used by various contractors and other City departments were sold at under retail value of \$2 per 1,000 gallons, this would generate \$1.2 million of revenue for the Wastewater Division, which would provide substantial revenue and reduce the need for as much of an increase for the Wastewater Division. I do understand that you are the beneficiaries of the reused water that would mean possibly to recover from other City departments."

Ms. Borchert asked whether it is equitable for the hard working folks to fund the costs at the MRC, rather than the folks who actually use the recreational fields and suggested the City create a user fee for them to pay for the water supply that provides for the green grass that they play on.

Ms. Borchert asked that the City approve the first year of the rate increases and then suspend the future rate increases until the policy decisions of selling effluent and the impacts of doing that on rates can be further explored.

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

Councilor Bushee said the bond counsel controls the debt to income ratio. She said, "Remember when we had all that money sitting there that we balanced the budget with, is that something we also put out to the voters for the project Costy had."

Mr. Romero said, "What happened is we had a larger rate increase and Costy had just left as director and there was a discussion about what the requirements were for the rate increase. And there was some information that wasn't correct on that report. We recovered 3 or 4 years of rates back then, because we found that and said let's hold off on them due to that issue."

Councilor Bushee said we generated enough to get \$19 million that sat there and then we never used it for the project that we put it out there for.

Mr. Romero said, "I know there was \$19 million in the funds we had, and we were drawing down from those funds every year for rehabilitation projects."

Councilor Bushee said we actually balanced the budget with it too, a few budget cycles ago.

Mr. Romero said it was a reduction in the gross receipts money that we had received for that year, and we got less money that year.

Councilor Bushee said, "No. That money sat there and nobody even knew it was there, and we raided it when we needed it I guess. I agree with Claudia on quite a bit of the temp stuff. Do we only have one customer paying the retail rate."

Mr. Romero said, "We have New Mexico Game & Fish, they're a small user that pays the monetary value. The MRC right now is not paying, that is a municipal facility."

Councilor Bushee said, "And are City buildings charged for wastewater, I know they pay water, but are they charged for wastewater."

Mr. Romero said, "We had that discussion recently, and we're checking into that. My understanding is they haven't been, but I need to verify those areas. I know that certain buildings do pay for sewer, but I don't know if all of them do."

Councilor Bushee said, "I know that our golf course uses treated effluent and doesn't pay for it at all. The Country Club, is that not paying the retail rate."

Mr. Romero said the Country club is an old agreement from the 1950s, and I think the City Attorney's office looked at that 3 years ago to see if there was sunset, and the information...."

Councilor Bushee said, "It doesn't mean we can't charge the going rate. Is that correct."

Mr. Romero said, "In that agreement it was specific in that agreement that they would get the beneficial use of that wastewater."

Councilor Bushee said, "I guess those are my questions, and I guess I'll explain my vote related to those questions."

Mr. Romero said, "The one thing I would add about the effluent water, is that Las Campanas used to pay for that for their golf course, at one point, that was \$300,000 worth of revenue. What I wanted to bring up about that is, when you have a customer that is using effluent water, it's volatile in nature. If these agreements are done on a yearly basis which they have been in the past, especially if you have a

customer that is buying \$300,000 of effluent, and then the next thing doesn't, that's a volatility in our rate structure which would be hard to deal with without relativity. So I do like the idea of getting money from effluent, but it's just a volatile nature that I've seen."

Councilor Bushee said, "I agree, but I think we have plenty of customers that want our effluent and that we should be charging the going rate. I'm just suggesting to you, that we need to know ahead of time, and our City buildings should be billed like everyone else for their wastewater use.... now you've made my mind up."

Mr. Romero said, "I would like to add that there is more than just New Mexico Game & Fish, and we sell the water to a multiple number of contractors that get that water."

Councilor Bushee said, "I think the point is that we are subsidizing a lot of government operations and golf courses, and other entities. Those could be revenue streams so we don't need to always raise rates. And I also wanted to bring up that substantial amount of money that we did get by raising rates that we never really used. I'm just suggesting to you that we could perhaps postpone this and really take a harder look at it."

Councilor Dominguez said, "Just a quick question on the Memo from Jason Mumm. It talks about a stamp, stamps and asked what are stamps."

Mr. Romero said he is talking about all of the costs associated with utility building – it is related to the administrative costs for utility buildings.

**MOTION:** Councilor Ives moved, seconded by Councilor Rivera, to adopt Ordinance No. 2014-34.

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

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

**Against:** Councilor Bushee.

**Absent for the vote:** Councilor Lindell.

**Explaining her vote:** Councilor Bushee said, "No thank you."



**2) CONSIDERATION OF BILL NO. 2014-29: ADOPTION OF ORDINANCE NO. 2014-35 (COUNCILOR BUSHEE AND COUNCILOR LINDELL). AN ORDINANCE AMENDING SUBSECTION 20-6.1 SFCC 1987, TO CLARIFY THAT IT IS UNLAWFUL TO POSSESS ONE OUNCE OR LESS OF MARIJUANA AND CERTAIN MARIJUANA PARAPHERNALIA. (KELLEY BRENNAN)**

Councilor Bushee said this is simply what our legal staff told us we needed to do, so maybe Kelley wants to expound..

Ms. Brennan said, "I won't expound too long. It is summarized in the Legislature Summary. At the time, I gave my opinion regarding the Ordinance that was proposed by Referendum and Initiative. I suggested that the Ordinance should be amended to include a specific provision in the first paragraph so it is absolutely clear that possession of an ounce or less was unlawful. So that's all that this Ordinance does."

**Public Hearing**

**Speaking to the Request**

There was no one speaking to the request.

**The Public Hearing was closed**

**MOTION:** Councilor Bushee moved, seconded by Councilor Ives, to adopt Ordinance No. 2014-35.

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

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

**Against:** Councilor Trujillo and Councilor Rivera.

**Absent for the vote:** Councilor Lindell.

- 3) **CASE #2014-91 & CASE #2014-92 – CONSOLIDATED APPEALS. ALLEN JAHNER (APPLICANT APPELLANT) AND OLD SANTA FE ASSOCIATION (ORGANIZATION APPELLANT) BOTH APPEAL THE SEPTEMBER 9, 2014 DECISION OF THE HISTORIC DISTRICTS REVIEW BOARD (HDRB) IN CASE #H-11-105 APPROVING THE APPLICATION WITH CONDITIONS AT 237 & 239 EAST DE VARGAS STREET LOCATED IN THE DOWNTOWN AND EASTSIDE HISTORIC DISTRICT. (DAVID RASCH AND ZACHARY SHANDLER)**

This item was removed from the agenda and postponed to the meeting of February 11, 2015.

**16. MATTERS FROM THE CITY ATTORNEY**

**EXECUTIVE SESSION**

**IN ACCORDANCE WITH THE NEW MEXICO OPEN MEETINGS ACT, §10-15-1(H)(7) NMSA 1978, DISCUSSION REGARDING PENDING AND THREATENED LITIGATION IN WHICH THE CITY OF SANTA FE IS OR MAY BECOME A PARTICIPANT. (KELLEY BRENNAN)**

**MOTION:** Councilor Trujillo moved, seconded by Councilor Ives, that the Council go into Executive Session for discussion of pending and threatened litigation in which the City of Santa Fe is or may become a participant, in accordance with §10-15-1(H)(7) NMSA 1978.

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

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

**Against:** None.

**Absent for the vote:** Councilor Lindell.

The Council went into Executive Session at approximately 8:25 p.m.

**MOTION TO COME OUT OF EXECUTIVE SESSION**

**MOTION:** At 9:00 p.m., Councilor Bushee moved, seconded by Councilor Trujillo, that the City Council come out of Executive Session and stated that the only items which were discussed in executive session were those items which were on the agenda, and no action was taken.

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

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

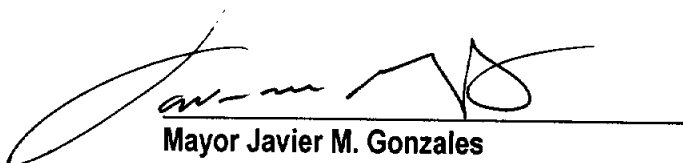
**Against:** None.

**Absent for the vote:** Councilor Lindell and Councilor Trujillo.

### **ADJOURN**

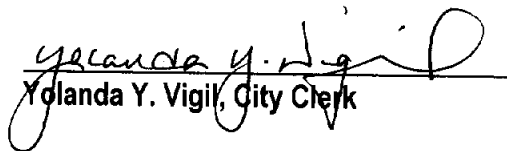
The was no further business to come before the Governing Body, and upon completion of the Agenda, the meeting was adjourned at approximately 9:05 p.m.

