City of Santa Fe

Agenda

REGULAR MEETING OF
THE GOVERNING BODY
SEPTEMBER 30, 2015
CITY COUNCIL CHAMBERS

CITY CLERK'S OFFICE
DATE 9/25/15 TIME 3:30pm
SERVED BY
RECEIVED BY

AFTERNOON SESSION – 5:00 P.M.

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 – September 9, 2015
9. PRESENTATIONS
   a) September 2015 Employee of the Month – David Rasch, Planner Supervisor, Historic Preservation – Land Use Department. (5 Minutes)
10. CONSENT CALENDAR
    a) Request for Approval of Amendment No. 1 to Construction Services Agreement – On Call Roadway and Trails Construction Services; GM Emulsions, Inc. (Michelle Martinez)
    b). Request for Approval of Amendment No. 5 to Amended and Restated Railyard Lease and Management Agreement; Santa Fe Railyard Community Corporation. (Robert Siqueiros)
    c) Request for Approval of Professional Services Agreement – On Call Engineering Services for Water Resources Management and Water System Improvement for Water Division (RFP #15/41/P); CDM Smith. (Bill Schneider)
       1) Request for Approval of Budget Adjustment in the Amount of $136,016.

d) Request for Approval of On-Call Miscellaneous HVAC Services for Wastewater Treatment Plant Under the Existing City of Santa Fe CIP Agreement (Bid No. 15/07/B); Yearout Services, LLC. (Kathleen Garcia)

1) Request for Approval of Budget Increase in the Amount of $250,537.

e) Request for Approval of Memorandum of Understanding Relating to the Stacy Community Property Trust – Allowing Discharge into the County Wastewater Collection System and then into the City Wastewater Collection and Treatment System; Santa Fe County. (Stan Holland)

f) Request for Approval of 2015 Emergency Management Performance Grant Program Sub-Grant Agreement; New Mexico Department of Homeland Security & Emergency Management. (David Silver)

1) Request for Approval of Budget Increase in the Amount of $62,660.48.

g) Request for Approval of Amendment No. 1 to Professional Services Agreement; Interfaith Community Shelter Group. (Chris Sanchez)

1) Request for Approval of Budget Increase in the Amount of $5,000.

h) Request for Approval of Budget Adjustment to Fund Programs Run by the Fire Department and Human Resources Department through Risk Management and Safety for a Total Amount of $140,000. (Barbara Boltrek)

i) Request for Approval of Amendment to Investment Policy. (Helene Hausman)

j) Request for Approval of Procurement Under State Price Agreements – Thirty (30) Replacement Vehicles and Equipment for Police Department for Fiscal Year 2015/2016; Various Vendors. (Deputy Police Chief John Schaerfl)

1) Request for Approval of Budget Increase in the Amount of $74,500.

k) Request for Approval of Professional Services Agreement – Business Education Program for Small Businesses (RFP #15/38/P); SCORE. (Fabian Trujillo)

l) Request for Approval of Professional Services Agreements – Continuum of FY 2015/2016 HUD's Shelter Plus Care Grant Program. (Alexandra Ladd)

1)	Santa Fe Community Housing Trust (Tenant-Based – Annual Renewal)	$143,129
2)	The Life Link/La Luz (Project Based – Annual Renewal)	$245,382
3)	The Life Link/La Luz (Tenant Based – Annual Renewal)	$428,678
4)	The Life Link/La Luz (C) (Tenant Based – Annual Renewal)	$135,059

m) Request for Approval of Re-Appropriations:

1) Request for Approval of Remaining FY 2014/15 Budget from State Homeland Security Grant (Competitive Allocation) to FY 2015/16 for Equipment Purchases for Office of Emergency Management Communications/Utility Support Project. (David Silver)

2) Request for Approval of Remaining FY 2014/15 Budget from State Homeland Security Grant Providing Equipment Purchases for Fire and Police Departments to Fund Office of Emergency Management Exercise Initiative for FY 2015/16. (David Silver)

n) CONSIDERATION OF RESOLUTION NO. 2015-___. (Councilor Dominguez and Councilor Rivera)
A Resolution Authorizing and Directing Staff to Waive the Park and Pavilion Fees at the Southwest Area Node (SWAN) Park for One Year. (Robert Carter)

o) CONSIDERATION OF RESOLUTION NO. 2015-___. (Mayor Gonzales)
A Resolution to Support the Rockefeller Foundation Project "100 Resilient Cities" and Request Staff to Submit an Application for Consideration as One of the 33 Cities to be Chosen for the Project. (David Silver)