**Approved by:**



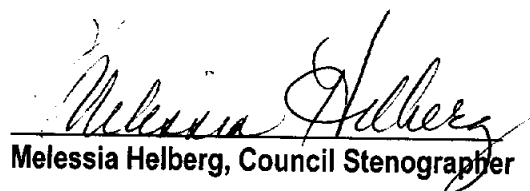
Mayor Javier M. Gonzales

**ATTESTED TO:**

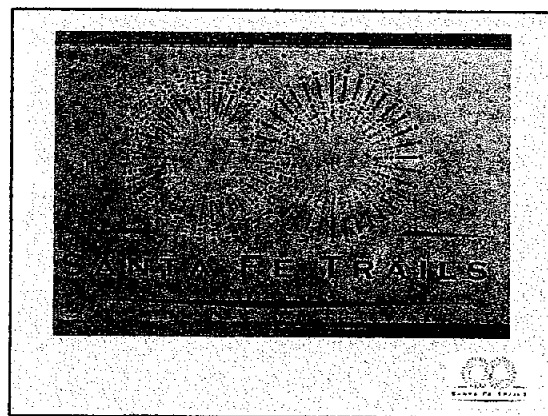
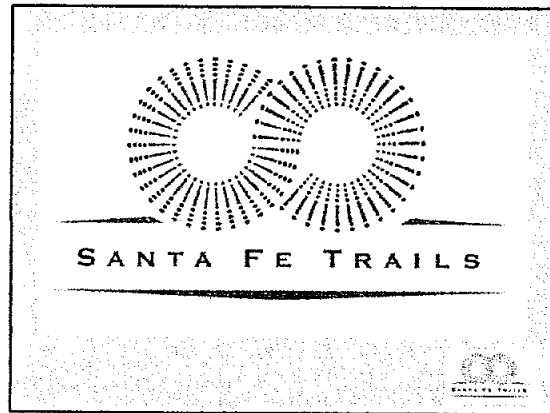
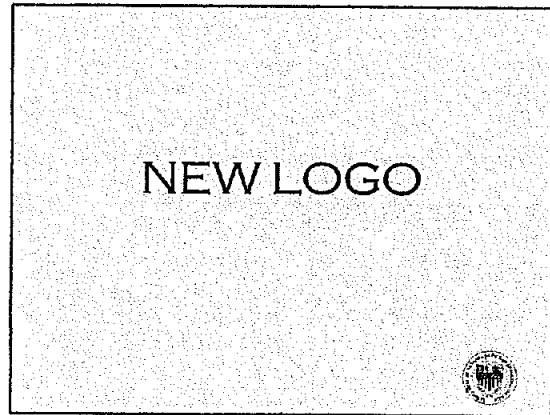
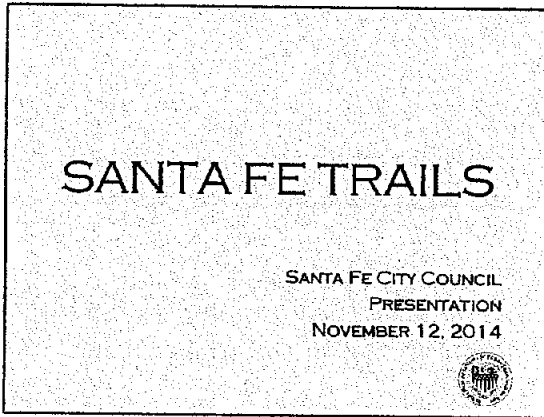


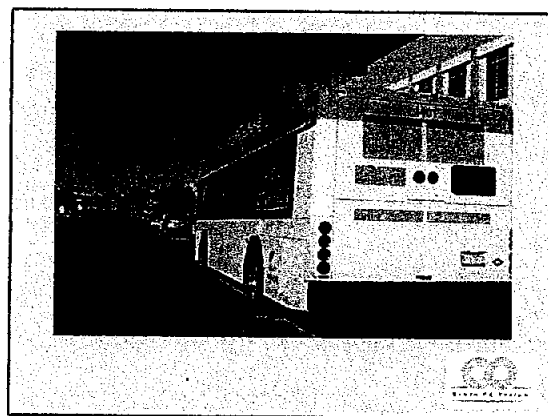
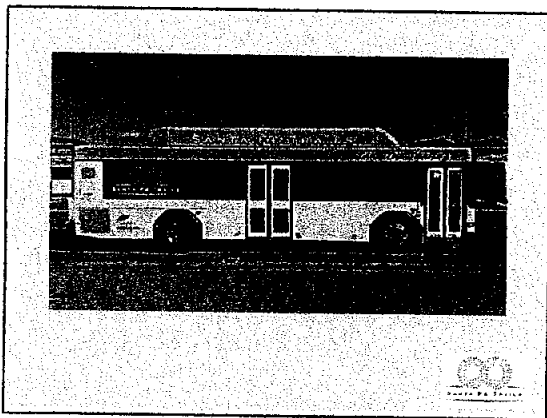
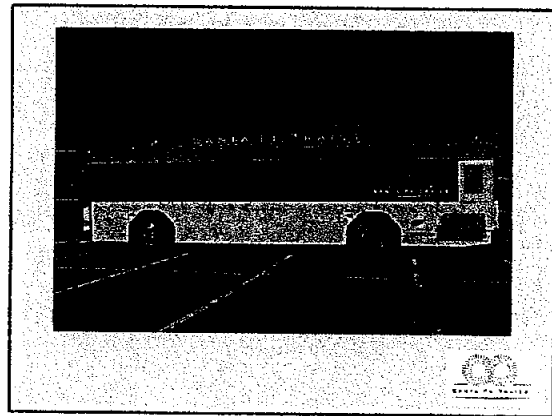
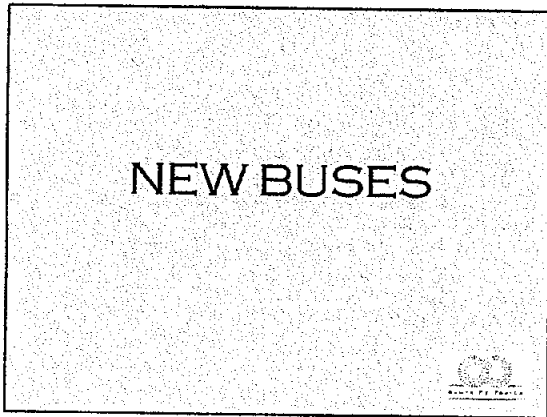
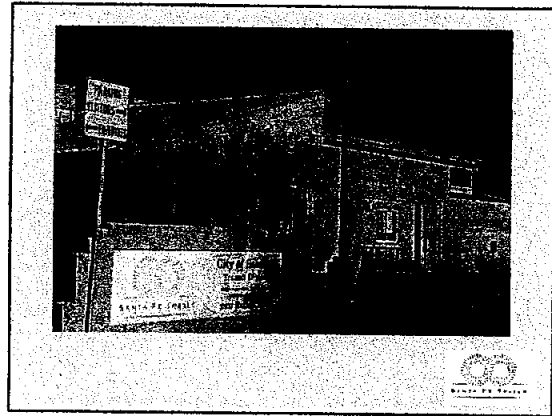
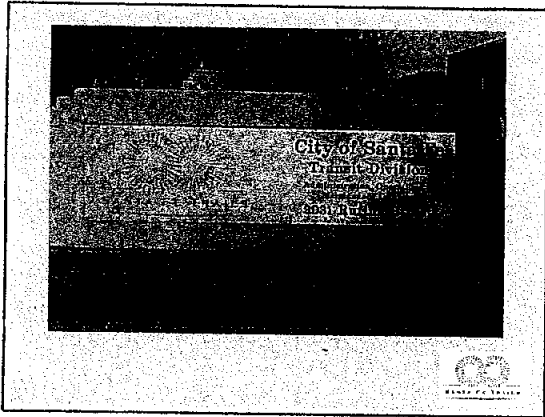
Yolanda Y. Vigil, City Clerk

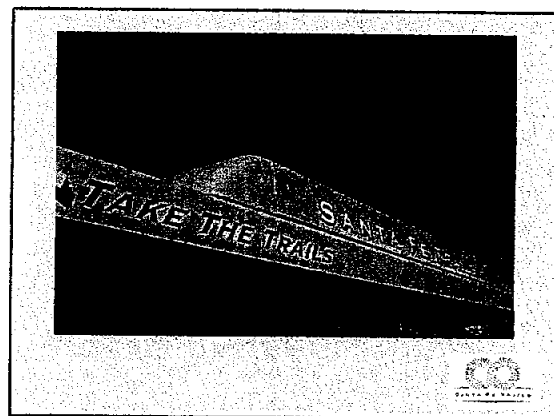
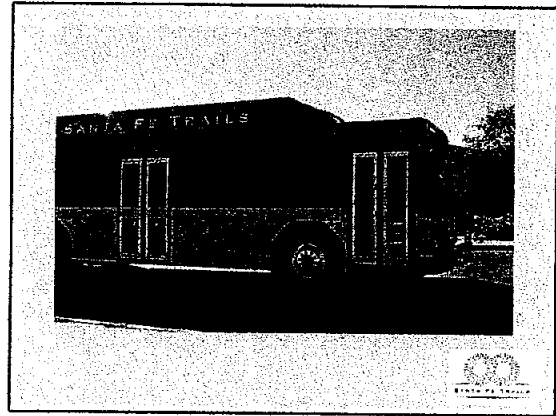
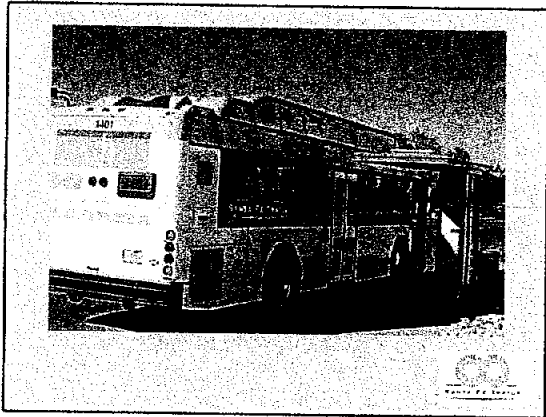
**Respectfully submitted:**