p) CONSIDERATION OF RESOLUTION NO. 2015-___. (Mayor Gonzales, Councilor Bushee, Councilor Ives and Councilor Lindell)
A Resolution Directing Staff to Explore the Feasibility of Staging a New Year's Eve Event on the Plaza on December 31, 2015; Directing Staff to Report Back to the Governing Body Within 30 Days. (Jesse Guillen)

q) CONSIDERATION OF RESOLUTION NO. 2015-___. (Mayor Gonzales)
A Resolution Supporting the Application and Response to the Request for Proposals Issued by the North Central New Mexico Economic Development District, Non-Metro New Mexico Area Agency on Aging for Continuation of Services for the Senior Citizens of the City of Santa Fe. (Ron Vialpando)

r) CONSIDERATION OF RESOLUTION NO. 2015-___. (Councilor Maestas and Councilor Ives)
A Resolution Directing Staff to Analyze the Current Land Development Code, Chapter 14-6.2, and Make Recommendations with Respect to Short Term Rentals. (Lisa Martinez)

s) CONSIDERATION OF RESOLUTION NO. 2015-___. (Mayor Gonzales and Councilor Bushee)
A Resolution Sponsoring the Upcoming Beirut Concert, a Free Community Event, Scheduled for October 4, 2015 on the Santa Fe Plaza; Authorizing the Closure of San Francisco Street for the Event to Allow for Food Vehicle Vendors in the Plaza Area. (Jesse Guillen)

t) Request for Approval of Findings of Fact and Conclusions of Law: (Zachary Shandler)

1) Code Section 26-1.33(E). Alternative Compliance Approval with the Santa Fe Homes Program Affordable Housing Requirements.

2) Case #2014-124. Pulte Las Soleras General Plan Amendment.

3) Case #2014-123. Pulte Las Soleras Master Plan Amendment.

4) Case #2014-125. Pulte Las Soleras Rezoning to R-6.

5) Case #2015-09. Pulte Las Soleras Electrical Transmission Line Relocation.

SS002 rmd 11402

11. Request for Approval of Capital Projects Budget Appropriation for FY 2015/16. (Oscar Rodriguez)

12. State of the Municipal Court. (Judge Ann Yalman) **(Postponed at August 26, 2015 City Council Meeting)**

13. MATTERS FROM THE CITY MANAGER

14. MATTERS FROM THE CITY ATTORNEY

Executive Session

In Accordance with the New Mexico Open Meetings Act §§10-15-1(H)(7) and (8) NMSA 1978, Discussion Regarding Pending Litigation in Which the City of Santa Fe is a Participant, Including, without Limitation: Discussion and Update on Mediation under the Dispute Resolution Provision of the Water Resources Agreement Between the City of Santa Fe and Santa Fe County; *City of Santa Fe v. The Liquid Company Inc., et al.*, First Judicial District Court, No. D-101-CV-2015-01330; and Discussion of the Purchase, Acquisition or Disposal of Real Property or Water Rights by the City of Santa Fe, Including, without Limitation, the Transfer to the City of Santa Fe of an Interest in Real Estate by Solace Crisis Treatment Center to Effectuate the Expenditure of Funds Appropriated in 2013 by the Legislature for Building Repair and the Purchase and Installation of Information Technology and Related Infrastructure. (Kelley Brennan)

15. Action Regarding the Transfer to the City of Santa Fe of an Interest in Real Estate by Solace Crisis Treatment Center to Effectuate the Expenditure of Funds Appropriated in 2013 by the Legislature for Building Repair and the Purchase and Installation of Information Technology and Related Infrastructure. (Theresa Gheen)

16. MATTERS FROM THE CITY CLERK

17. 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

- Economic Development Review Subcommittee

H. PUBLIC HEARINGS:

1) Request from Sage Baking Co. Ltd. for a Restaurant Liquor License with Patio Service (Beer and Wine for On-Premise Consumption Only) to be Located at Sage Bakehouse, 535 Cerrillos Road, Suite C. (Yolanda Y. Vigil)

2) Request from D.T.A., LLC for the Following: (Yolanda Y. Vigil)

   a) Pursuant to §60-6B-10 NMSA 1978, a Request for a Waiver of the 300 Foot Location Restriction to Allow the Sale of Wine at Interior Route Wines, 411 W. Water Street, Suite C, Which is Within 300 Feet of Our Lady of Guadalupe Church, 417 Agua Fria Street.

   b) If the Waiver of the 300 Foot Restriction is Granted, a Request from D.T.A., LLC for a Winery Off-Site Liquor License to be Located at Interior Route Wines, 411 W. Water Street, Suite C.

3) Request from Guadalupe, LLC for a Small Brewer's License to be Located at Pizzeria da Lino, 204 N. Guadalupe. (Yolanda Y. Vigil)

4) Request from Turquoise Trail Fine Spirits, LLC for a Rectifier License to be Located at Turquoise Trail Fine Spirits, LLC, 1630 Upper Canyon Road. (Yolanda Y. Vigil)

5) Request for Approval of Community Development Block Grant (CDBG) 2014-2015 Consolidated Annual Performance Evaluation Review (CAPER). (Margaret Ambrosino)

6) CONSIDERATION OF BILL NO. 2015-33: ADOPTION OF ORDINANCE NO. 2015-___. (Mayor Gonzales and Councilor Bushee)
An Ordinance Amending the Distress Merchandise Sale License Provisions, Section 18-5.1 SFCC 1987 to Require Additional Information be Provided With an Application for a Business License; and to Clarify Under What Circumstances a License Will be Denied. (Lisa Martinez) **(Postponed at September 9, 2015 City Council Meeting)**

7) CONSIDERATION OF BILL NO. 2015-35: ADOPTION OF ORDINANCE NO. 2015-__. (Mayor Gonzales, Councilor Dominguez, Councilor Rivera Councilor Dimas, Councilor Maestas, Councilor Ives, Councilor Bushee and Councilor Trujillo)
An Ordinance Relating to Early Voting; Amending Subsection 9-1.7 SFCC 1987 to Authorize the Municipal Clerk to Establish Alternate Early Voting Locations and Requirements for Such Locations. (Yolanda Y. Vigil)

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 955-6521, five (5) working days prior to meeting date.

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Wednesday, September 30, 2015

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MINUTES OF THE
REGULAR MEETING OF THE
GOVERNING BODY
Santa Fe, New Mexico
September 30, 2015

AFTERNOON SESSION

A regular meeting of the Governing Body of the City of Santa Fe, New Mexico, was called to order by Mayor Pro Tem Peter N. Ives, on Wednesday, September 30, 2015, 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
Councilor Peter N. Ives, Mayor Pro-Tem
Councilor Patti J. Bushee
Councilor Bill Dimas
Councilor Carmichael A. Dominguez
Councilor Signe I. Lindell
Councilor Joseph M. Maestas
Councilor Christopher M. Rivera
Councilor Ronald S. Trujillo

Members Excused
Mayor Javier M. Gonzales

Others Attending
Erik Litzenberg, Acting City Manager
Kelley A. Brennan, City Attorney
Yolanda Y. Vigil, City Clerk
Carl Boaz for Melessia Helberg, Council Stenographer

6. APPROVAL OF AGENDA

Acting City Manager Erik Litzenberg requested postponement of agenda items 14 and 15 on the Afternoon Agenda to the next meeting of the City Council on October 14, 2015.

Councilor Bushee asked Ms. Brennan if that will be a problem, saying she knows they need that money.

Kelley Brennan, City Attorney said, "I think you know that we have been working on coming up with a document formula that will be approved by DFA so they can receive the funds. And I think we have arrived at what might be a satisfactory formula and we're wrapping the documents and expect to bring that to you the next time."

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

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

7. APPROVAL OF CONSENT CALENDAR

Mayor Pro-Tem Ives noted his intent to join as co-sponsor on Items 10(o) and 10(s).

Councilor Bushee asked to be added as a cosponsor of 10(o) as well.

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

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

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

Against: None.

10. CONSENT CALENDAR

A copy of an Action Sheet from the Public Works/CIP and Land Use Committee meeting of Monday, September 28, 2015, regarding Item 10(s), is incorporated herewith to these minutes as Exhibit "1."

A proposed Amendment Sheet regarding Item 10(s), is incorporated herewith to these minutes as Exhibit "2."

a) REQUEST FOR APPROVAL OF AMENDMENT NO. 1 TO CONSTRUCTION SERVICES AGREEMENT – ON CALL ROADWAY AND TRAILS CONSTRUCTION SERVICES; GM EMULSIONS, INC. (MICHELLE MARTÍNEZ)

b) REQUEST FOR APPROVAL OF AMENDMENT NO. 5 TO AMENDED AND RESTATED RAILYARD LEASE AND MANAGEMENT AGREEMENT; SANTA FE RAILYARD COMMUNITY CORPORATION. (ROBERT SIQUEIROS)

c) REQUEST FOR APPROVAL OF PROFESSIONAL SERVICES AGREEMENT – ON CALL ENGINEERING SERVICES FOR WATER RESOURCES MANAGEMENT AND WATER SYSTEM IMPROVEMENT FOR WATER DIVISION (RFP #15/41/P); CDM SMITH. (BILL SCHNEIDER)
   1) REQUEST FOR APPROVAL OF BUDGET ADJUSTMENT IN THE AMOUNT OF $136,016.