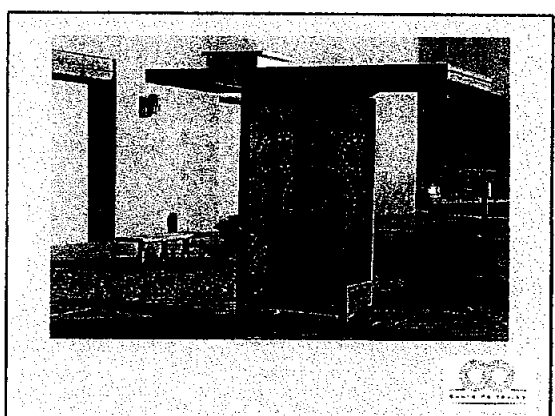
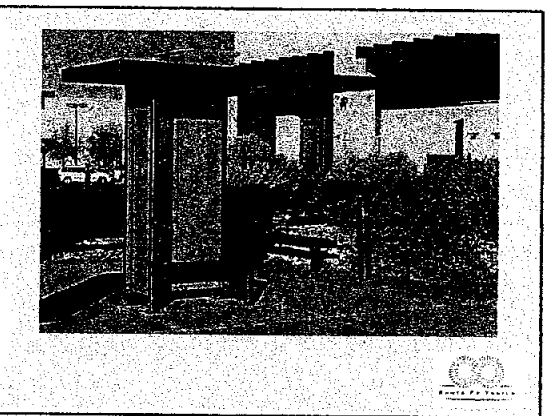
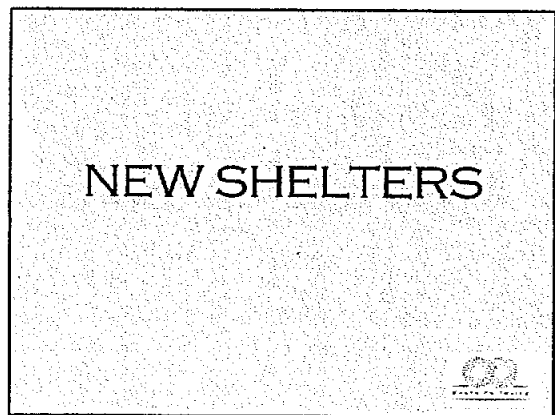
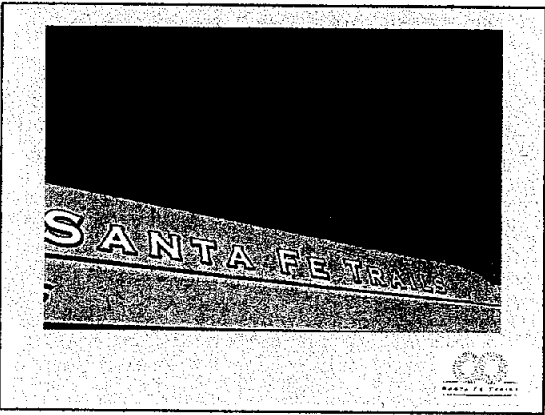
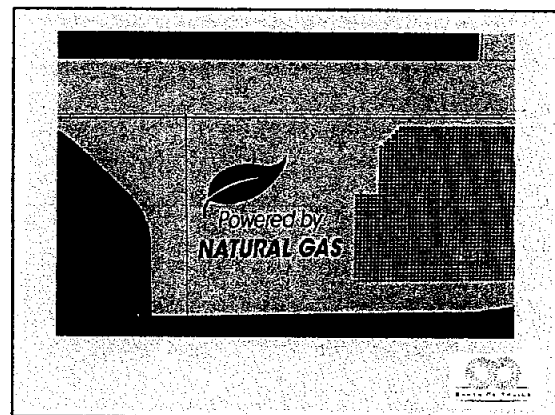
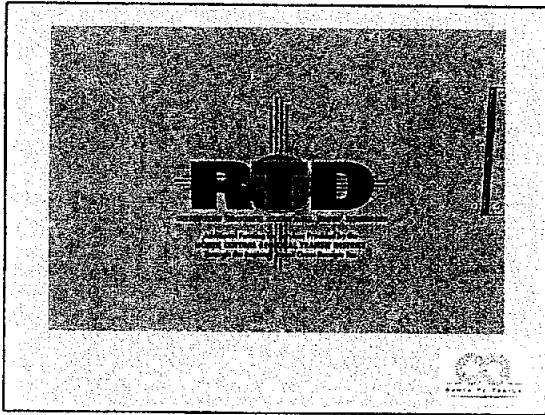


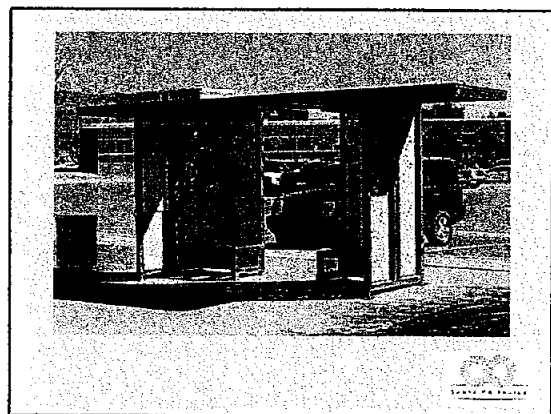
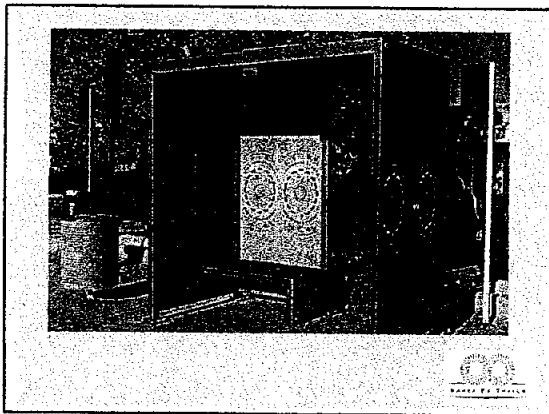
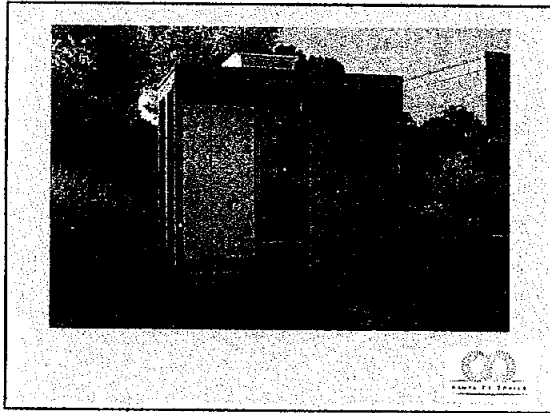
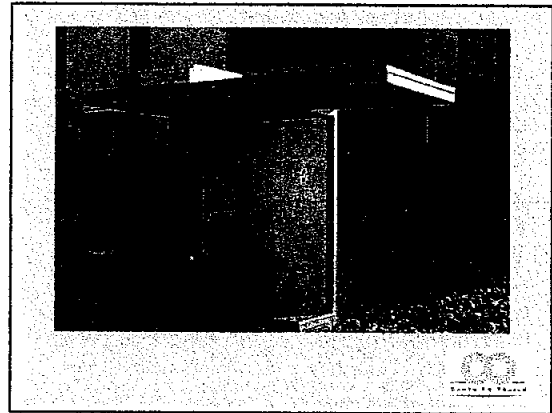
Melessia Helberg, Council Stenographer



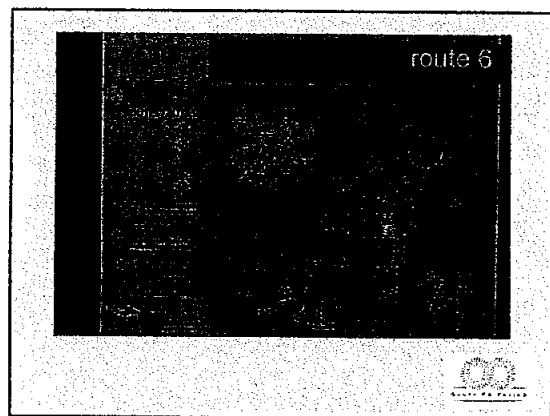
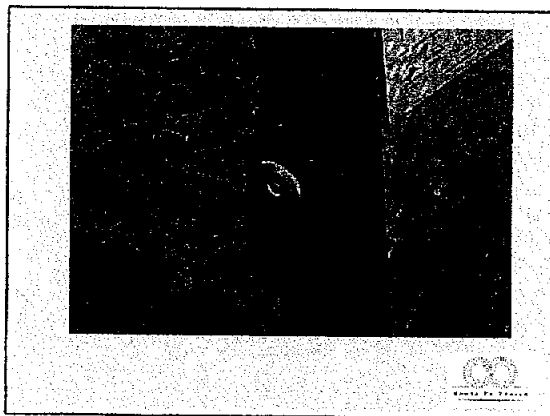
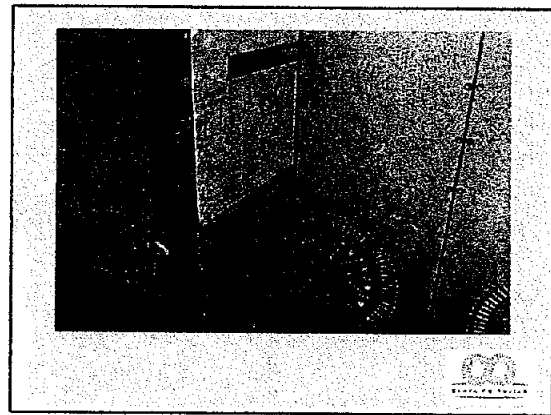
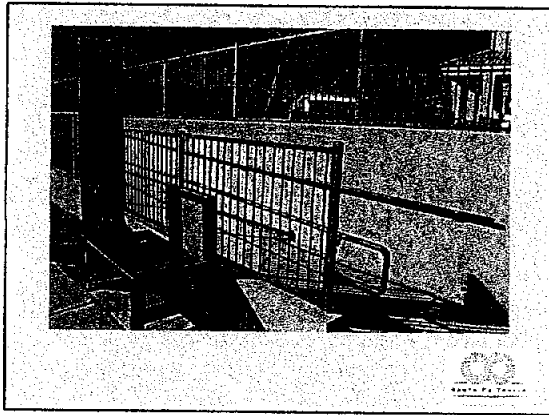
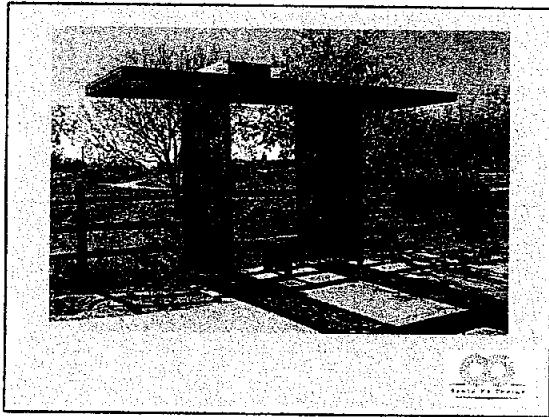


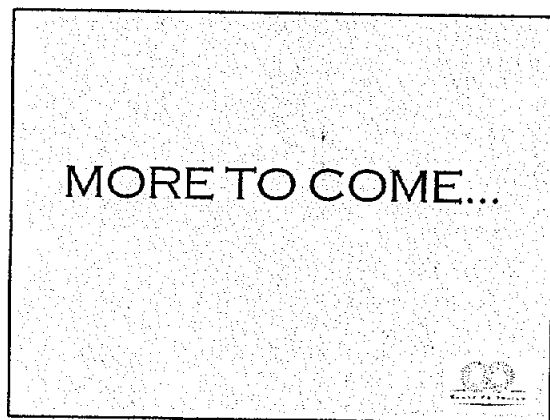
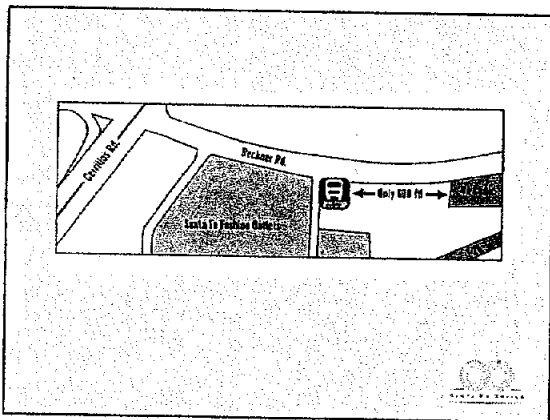
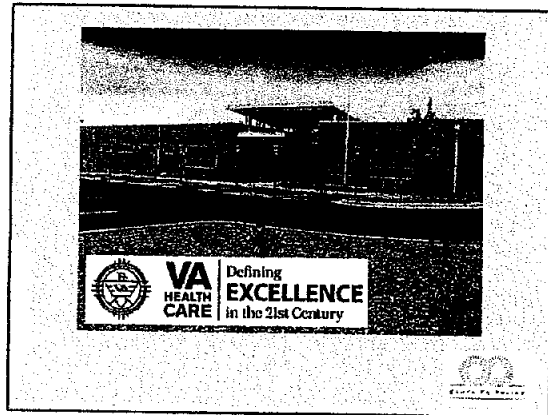
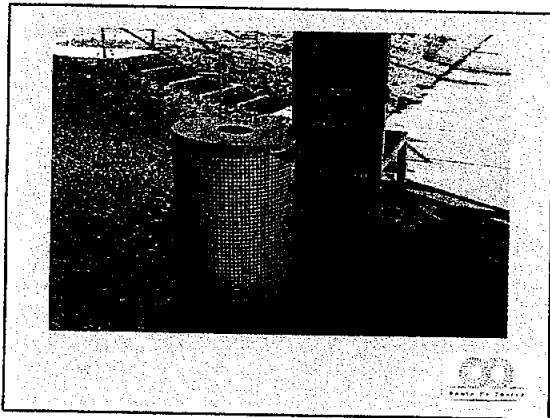
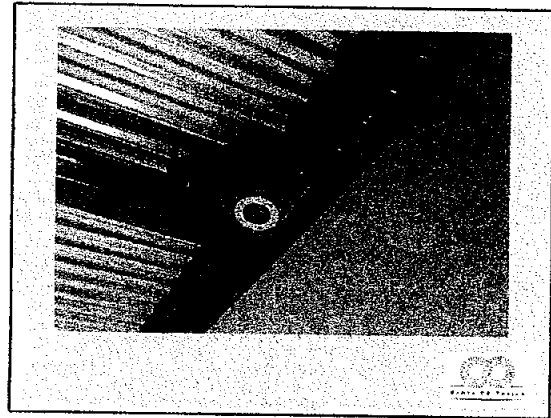
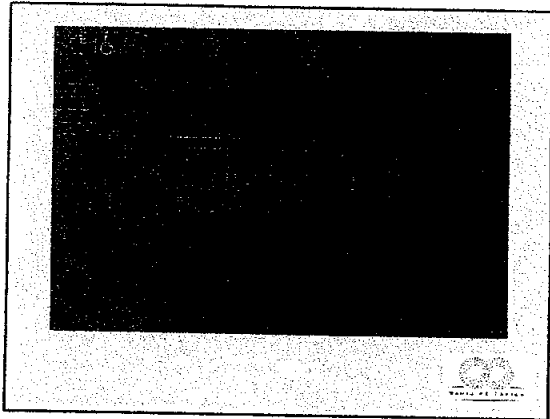


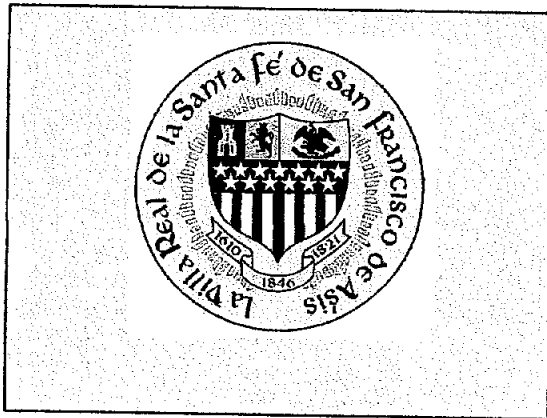
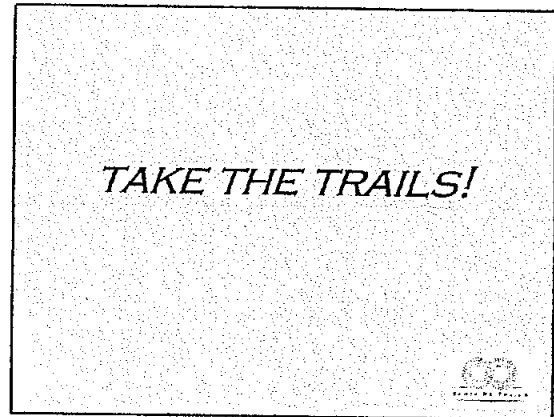
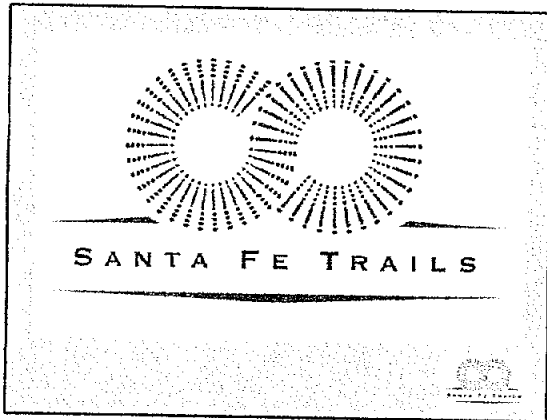












# ZOZOBRA 2014



# Thank You



# Muchas Gracias

# RECORD ATTENDANCE

## 40,391

ALBUQUERQUE  
JOURNAL

**Zozobra record attendance announced, along with no arrests**



## LOCAL NEWS

SANTA FE ❖ NEW MEXICAN

### Kiwanis Club says 40,000 attended Friday Zozobra



Jane Phillips

The 90th annual burning of Will Shuster's Zozobra was held Friday at Fort Marcy Ballpark. Jane Phillips/The New Mexican

Posted: Tuesday, September 2, 2014 9:00 pm | Updated: 11:25 am, Wed Sep 3, 2014

By Chris Quintana  
The New Mexican 3 comments

Zozobra director Ray Sandoval, who earlier had said he would call the goth burning of Zozobra successful if the event managed to draw 35,000 spectators, reported Tuesday that Friday's attendance was about 40,390.

"I think we won people over," Sandoval said. "I think we proved that we can handle Zozobra on a Friday night in a responsible way."

The nonprofit Kiwanis Club of Santa Fe hosts the annual torching, which for the first time in nearly four decades was held on the Friday before Labor Day, and for the first time in history, a week prior

More than 40,300 people — a new attendance record — came to Ft. Marcy Park on Friday night to see Zozobra burn, according to a news release from the city.

Despite the crowd, police got only 14 calls for service between 2 p.m. and midnight — four of them for missing people who were found. They also received one call each for possible drug use, fighting and disorderly conduct, but no arrests were made.

The city release credited the safety of the event to a coordinated effort of city employees, law enforcement officers from five different agencies, organizers and volunteers from the Kiwanis Club, and the visitors themselves.

# SAFEST ZOZOBRA ON RECORD



## **City of Santa Fe** **NEWS RELEASE**

[www.santafenm.gov](http://www.santafenm.gov)

FOR IMMEDIATE RELEASE

September 2, 2014

Contacts: Matt Ross; Public Information/Multimedia Administrator, 505-955-6045, [mross@santafenm.gov](mailto:mross@santafenm.gov)  
Celina Espinoza; SFPD Public Information Officer, 505-955-5075, [ckwestervelt@santafenm.gov](mailto:ckwestervelt@santafenm.gov)

**Zozobra 2014 Safest on Record**  
**Successful Event Free of Major Incidents & Arrests**

SANTA FE, NM – The City of Santa Fe is proud to announce the 2014 burning of Will Shuster's Zozobra is one for the record books.

According to the Kiwanis Club, a record crowd of more than 40,300 people packed Ft. Marcy Ball Park Friday, August 29, 2014, and Santa Fe Police are pleased to announce they responded to a total of 14 calls for service at the park from 2 p.m. through midnight.

Along with onsite members of the County's Regional Emergency Communications Center, officers handled four reports of missing people, all of which were located. They also responded to one possible drug use call, one fight and one disorderly conduct call. No arrests were made. Also thanks to a new traffic plan implemented for the first time this year, officers were able to quickly, safely and efficiently ensure the park was cleared following the event.

"The collaboration of our public safety resources brought a sense of security, ease and celebration to one of the world's most unique traditions," Santa Fe Police Chief Eric Garcia added. "We congratulate all of our partners and attendees, residents and guest alike, for making this the safest Zozobra yet."

The massively coordinated effort came to a close successfully thanks to the combined efforts which included city employees, law enforcement officials from five separate agencies, a committed team of organizers and volunteers from the Santa Fe Kiwanis Club, local Santa Feans and visitors from around the world.

Attached to this release is a breakdown of the Santa Fe Police Department's calls for service during the event.

###



**The Kiwanis Club of Santa Fe**  
Kiwanis is a global organization of volunteers dedicated to changing the world, one child and one community at a time.

## POST-ZOZOBRA 2014:

### BETTER BUSINESS PARTNERS

THE POST-ZOZOBRA 2014 BETTER BUSINESS PARTNERS MEETING IS COVENED TO OCCUR AFTER BREAKFAST ON TUESDAY, OCTOBER 21ST, AT 3:00 PM. MEETING LOCATION: 1000 S. ANTONIO AVE., SUITE 100, SANTA FE, NM 87505.

## Tues., Oct 21 at 3:00p SF Convention Center

In addition to talking about how did we did? We want to collaborate to seize this amazing business opportunity of our event to make us all successful.

With all the great deeds that come from Zozobra, I hope this past year we proved we could be better partners. Although we made great strides, there is always room for improvement. As we realize Zozobra 2014, I want to hear from your Business and your Business partners to



continue a partnership that benefits us all.