d) REQUEST FOR APPROVAL OF ON-CALL MISCELLANEOUS HVAC SERVICES FOR WASTEWATER TREATMENT PLANT UNDER THE EXISTING CITY OF SANTA FE CIP AGREEMENT (BID NO. 15/07/B); YEAROUT SERVICES, LLC. (KATHLEEN GARCIA
   1) REQUEST FOR APPROVAL OF BUDGET INCREASE IN THE AMOUNT OF $150,537.

e) REQUEST FOR APPROVAL OF MEMORANDUM OF UNDERSTANDING RELATING TO THE STACY COMMUNITY PROPERTY TRUST – ALLOWING DISCHARGE INTO THE COUNTY WASTEWATER COLLECTION SYSTEM AND THEN INTO THE CITY WASTEWATER COLLECTION AND TREATMENT SYSTEM; SANTA FE COUNTY. (STAN HOLLAND)

f) REQUEST FOR APPROVAL OF 2015 EMERGENCY MANAGEMENT PERFORMANCE GRANT PROGRAM SUB-GRANT AGREEMENT; NEW MEXICO DEPARTMENT OF HOMELAND SECURITY & EMERGENCY MANAGEMENT (DAVID SILVER)
   1) REQUEST FOR APPROVAL OF BUDGET INCREASE IN THE AMOUNT OF $62,660.48

g) REQUEST FOR APPROVAL OF AMENDMENT NO. 1 TO PROFESSIONAL SERVICES AGREEMENT; INTERFAITH COMMUNITY SHELTER GROUP. (CHRIS SANCHEZ)
   1) REQUEST FOR APPROVAL OF BUDGET INCREASE IN THE AMOUNT OF $5,000.

h) REQUEST FOR APPROVAL OF BUDGET ADJUSTMENT TO FUND PROGRAMS RUN BY THE FIRE DEPARTMENT AND HUMAN RESOURCES DEPARTMENT THROUGH RISK MANAGEMENT AND SAFETY FOR A TOTAL AMOUNT OF $140,000. (BARBARA BOLTREK)

i) REQUEST FOR APPROVAL OF AMENDMENT TO INVESTMENT POLICY. (HELENE HAUSMAN)

j) REQUEST FOR APPROVAL OF PROCUREMENT UNDER STATE PRICE AGREEMENTS – THIRTY (30) REPLACEMENT VEHICLES AND EQUIPMENT FOR POLICE DEPARTMENT FOR FISCAL YEAR 2015/2016; VARIOUS VENDORS. (DEPUTY POLICE CHIEF JON SCHAERFL)

1) REQUEST FOR APPROVAL OF BUDGET INCREASE IN THE AMOUNT OF $74,500

k) REQUEST FOR APPROVAL OF PROFESSIONAL SERVICES AGREEMENT – BUSINESS EDUCATION PROGRAM FOR SMALL BUSINESSES (RFP #15/38/P); SCORE. (FABIAN TRUJILLO)

l) REQUEST FOR APPROVAL OF PROFESSIONAL SERVICES AGREEMENTS – CONTINUUM OF FY 2015/2016 HUD'S SHELTER PLUS CARE GRANT PROGRAM. (ALEXANDRA LADD)

1)	SANTA FE COMMUNITY HOUSING TRUST (TENANT-BASED – ANNUAL RENEWAL)	$143,129
2)	THE LIFE LINK/LA LUZ (PROJECT BASED – ANNUAL RENEWAL)	$245,382
3)	THE LIFE LINK/LA LUZ (TENANT-BASED – ANNUAL RENEWAL)	$438,678
4)	THE LIFE LINK/LA LUZ (C) (TENANT-BASED – ANNUAL RENEWAL)	$135,059

m) REQUEST FOR APPROVAL OF RE-APPROPRIATIONS:

1) REQUEST FOR APPROVAL OF REMAINING FY 2014/15 BUDGET FROM STATE HOMELAND SECURITY GRANT (COMPETITIVE ALLOCATION) TO FY 2015/16 FOR EQUIPMENT PURCHASES FOR OFFICE OF EMERGENCY MANAGEMENT COMMUNICATIONS/UTILITY SUPPORT PROJECT. (DAVID SILVER)

2) REQUEST FOR APPROVAL OF REMAINING FY 2014/15 BUDGET FROM STATE HOMELAND SECURITY GRANT PROVIDING EQUIPMENT PURCHASES FOR FIRE AND POLICE DEPARTMENTS TO FUND OFFICE OF EMERGENCY MANAGEMENT EXERCISE INITIATIVE FOR FY 2015/16. (DAVID SILVER)

n) CONSIDERATION OF RESOLUTION NO. 2015-85 (COUNCILOR DOMINGUEZ AND COUNCILOR RIVERA). A RESOLUTION AUTHORIZING AND DIRECTING STAFF TO WAIVE THE PARK AND PAVILION FEES AT THE SOUTHWEST AREA NODE (SWAN) PARK FOR ONE YEAR. (ROBERT CARTER)

o) CONSIDERATION OF RESOLUTION NO. 2015-86 (MAYOR GONZALES, COUNCILOR IVES AND COUNCILOR BUSHEE). A RESOLUTION TO SUPPORT THE ROCKEFELLER FOUNDATION PROJECT "100 RESILIENT CITIES," AND REQUEST STAFF TO SUBMIT AN APPLICATION FOR CONSIDERATION AS ONE OF THE 33 CITIES TO BE CHOSEN FOR THE PROJECT. (DAVID SILVER)

p) CONSIDERATION OF RESOLUTION NO. 2015-87 (MAYOR GONZALES, COUNCILOR BUSHEE, COUNCILOR IVES AND COUNCILOR LINDELL). A RESOLUTION DIRECTING STAFF TO EXPLORE THE FEASIBILITY OF STAGING A NEW YEAR'S EVE EVENT ON THE PLAZA ON DECEMBER 31, 2015; DIRECTING STAFF TO REPORT BACK TO THE GOVERNING BODY WITHIN 30 DAYS. (JESSE GUILLEN)

q) CONSIDERATION OF RESOLUTION NO. 2015-88 (MAYOR GONZALES, COUNCILOR MAESTAS AND COUNCILOR IVES). A RESOLUTION SUPPORTING THE APPLICATION AND RESPONSE TO THE REQUEST FOR PROPOSALS ISSUED BY THE NORTH CENTRAL NEW MEXICO ECONOMIC DEVELOPMENT DISTRICT, NON-METRO NEW MEXICO AREA AGENCY ON AGING FOR CONTINUATION OF SERVICES FOR THE SENIOR CITIZENS OF THE CITY OF SANTA FE. (RON VIALPANDO)

r) CONSIDERATION OF RESOLUTION NO. 2015-89 (COUNCILOR MAESTAS AND COUNCILOR IVES). A RESOLUTION DIRECTING STAFF TO ANALYZE THE CURRENT LAND DEVELOPMENT CODE, CHAPTER 14-6.2, AND MAKE RECOMMENDATIONS WITH RESPECT TO SHORT TERM RENTALS. (LISA MARTÍNEZ)

s) CONSIDERATION OF RESOLUTION NO. 2015-90 (MAYOR GONZALES ~~AND~~ COUNCILOR BUSHEE, AND COUNCILOR IVES). A RESOLUTION SPONSORING THE UPCOMING BEIRUT CONCERT, A FREE COMMUNITY EVENT, SCHEDULED FOR OCTOBER 4, 2015, ON THE SANTA FE PLAZA; AUTHORIZING THE CLOSURE OF SAN FRANCISCO STREET FOR THE EVENT TO ALLOW FOR FOOD VEHICLE VENDORS IN THE PLAZA AREA. (JESSE GUILLEN)

t) REQUEST FOR APPROVAL OF FINDINGS OF FACT AND CONCLUSIONS OF LAW (ZACHARY SHANDLER)
   1) CODE SECTION 26-1.33(E). ALTERNATIVE COMPLIANCE APPROVAL WITH THE SANTA FE HOMES PROGRAM AFFORDABLE HOUSE REQUIREMENTS.
   2) CASE #2014-124. PULTE LAS SOLERAS GENERAL PLAN AMENDMENT.
   3) CASE #2014-123. PULTE LAS SOLERAS MASTER PLAN AMENDMENT.
   4) CASE #2015-09. PULTE LAS SOLERAS ELECTRICAL TRANSMISSION LINE RELOCATION.