I would like to personally invite you to a Downtown Merchants meeting on Tuesday, Oct 21st, 3:00 pm.

The meeting will be held at the Santa Fe Convention Center, NAMBE Room.

If you cannot attend the meeting, still want to hear from you. You may fill out the form below and mail to me. With your input we can continue to be better neighbors.

Members of The Kiwanis Club of Santa Fe are:

You also want to make a difference in a child's life. We at your businesses, homes, family and neighbors. If you would like membership information or just want to hang with the fun of Zozobra please check these boxes and I can get you some information. You are encouraged to check the box and provide us your email address so we may keep you updated on Zozobra projects.

Look forward to meeting you on Tuesday, Oct 21st.

*Ray*

### The Kiwanis Club of Santa Fe

Name \_\_\_\_\_  
Address \_\_\_\_\_

PO Box 622  
Santa Fe, NM 87504-0622

Phone \_\_\_\_\_  
Email \_\_\_\_\_

Phone: 505-428-9013

Toll Free: 855-ZOZOBRA

[burrhin@buzozobra.com](mailto:burrhin@buzozobra.com)

Comments/Suggestions/Problems \_\_\_\_\_

Sign up for:

- ☐ Zozobra logistical updates  
☐ Information on getting involved with Kiwanis  
☐ Information on getting involved with Zozobra



# Community Outreach

	Business	Neighbors
Flyers Inviting to Meeting	87	329
Emails	13	73
Phone Calls	0	7
Visits	47	31

# BURNZOZOBRA.COM

## GOOGLE ANALYTICS

Google Analytics

Your Customer ID: Burn Zozobra  
[Sign in](#)

### A snapshot of your website in August.

Take a few minutes to review last month's website performance for [burnzozobra.com](#). We hope that these key metrics and our monthly tip will help you identify new opportunities for your business.

VISITS

**211,481**

The total number of visits to your site this month

BOUNCE RATE

**1%**

Your bounce rate shows how many people leave your site without visiting any other pages on your site

TIME ON SITE

**03:16**

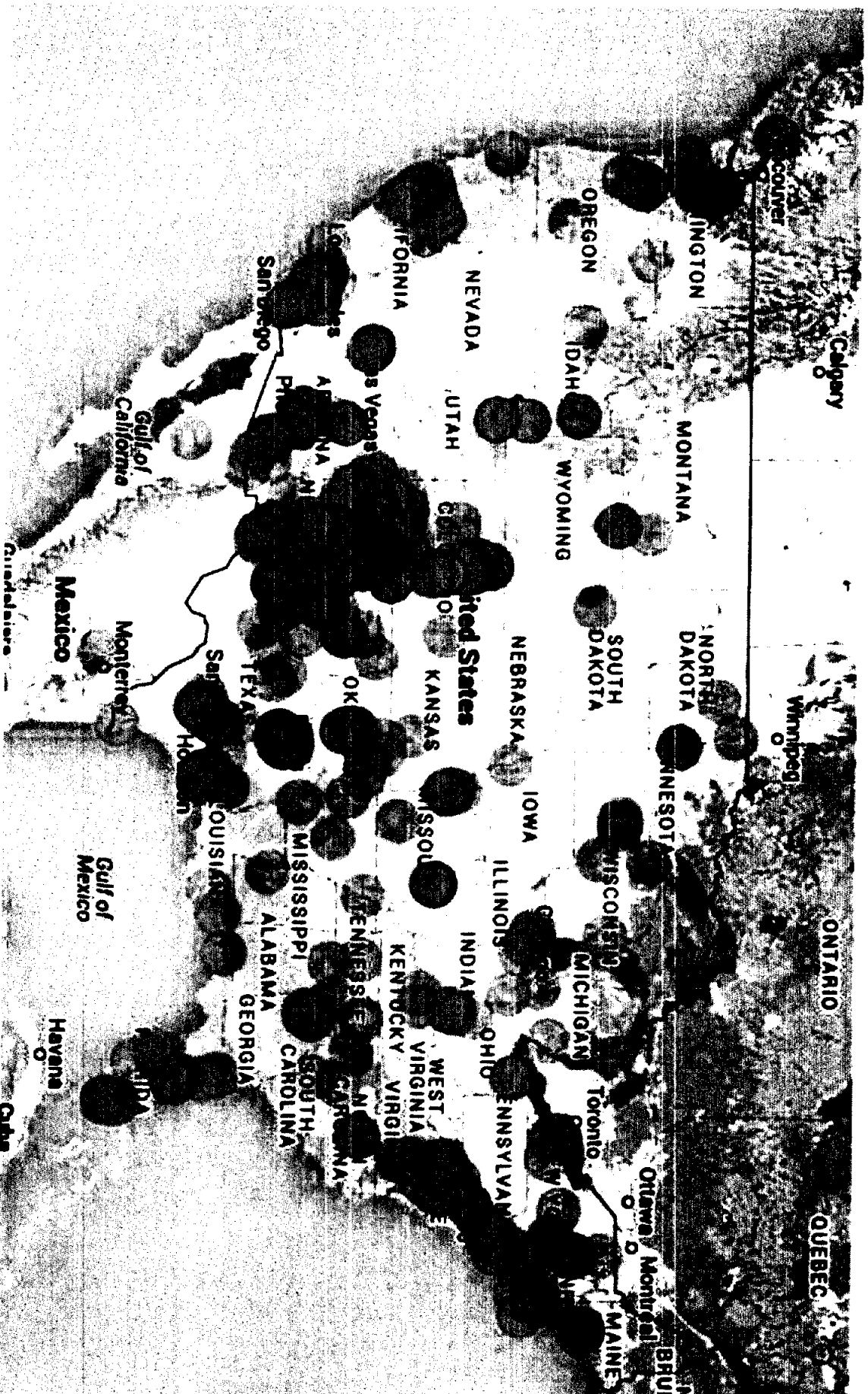
The average amount of time someone spends on your site in a single session

AVERAGE PAGES

**7**

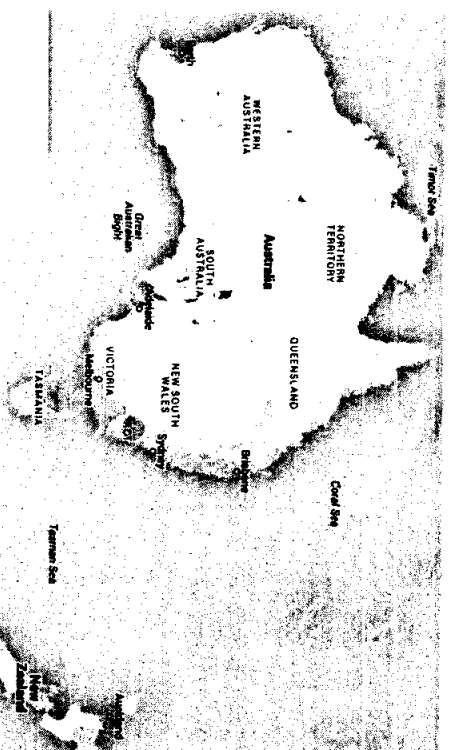
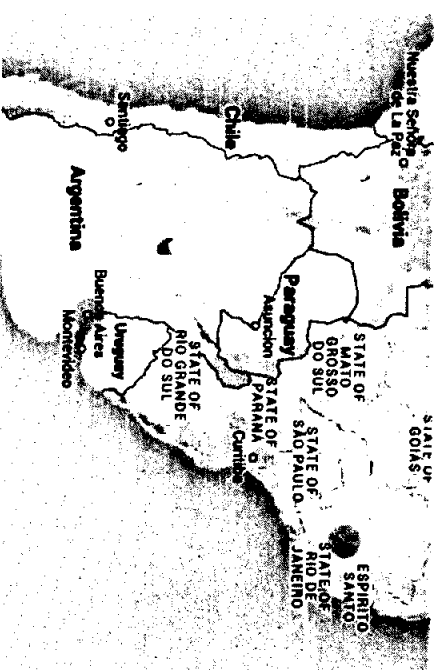
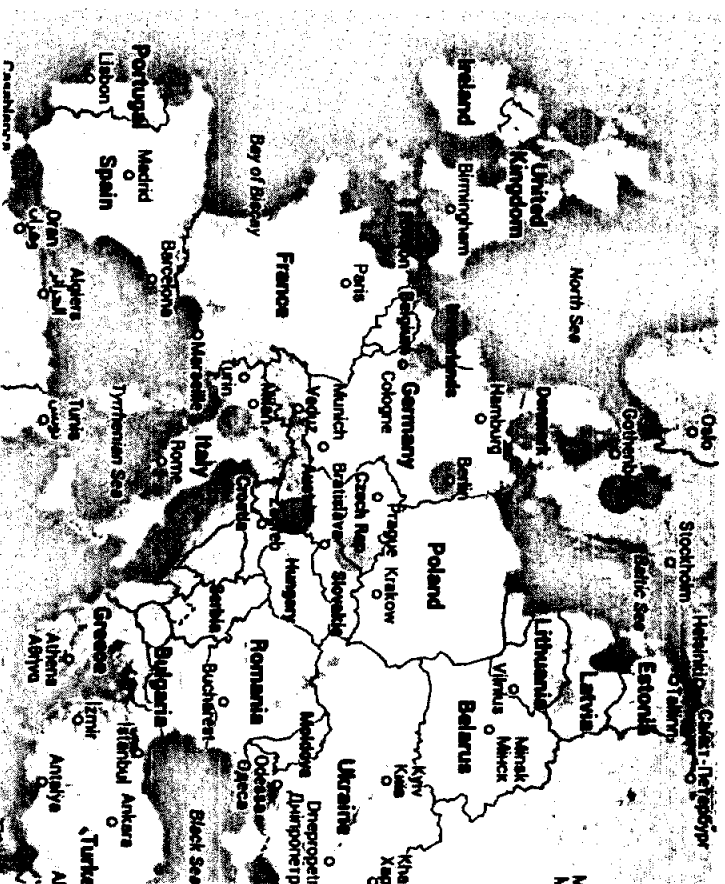
The average number of pages viewed in a single session