8. APPROVAL OF MINUTES: REGULAR CITY COUNCIL MEETING – SEPTEMBER 9, 2015

MOTION: Councilor Trujillo moved, seconded by Councilor Rivera, to approve the minutes of the Regular City Council meeting of September 9, 2015, as presented.

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

9. PRESENTATIONS

a) SEPTEMBER 2015 EMPLOYEE OF THE MONTH – DAVID RASCH, PLANNER SUPERVISOR, HISTORIC PRESERVATION – LAND USE DEPARTMENT.

Mayor Pro-Tem Ives read the letter of nomination into the record and presented David Rasch with a plaque along with check for $100 from the Employee Benefits Committee.

Mr. Rasch said he is really passionate about Santa Fe and is enthusiastic about the future of architecture in Santa Fé, saying, "By the way, Santa Fe and me, we are BFF. Thank you."

Councilor Dominguez thanked Mr. Rasch for all of your work with the City Santa Fé, commenting he knows he has been on various sides when it comes to historic preservation and has always been excited about "your attempt and your ability to stay as neutral as you can and to whatever you could that you felt best for the City of Santa Fe."

Councilor Trujillo said he would echo those words as well, commenting that "your passion shows when you give your presentations and it definitely helps me make those decisions. We may not always have agreed but your passion for architecture and this community always show when you present to us."

Councilor Lindell said, "I've had the pleasure working with you both as a Councilor and as someone coming to the City and working through the historic process. I appreciate how you go about your work, and what I really appreciate is that you have a deep-seated knowledge that once we breach a historic boundary, we don't go back. It's gone forever and that's really important to all of us, so thank you very much."

Councilor Bushee said you are being recognized for your skills, passion and devotion to our historic-ness. We wouldn't be much without the preservation of our culture and history. You have a very important job and you do it well.

Mayor Pro-Tem Ives said, "As a final word. I know whenever anything has been through HDRB comes to us, that we will be fully informed on the law, the facts, and that is what allows us to make intelligent decisions as a Governing Body. I appreciate very much your dedication to Santa Fe, your dedication to the City and the dedication to doing a great job on behalf of the city in bringing things before the Governing Body, so what a pleasure."

11. REQUEST FOR APPROVAL OF CAPITAL PROJECTS BUDGET APPROPRIATION FOR FY 2015/16. (OSCAR RODRIGUEZ)

Mr. Rodriguez reviewed the information in his Memorandum of September 17, 2015, which is in the Council packet. Please see this Memorandum for specifics of this presentation.

Mr. Rodriguez said he will be making a more detailed presentation to the Finance Committee on Monday.

The Governing Body commented and asked questions as follows:

- Councilor Maestas said this is a good thing, positive and we are going to start doing things as we should do. He said a lot of his constituents are upset about the condition of Patrick Smith Park, commenting it needs some irrigation and other work. We budgeted $66,000 and the bids were $30,000 above the budgeted amount. He asked if the Patrick Smith Park irrigation system replacement is on this list.

  Mr. Rodriguez no, it is part of the 2012 Bond package that we will be bringing back together, with a plan for addressing these issues. and we will bring that back to show you.

- Councilor Maestas asked what is the timeframe to make additional budget available to hire that contractor and make the repairs at Patrick Smith Park.

  Mr. Rodriguez said the Council can revisit the policy direction tonight and use City works for that project. He said they want to bring this to the Governing Body.

- Councilor Maestas said it is a double-edged sword with the 2008 bond controversy and the less desirable account. However, the situation of Patrick Smith Park illustrates the need for our City to be more nimble in moving forward with the improvements, and not have to wait so long to get additional budget. He said, "So, without compromising on proper accounting, is there any way we can factor in some contingencies in this CIP." He understands these are ongoing contracts and it's not about an estimated amount versus what was contracted.

  Mr. Rodriguez said, for example the $1.2 million for salaries isn't a specific contract. It is completely within your right to make changes here. He said the only thing that is here is what we're asking for to get these projects moving forward. He said if the Governing Body accepts it and amends it add X amount of dollars from our cash ending balance to put here that is the purpose of bringing this to the Council.

- Councilor Maestas said this is a snapshot and what we know today, but these projects can change, the costs could increase or decrease. He feels we need a contingency set aside to account for those changes, so you don't have to keep coming to us to get additional budget authority to incorporate additional work that would expand the scope of the project. He said he doesn't have specific guidance, but the direction to staff would be as we look to future policy, "I would like some contingency budget factored into this. That way staff are empowered if there are significant changes that they can go ahead do that. There is a contingency budget in there. They have the authority within a certain amount, and I don't know what the amount is."