### Ticket Sales by Geography - ( 4045 )



# WORLD MAP

## CUTOFF 2 WEEKS PRIOR



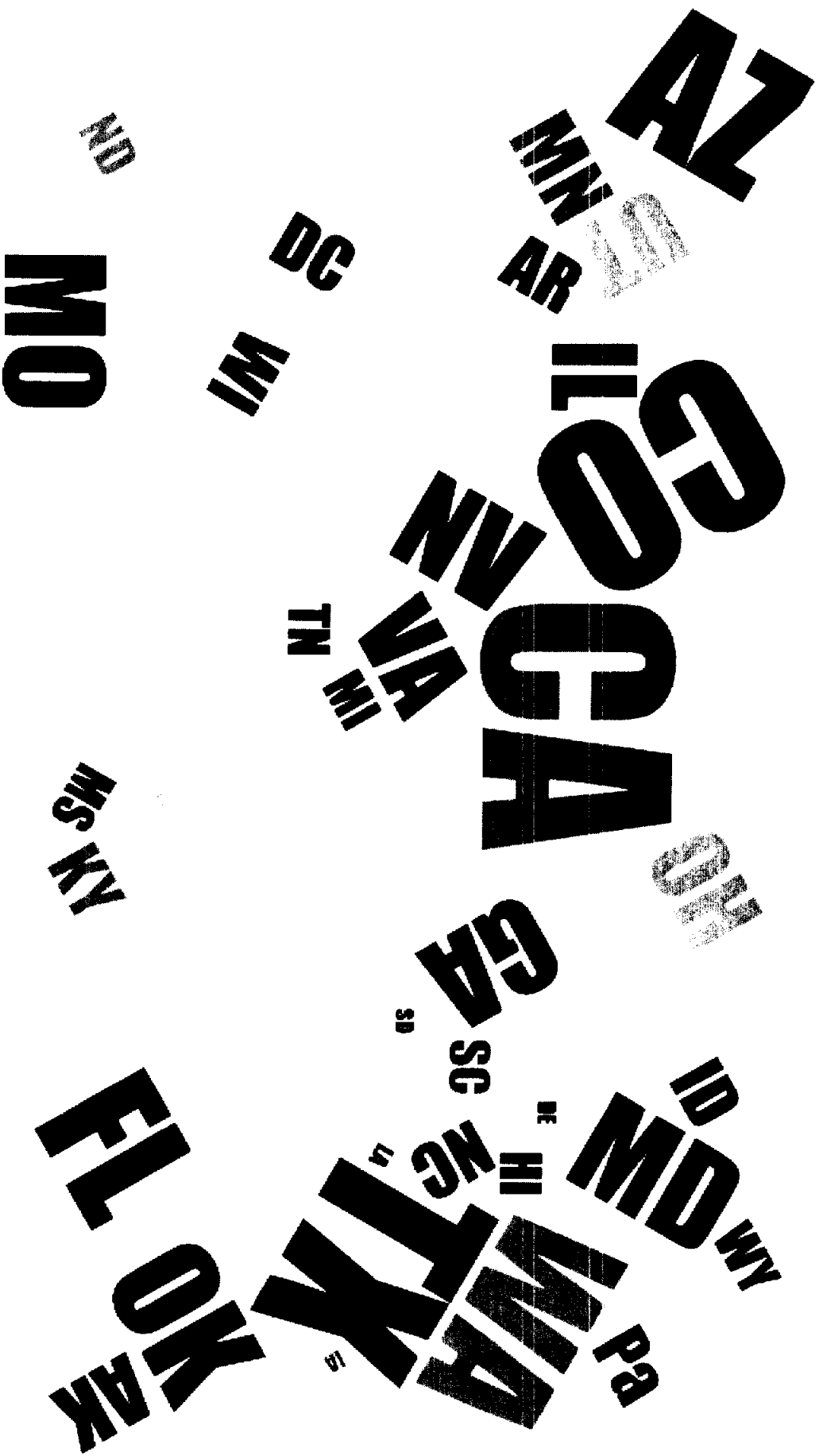
[illegible]

**Alamogordo**  
**San Juan Pueblo**  
**Los de Ta**

[illegible][illegible]

A word cloud of US cities and states. The most prominent text includes 'New York NY', 'Los Angeles CA', 'Chicago IL', 'Houston TX', 'San Francisco CA', 'Austin TX', 'Portland OR', 'San Antonio TX', 'Boulder CO', 'Fort Worth TX', 'El Paso TX', 'Chicago TX', 'Kansas City MO', 'Tulsa OK', 'Seattle WA', 'Amarillo TX', 'Vista CA', 'Denton TX', 'Sierra CA', 'Ignacio CO', 'Graz St', 'Seattle WA', 'Houston TX', 'Boulder CO', 'Fort Worth TX', 'El Paso TX', 'Chicago TX', 'Kansas City MO', 'Tulsa OK', 'Seattle WA', 'Amarillo TX', 'Vista CA', 'Denton TX', 'Sierra CA', 'Ignacio CO', 'Graz St'. Other visible text includes 'New York NY', 'Los Angeles CA', 'Chicago IL', 'Houston TX', 'San Francisco CA', 'Austin TX', 'Portland OR', 'San Antonio TX', 'Boulder CO', 'Fort Worth TX', 'El Paso TX', 'Chicago TX', 'Kansas City MO', 'Tulsa OK', 'Seattle WA', 'Amarillo TX', 'Vista CA', 'Denton TX', 'Sierra CA', 'Ignacio CO', 'Graz St', 'Seattle WA', 'Houston TX', 'Boulder CO', 'Fort Worth TX', 'El Paso TX', 'Chicago TX', 'Kansas City MO', 'Tulsa OK', 'Seattle WA', 'Amarillo TX', 'Vista CA', 'Denton TX', 'Sierra CA', 'Ignacio CO', 'Graz St'.

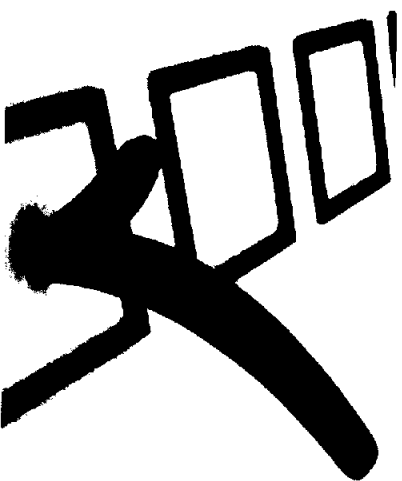
# US STATES WITHOUT NM





# COUNTRIES OTHER THAN US





# Survey Results

Survey Requests Sent via Email:	10,787
Emails That Bounced:	394
Responses Received:	4,792
Negative Opinion Post Burn (City Activity):	2,601
2 <sup>nd</sup> Survey to Post Burn Respondents:	1,437
2 <sup>nd</sup> Survey Responders Negative Comments Regarding City After Burn:	623

# QUESTIONS



4. **RENT**

Rent shall be paid as follows:

A. Base Rent during Initial Term. Lessee shall pay five thousand two hundred eighty dollars (\$5,280.00) as annual rent, due each year in full on the anniversary of this Lease Agreement without notice or demand and without deduction or offset for any cause whatsoever. Lessee shall make payments to the Lessor's cashier office, Room 114, 200 Lincoln Ave., Santa Fe, NM. Base rent during the initial term shall be subject to annual increases in accordance with Section 4.C below.

B. Base Rent during any Optional Additional Term(s). The base rent for any optional additional term(s) of this Lease Agreement shall be negotiated by the Lessor and the Lessee prior to the commencement of any such optional additional term(s). In no case shall the base rent for any optional additional term(s) be less than the rent during the last year of the previous term plus two and one-half percent (2.5%). Base rent during any optional additional term(s) shall be subject to annual increases in accordance with Section 4.C below.

CB. Increases in Rent. At the commencement of the second year and every subsequent year of the initial term or any optional additional term(s) of this Lease Agreement, ~~or any additional terms thereof,~~ the rent shall be increased by an amount calculated by multiplying the previous year's rent by the greater of:

- (i) two and one-half percent (2.5%), or
- (ii) the percentage change over the most recent 12 months in the Consumer Price Index seasonally adjusted U.S. City Average for All Urban Consumers published by the United States Department of Labor, Bureau of Labor Statistics (the "CPI-U").

*Exhibit "3"*

CITY OF SANTA FE, NEW MEXICO

**ITEM #13**

RESOLUTION NO. 2014-\_\_\_\_

INTRODUCED BY:

Mayor Javier Gonzales

A RESOLUTION

ESTABLISHING CITY OF SANTA FE LEGISLATIVE PRIORITIES FOR  
CONSIDERATION BY THE NEW MEXICO STATE LEGISLATURE DURING THE 52<sup>ND</sup>  
LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2015.

WHEREAS, the 60 day session of the 2015 Legislative Session begins on January 20, 2015;  
and

WHEREAS, on August 13, 2014 the Governing Body adopted Resolution 2014-67 which  
established the 2016-2020 Infrastructure Capital Improvements Plan (2016-2020 ICIP) and priorities  
for the financing of City of Santa Fe public capital projects; and

WHEREAS, the Governing Body desires to establish City of Santa Fe legislative priorities to  
be considered by the State Legislature based on the 2016-2020 ICIP; and

WHEREAS, on September 10, 2014, the Governing Body adopted Resolution No. 2014-72,  
which directed City staff to identify a priority list of water projects for presentation to the City's State  
Legislative Delegation; and

WHEREAS, Resolution No. 2014-72 further directed staff to submit an application to the

New Mexico Water Trust Board for financial assistance from the New Mexico Water Project Fund for all project types eligible for consideration; and

**WHEREAS**, the Governing Body has other legislative priorities to be considered by the State Legislature.

**NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF SANTA FE** that the Governing Body hereby establishes the following legislative funding priorities for consideration by the New Mexico Legislature, during the 2015 Legislative Session. **Funding is requested, in the total amount of \$1,170,000, for the following Citywide Streets, Parks, Public Safety and Facility Improvements, as identified in the City's 2016-2020 ICIP:**

1. **Project:** Traffic Signing and Pavement Marking Maintenance

**Amount Requested:** \$150,000

**Project Description:** To upgrade aging street signs, pavement marking to current MUTCD standards within the city of Santa Fe in Santa Fe County.

2. **Project:** Traffic Signals Communication Design and Install

**Amount Requested:** \$370,000

**Project Description:** To design and install Traffic Signal Communications hardware and software.

3. **Project:** Traffic Calming Improvements

**Amount Requested:** \$100,000

**Project Description:** To plan, design and construct traffic calming for various streets within the city of Santa Fe.

4. **Project:** City of Santa Fe Gateways

**Amount Requested:** \$100,000

**Project Description:** To construct placement of City of Santa Fe welcome signage at major entrances to the city.

1        5.     Project: Southwest Activity Node Park

2                    Amount Requested: \$200,000

3                    Project Description: To plan, design and construct the Southwest Activity Node  
4                    park for the City of Santa Fe.

5        6.     Project: Fire Training Facility (1130 Siler Road)

6                    Amount Requested: \$50,000

7                    Project Description: To plan and construct a new fire training facility for the city of  
8                    Santa Fe Fire Department in the city of Santa Fe within Santa Fe County.

9        7.     Project: Southwest Transit Center

10                   Amount Requested: \$200,000

11                   Project Description: To construct transit improvements at Southside Transit Center.

12        **BE IT FURTHER RESOLVED** that the Governing Body hereby establishes the following  
13 priority *water projects* for consideration by the New Mexico Legislature, during the 2015 Legislative  
14 Session and subsequently by the New Mexico Water Trust Board:

15        1.     Project: 4 million gallon storage tank for Buckman Water Transmission  
16                   Improvements

17                   Amount Requested: \$1,500,000

18                   Project Description: Construction -- See Water Trust Board Application  
19                   Questionnaire 2014/2015 Cycle, attached hereto as Exhibit A

20        2.     Project: Santa Fe Municipal Watershed Source Water Protection Project, cost:  
21                   \$470,000

22                   Amount Requested: \$200,000

23                   Project Description: Construction -- See Water Trust Board Application  
24                   Questionnaire 2014/2015 Cycle, attached hereto as Exhibit B

25        3.     Project: Automated Meter Reading Devices and Meter Replacement Project

**Amount Requested:** \$2,000,000

**Project Description:** Construction -- See Water Trust Board Application  
Questionnaire 2014/2015 Cycle, attached hereto as Exhibit C

**BE IT FURTHER RESOLVED** that the Governing Body requests that the Legislature, during the 2015 Legislative Session, enact legislation pursuant to the following City of Santa Fe resolutions of the Governing Body:

**Section 1. City of Santa Fe Resolution No. 2014-45, attached hereto as Exhibit D:**

Enactment of legislation on tax reform initiatives to bring balance, equity and financial stability to municipal governments;

**Section 2. City of Santa Fe Resolution No. 2014-55, attached hereto as Exhibit E:**

Enactment of legislation that would remove the taxing limitations currently imposed on home rule municipalities;

**Section 3. City of Santa Fe Resolution No. 2014-56, attached hereto as Exhibit F:**

Enactment of a municipal telecommunications tax act that would authorize municipalities to collect from telecommunications providers a municipal telecommunications tax on the telecommunications provider's gross receipts from telecommunications service.

**Section 4. City of Santa Fe Resolution No. 2014-68, attached hereto as Exhibit G:**

Enactment of legislation that would cap interest and fees on non-bank lending institutions in New Mexico.

**Section 5. City of Santa Fe Resolution No. 2014-69, attached hereto as Exhibit H:**

Enactment of a state standard for quality of care through prescribed minimum nurse staffing levels, and in particular through minimum registered nurse staffing levels.

**BE IT FURTHER RESOLVED** that the Governing Body requests that the Legislature,



1 during the 2015 Legislative Session, enact legislation in accordance with the following resolutions of  
2 the New Mexico Municipal League:

3       **Section 1.       New Mexico Municipal League Resolution No. 2014-32 – Concerning**  
4                           **EMS Funding**

5                           The New Mexico Municipal League supports an increase to the EMS Fund  
6                           Act for use by local EMS providers in the state of New Mexico

7       **Section 2.       New Mexico Municipal League Resolution No. 2014-34 – Concerning the**  
8                           **Endorsement of Efforts to Maintain the Amtrak Southwest Chief**  
9                           **Passenger Service Between Lamy/Santa Fe, New Mexico and Newton,**  
10                          **Kansas**

11                        The New Mexico Municipal League calls upon the members of the  
12                        legislature of the State of New Mexico to support continuation of Amtrak  
13                        Southwest Chief route.

14       **Section 3.       New Mexico Municipal League Resolution No. 2014-35 – Concerning the**  
15                           **Establishment of a State Transit Fund to Support Municipal and Regional**  
16                           **Transit Capital and Operational Needs**

17                        The New Mexico Municipal League supports the efforts of the New Mexico  
18                        legislature to enhance revenue for investment in transportation infrastructure  
19                        across the state to include investment in public transportation fleets and  
20                        associated public transportation infrastructure.

21       **Section 4.       New Mexico Municipal League Resolution No. 2014-40 – Concerning**  
22                           **Lodgers Tax Audits Compliance**

23                        The New Mexico Municipal League requests that the NM Legislature in its  
24                        next session to find a means for Counties and Municipalities to penalize  
25                        nonconformance with the required audit.

1        **BE IT FURTHER RESOLVED** that the Governing Body requests that the Legislature,  
2 during the 2015 Legislative Session, enact an Amendment to the Hold Harmless provision that  
3 would:

4        1.        **Amend state law to repeal the sections of HB 641 that phased out the hold**  
5                   **harmless provision and enacted a new municipal hold harmless tax and reenact**  
6                   **the Hold Harmless distribution from the State to the municipalities.** During the  
7                   2013 Legislative Session, the Legislature approved HB 641 which amended the law  
8                   to phase out the hold harmless distribution that is made by the State to municipalities  
9                   and counties. The hold harmless distribution was originally introduced by the State  
10                  as a way to offset money lost to the municipalities and counties due to certain  
11                  deductions provided by the tax code (food and medical). The phase out of the hold  
12                  harmless provision is scheduled to begin in FY16 at 10% per year over 15 years until  
13                  it is eliminated in FY 30. In conjunction with the phase-out, HB 641 added a new  
14                  section allowing a municipal hold harmless gross receipts tax to be imposed by  
15                  ordinance but not to exceed an aggregate rate of 3/8 percent of the gross receipts of  
16                  any person engaging in business in the municipality. Finally, the former hold  
17                  harmless distribution from the State to the municipalities and counties should be  
18                  reenacted.

19        2.        **Or, in the alternative, amend state law to clarify that counties that impose the**  
20                   **permitted 3/8% GRT are only authorized to do so within the county**  
21                   **jurisdictional boundaries located outside the municipal jurisdictional**  
22                   **boundaries.** HB 641, as a way to compensate for the lost revenue caused by the  
23                   phase out of the hold harmless distribution, also authorized any county and  
24                   municipality to impose an excise tax not to exceed a maximum of 3/8% of the gross  
25                   receipts of any person engaging in business in the municipality. Pursuant to HB 641,

1 A. Decreasing the stringency of current laws regarding sales of alcohol  
2 to minors. and sales to intoxicated persons.

3 B. Decrease the severity of current DWI laws.

4 **Section 4. Measures that could change local zoning control or authority (i.e., Bed**  
5 **and Breakfast Liquor License).**

6 **BE IT FURTHER RESOLVED** that through the Santa Fe City Council Committee and City  
7 Council process, general operating fund and other statutory changes may be established for  
8 consideration by the State Legislature.

9 **BE IT FURTHER RESOLVED** that the City of Santa Fe lobbying team is directed to work  
10 with the Santa Fe Legislative Delegation on any unencumbered capital outlay funds to be used  
11 towards identified City of Santa Fe projects.

12 **BE IT FURTHER RESOLVED** that while this resolution represents a majority of the intent  
13 of the Mayor and City Council as to 2015 New Mexico legislative priorities, other timely priorities  
14 may be identified and forwarded to the City's lobbying team for action.

15 **BE IT FURTHER RESOLVED** that the City Clerk is directed to forward a copy of this  
16 resolution to the City of Santa Fe lobbyist and the City of Santa Fe State Legislative Delegation.

17 PASSED, APPROVED, and ADOPTED this \_\_\_\_\_ day of \_\_\_\_\_, 2014.

18  
19 \_\_\_\_\_  
20 JAVIER M. GONZALES, MAYOR

21  
22 ATTEST:

23  
24 \_\_\_\_\_  
25 YOLANDA Y. VIGIL, CITY CLERK

1 APPROVED AS TO FORM:

2

3

4 \_\_\_\_\_  
KELLEY A. BRENNAN, CITY ATTORNEY

5

6

7

8

9

10

11

12

13

14

15

16

17

18

19

20

21 *M/Melissa/Resolutions 2014/Legislative Priorities (2015)\_111214*

1 if a county and a municipality located solely within the county, both choose to each  
2 impose the full 3/8%, then municipal residents would end up paying the increase of  
3 6/8 or 3/4% of the gross receipts of any person engaging in business in the  
4 municipality. However, with this alternative amendment to HB 641, the municipality  
5 residents at most would end up paying an increase of 3/8% of gross receipts tax  
6 imposed on businesses in the municipality.

7 **BE IT FURTHER RESOLVED** that the Governing Body requests that the following items  
8 be monitored by the City's lobbyist during the 2015 Legislative Session:

9 **Section 1. Measures that increase availability of alcohol:**

10 A. Measures that will increase density of alcohol outlets through:

- 11 1) The "Main Street" initiative that would allow currently  
12 licensed establishments to obtain "satellite", or additional  
13 licenses for only \$50,000.  
14 2) A revision in the state liquor license quota allowing more  
15 licenses per population or geographic area.  
16 3) Allowing for new types of liquor licenses.

17 B. Measures that increase the hours of operation of liquor  
18 establishments.

19 **Section 2. Measures that pertain to alcohol tax that increase revenue for revention**  
20 **and treatment, such as:**

- 21 A. Creating an alcohol excise tax that will fund the prevention of and  
22 the treatment for alcohol abuse and addiction.  
23 B. Changing the percent of the liquor tax dedicated to the L-DWI fund.