Mr. Rodriguez said under the Charter it is $50,000. The Finance Director can make a change of $5,000, and the City Manager can make a change up to $50,000. Anything beyond that must come to you. You can't delegate an amount lower than that without changing the Charter. He understands Councilor Maestas's concern, and said "At the same time what we want to do is follow the policy that has been given us, which is to be more transparent, put it up here. And by the way, a big objective we have with this is to a lot better job of reporting the status of these projects to you. We ask for appropriations. We ask for budgets. And we try to come in with those appropriations on the mark as much as possible. And if there are changes along the way that we can foresee, we will tell you ahead of time. Until now, the way it's worked, and I apologize if I'm repeating a refrain, that I hate myself because I hear it a lot, the way it's always been done up until now is that the projects just rolled forward. And when there is a problem or they need to come to you for specific change, etc., only at that time they come to you. We're trying to change that so you have a straight-ahead plan that we will be accountable for over the course of the year."

- Councilor Maestas asked in the future, if bond projects will be included when it is approved.

Mr. Rodriguez said all the bond projects are here, reiterating the reason the 2012 projects aren't included is because they want to take full stock of those impacts, and come back with a recommendation for addressing that. If there is no other way but to go to cash and appropriate from the cash pool to this project, we'll recommend that. At this time, he doesn't have the detail of the information to do that.

- Councilor Maestas said Acting City Manager Litzenberg spoke about a variance that requires Governing Body approval, and the current situation with Patrick Smith Park is that the budget variance is under $50,000 and another $33,000 of budget to award the contract to complete the improvements. He asked, "Is there any way we can do this administratively since it is less than the $50,000. I don't want to put you on the spot, but if you can look into that to see what we can do. Kelley do you want to respond to that."

Ms. Brennan said, "I believe the question is one of cumulative expenditure. I think that Brian has said it can't be done administratively, but I'm not sure. We can certainly look into that questions."

David Pfeifer, Facilities Division Director, said the 2012 Parks Bond was a General Obligation Bond approved by the voters to allocate X number of dollars to all the parks, and it was all separated. So each park was allotted so much money. There is no contingency in that money for additional work. It would have to be transferred from a different park to that park, a park that didn't have enough funds to the whole project. And that's what's being worked on through the PARC to figure out how to make the funds work. That's what's going before them, so that's how that can get solved, but it can't get solved by us and the City Manager. It has to be reallocated and then you guys will have to approve that."

- Councilor Maestas said he doesn't mean to hold this hostage, but the situation at Patrick Smith Park illustrates our lack of responsiveness in the budget process. He said given the issues with the 2008 and 2012 Bond issues, he wants to find a solution without taking too much more time.

He said David Pfeifer said he has a solution, but it would have to be done by the Governing Body, which is to allow Patrick Smith to be finished by locals crews to finish the project. He said if it can be done that way, it can be brought in on budget, and completed in a timely manner.

- Councilor Maestas asked if there are savings in the 2012 Bond.

  Mr. Pfeifer said he can't answer that question right now.

- Councilor Maestas said we need to balance being responsive and nimble with being proper stewards of our funds. The Patrick Smith Park situation is gross and he wants it solved as soon as possible. He asked the thoughts of the Governing Body in allowing City crews to finish it. He asked if we can we address that tonight.

- Mayor Pro-Tem Ives said nothing has been noticed in that regard so he doesn't think it's possible, but we could address an amendment to the emergency policy put in place to not employ City workers for such things by the next Council meeting.

- Councilor Maestas reiterated he would like an administrative solution and a timeline on the contract or option. He said we've given you clear direction to discontinue the practice of using City labor on the 2012 Bond projects, but this situation is extraordinary and needs to be addressed.

- Councilor Trujillo there has to be a line item within Parks for Turf Rehabilitation. He said what they did for the skate park, they took the money from existing skate parks and reallocated to that because it was a skate park feature. He said if there are parks in 2006 and 2008 with funds left over for turf that can be reallocated to Patrick Smith Park. He said, "I'm all for using City workers. I am. They do a helluva job. Go look at Ragle, the basketball courts. You have my okay on that."

  Mr. Pfeifer said he really can't answer that at this point. He said when the City crews were stopped, they started working in another direction, so we would have to back and figure out if there is some money left over. He said, "The key to this is, if we take if from your area and put it to the money for their area, that becomes an issue sometimes."