24 **Section 3. Measures that change penalties for DWI and the Liquor Control Act**  
25 **such as:**

**ACTION SHEET  
ITEM FROM THE  
PUBLIC WORKS/CIP AND LAND USE COMMITTEE MEETING  
OF  
MONDAY, NOVEMBER 10, 2014**

**ITEM 9**

REQUEST FOR APPROVAL OF A RESOLUTION ESTABLISHING CITY OF SANTA FE LEGISLATIVE PRIORITIES FOR CONSIDERATION BY THE NEW MEXICO STATE LEGISLATURE DURING THE 52<sup>ND</sup> LEGISLATURE – STATE OF NEW MEXICO – FIRST SESSION, 2015 (MAYOR GONZALES) (BRIAN SNYDER)

**PUBLIC WORKS COMMITTEE ACTION:** Approved

**FUNDING SOURCE:**

**SPECIAL CONDITIONS / AMENDMENTS / STAFF FOLLOW UP:**

VOTE	FOR	AGAINST	ABSTAIN
CHAIRPERSON TRUJILLO			
COUNCILOR BUSHEE	X		
COUNCILOR DIMAS	X		
COUNCILOR DOMINGUEZ	X		
COUNCILOR RIVERA	X		

5 11.10.14 451

## Legislative ICIP Priorities

Identified as legislative priorities by Public Works Committee 11/10/14

	Funded to date	2016	2017	2018	2019	2020	Total Project Cost	Amount Not Yet Funded	Phases
22 Traffic Signing and Pavement Marking Mntc.	0	150,000	150,000	0	0	0	300,000	300,000	Yes
26 Traffic Signals Comm Design & Install	0	370,000	300,000	300,000	300,000	300,000	1,570,000	1,570,000	Yes
56 Traffic Calming Improvements	0	100,000	1,100,000	1,000,000	1,000,000	1,000,000	4,200,000	4,200,000	Yes
45 City of Santa Fe Gateways	0	100,000	0	0	0	0	100,000	100,000	No
5 Southwest Activity Node Park (SWAN)	35,000	200,000	5,000,000	0	0	0	5,235,000	5,200,000	Yes
18 Fire Training Facility (1130 Siler Road)	0	50,000	1,450,000	0	0	0	1,500,000	1,500,000	Yes
32 Southside Transit Center	0	200,000	0	0	0	0	1,200,000	1,200,000	No

**Grand Total    \$    1,170,000**

# Legislative IC Priorities

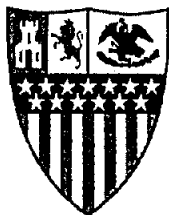
Identified as legislative priorities by P Works Committee 11/10/14

	Funded to date	2016	2017	2018	2019	2020	Total Project Cost	Amount Not Yet Funded	Phases
22 Traffic Signaling and Pavement Marking Mntc.	0	150,000	150,000	0	0	0	300,000	300,000	Yes
26 Traffic Signals Comm Design & Install	0	370,000	300,000	300,000	300,000	300,000	1,570,000	1,570,000	Yes
56 Traffic Calming Improvements	0	100,000	1,100,000	1,000,000	1,000,000	1,000,000	4,200,000	4,200,000	Yes
45 City of Santa Fe Gateways	0	100,000	0	0	0	0	100,000	100,000	No
5 Southwest Activity Node Park (SWAN)	35,000	200,000	5,000,000	0	0	0	5,235,000	5,200,000	Yes
18 Fire Training Facility (1130 Siler Road)	0	50,000	1,450,000	0	0	0	1,500,000	1,500,000	Yes
32 Southside Transit Center	0	200,000	0	0	0	0	1,200,000	1,200,000	No

**Grand Total \$ 1,170,000**

Exhibit "6"





**CITY COUNCIL MEETING OF**  
**November 12, 2014**  
**BILLS AND RESOLUTIONS SCHEDULED FOR**  
**INTRODUCTION BY MEMBERS OF THE GOVERNING BODY**

<b>Mayor Javier Gonzales</b>		
<b>Co-Sponsors</b>	<b>Title</b>	<b>Tentative Committee Schedule</b>
<b>Councilor Patti Bushee</b>		
<b>Co-Sponsors</b>	<b>Title</b>	<b>Tentative Committee Schedule</b>
<b>Councilor Bill Dimas</b>		
<b>Co-Sponsors</b>	<b>Title</b>	<b>Tentative Committee Schedule</b>
<b>Councilor Carmichael Dominguez</b>		
<b>Co-Sponsors</b>	<b>Title</b>	<b>Tentative Committee Schedule</b>
	A Resolution Adopting the 2014 Santa Fe City and County Advisory Council on Food Policy Food Plan Entitled <i>Planning For Santa Fe's Food Future: Querencia, A Story Of Food, Farming And Friends.</i>	Finance – 12/1/14 Council – 12/10/14
<b>Councilor Peter Ives</b>		
<b>Co-Sponsors</b>	<b>Title</b>	<b>Tentative Committee Schedule</b>
<b>Councilor Signe Lindell</b>		
<b>Co-Sponsors</b>	<b>Title</b>	<b>Tentative Committee Schedule</b>

<b>Councilor Joseph Maestas</b>		
<b>Co-Sponsors</b>	<b>Title</b>	<b>Tentative Committee Schedule</b>
Rivera	A Resolution Authorizing City Staff to Collaborate with Santa Fe County Staff to Explore, Research and Analyze the Feasibility of the Recommendations in the December 2012 <i>Final Report of a Preliminary Economic Feasibility Assessment of a Publicly-Owned Electric Utility for the City of Santa Fe and Santa Fe County</i> ; and Directing Staff to Report Back to the Governing Body on Staff's Findings Which Shall Include Options, Pros and Cons, Recommendations and Fiscal Impact Related to Such Recommendations.	Public Utilities – 12/3/14 Finance – 1/5/15 Council – 1/14/15
	A Resolution Relating To Montano Street; Repealing Resolution No. 2013-4 Which Mandated City Staff Take No Further Action To Connect Montano Street; And Directing Staff To Explore And Make Recommendations To The Governing Body On Whether A Through-Street Will Benefit The Montano Street Neighborhood And The City At Large By Relieving Traffic, Parking And Emergency Access Problems.	Public Works – 12/8/14 Finance – 1/5/15 Council – 1/14/15
<b>Councilor Chris Rivera</b>		
<b>Co-Sponsors</b>	<b>Title</b>	<b>Tentative Committee Schedule</b>
<b>Councilor Ron Trujillo</b>		
<b>Co-Sponsors</b>	<b>Title</b>	<b>Tentative Committee Schedule</b>

Introduced legislation will be posted on the City Attorney's website, under legislative services. If you would like to review the legislation prior to that time or you would like to be a co-sponsor, please contact Melissa Byers, (505)955-6518, [mdbyers@santafenm.gov](mailto:mdbyers@santafenm.gov) or Rebecca Seligman at (505)955-6501, [rxseligman@santafenm.gov](mailto:rxseligman@santafenm.gov).

CITY OF SANTA FE, NEW MEXICO

RESOLUTION NO. 2014-\_\_\_\_

INTRODUCED BY:

Councilor Carmichael Dominguez

A RESOLUTION

ADOPTING THE 2014 SANTA FE CITY AND COUNTY ADVISORY COUNCIL ON FOOD  
POLICY FOOD PLAN ENTITLED *PLANNING FOR SANTA FE'S FOOD FUTURE:  
QUERENCIA, A STORY OF FOOD, FARMING AND FRIENDS.*

**WHEREAS**, Resolution 2008-5 was a joint City/County resolution that established a food  
policy for the City of Santa Fe and Santa Fe County and created the Santa Fe City and County  
Advisory Council on Food Policy ("Council"); and

**WHEREAS**, the purpose of the Council is to integrate all departments of the City and  
County as well as non-profit organizations and food and farming businesses in a common effort to  
improve the availability of safe and nutritious food at reasonable prices for all residents, particularly  
those in need; and

**WHEREAS**, the Council recommends food policies for the County government to adopt and  
implement relating to: direct service of food, lobbying and advocacy before state and federal  
legislatures and agencies, referral to social services, economic development and education on  
nutrition and health; and

1       **WHEREAS**, *Planning for Santa Fe's Food Future: Querencia, A Story of Food, Farming*  
2 *and Friends* (the "Plan") was developed by the Council as a guiding policy document to ensure that a  
3 safe, healthy, and affordable food supply will be available to all residents; and

4       **WHEREAS**, the *Plan's* recommendations are aligned with existing policy documents, such  
5 as the *Sustainable Growth Management Plan*, the *2014 Santa Fe County Economic Development*  
6 *Plan*, and the *County Health Action Plan*; and

7       **WHEREAS**, the Plan is based on input from community members and stakeholders in the  
8 Santa Fe County food system; and

9       **WHEREAS**, at least 14.9 % of individuals living in Santa Fe County can be classified as  
10 "food insecure" meaning that they live in a household in which access to food adequate to support a  
11 healthy lifestyle is limited or uncertain, and these individuals are therefore at a higher risk for diabetes  
12 and obesity because the only foods they can afford are high in calories and poor in nutrients; and

13       **WHEREAS**, obesity increases the risk of numerous diseases including cancer, heart disease,  
14 stroke and Type 2 Diabetes, and the percentage of Santa Fe County adults who are obese increased  
15 from 14.5 percent in 2004 to almost 20 percent in 2010; and

16       **WHEREAS**, farming and ranching have historically been important elements of the  
17 economy and culture of Santa Fe County and there are farms and ranches in Santa Fe County that are  
18 likely to be developed for non-agricultural or ranching purposes soon; and

19       **WHEREAS**, the *Plan* provides education about food access and affordability, nutrition  
20 education, and agricultural opportunity by recommending actions which build a food system that  
21 nourishes all people in our community in a just, sustainable and regenerative manner.

22       **NOW, THEREFORE, BE IT RESOLVED** by the Governing Body hereby approves the  
23 2014 Santa Fe Food Plan, "*Planning for Santa Fe's Food Future: Querencia. a Story of Food.*  
24 *Farming and Friends*," and adopts this document as the guiding policy document for food system  
25 development in the City of Santa Fe.

PASSED, APPROVED and ADOPTED this \_\_\_\_ day of \_\_\_\_\_, 2014.

\_\_\_\_\_  
JAVIER M. GONZALES, MAYOR

ATTEST:

\_\_\_\_\_  
YOLANDA Y. VIGIL, CITY CLERK

APPROVED AS TO FORM:

\_\_\_\_\_  
KELLEY A. BRENNAN, CITY ATTORNEY

1