- Councilor Trujillo said, "If my Park in District 4 didn't use all the money they needed to put in turf, and I don't need any more turf, I've got no problem with that. I never have. So what I'm asking is can we get this possibly the next Public Works, something in writing on paper to bring before Public Works so we can have that discussion. I agree with Councilor Maestas. I drove by there and saw how awful it looked. I didn't realize it had gotten that bad."

  Mr. Pfeifer said, "I would say yes, we can bring something to the Public Works Committee the next time, and come up with an idea for you guys."

- Councilor Dominguez asked if we will have the 2012 Bond at Finance on Monday, and Mr. Rodriguez said no.

- Councilor Dominguez said he has no problem with it going to Public Works, but believes it should go to Finance as well because that's where everything merges. He said, "It's not so much whether City workers work, I think they do excellent work. It's staff's ability, or inability in 2008 to account for that staff work and that's where the problem is. It sounds like it has been taken care of for 2012 but it certainly wasn't the case in 2008, so we don't have a complete and full accounting about the City workers and how much bond money was spent for those City workers. I just wanted to clear that up."

- Councilor Dominguez continued, "I don't mind Councilor Maestas having a discussion about this reallocation, but I would caution against giving the administration too much leeway, because that's what got us in trouble in the 2008 in the first place. Is giving them, without clear direction and clear parameters, about how and when that money should be spent. I wouldn't throw caution to the wind, because we don't want to put staff in a position where all of a sudden it wasn't clear enough for them and so they just kind of used their discretion. So I just wanted to say that."

- Councilor Dominguez continued saying he has questions about Patrick Smith Park and what's happened there. He asked if we have a fixed assets report for that park, or for the entire City of Santa Fe. Do we know how much we've purchased for that Park, from the bond or not.

  Mr. Rodriguez said it's not a fixed assets report, commenting when he hears that term he's thinking of something very different. He said, "We can and will give you an accounting of that when we come to you with the report for that project and all the other projects in 2012. That's what you asked for, and we're going to give that."

- Councilor Dominguez said that's where we need to look at the reallocation of how we spend that money. He said he has a park in District 3 that could use some upgrades, Cesar Chavez Park which is in many ways in worse condition that Patrick Smith Park. He said, "Where we're going to get that money and exactly how much it's going to cost, if we were to go into that direction and do a reallocation, I don't know yet, so I think we need to, at some point, go through a reallocation process. And maybe it's even through a policy that says any monies that are left over on each project get pulled together and the Governing Body has to divvy up that pool again. That's something that I would be open to tonight, if it's amenable to my colleagues, but I certainly don't want to complicate this process either. What is in front of us is a lot better information than we've received in the past, in the past it's been after the fact. So the appropriate or proper accounting, I certainly am in favor of. It really means that the administration is going to have to pay more close attention to project management area, but that's where the rubber hits the road in the project management area."

- Councilor Dominguez continued, "But, in terms of just saying, let's go ahead and give Patrick Smith Park whatever amount of money tonight, and even aside from giving the City Manager the leeway to spend up to $50,000 on that park from somewhere else, unless we have a defined funding source, I'm not in favor of doing that right now, until we have a chance to look at the entire 2012 program. Those are my comments on it."

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

DISCUSSION: Councilor Lindell asked if we were to be using the City work force and where this was budgeted originally, do the current budgeted funds cover the cost of what needs to be done at this park.

Mr. Pfeifer said yes.

Councilor Lindell said, "So we would not be talking about any allocation."

Mr. Pfeifer said, "There is enough funding, if we use the force crews accounts, to complete the irrigation system and get it running. There is not enough in the budget to go with a contractor. It's about 20% over to use a contractor to do that."

Councilor Lindell said, "I'm just trying to be as clear as I can be, that if we used City labor as we were originally doing, we would have enough money to complete that. My understanding also is that before the Resolution prohibiting the use of the City work force for these projects, that we had already purchased a sizable amount of irrigation supplies. That's a question."

Mr. Pfeifer said, "That is a true statement, that we purchased piping and irrigation supplies for that project."

Councilor Lindell asked, "Where are those supplies now."

Mr. Pfeifer said, "They are at the Parks Section. They have those supplies there. One of things I was just reminded of is there will be some associated with, I'm pretty sure we could probably bring it in on budget, but to reseed the whole Park at this point and bring it back, so there will be some costs associated with that, that was not in those BAR charts."

Councilor Lindell said, "I would be inclined to move forward with allowing the City work force to do this so we can get it done. We've bought supplies already, they're sitting, they're waiting and it wouldn't require a reallocation. You know, hopefully, we've learned some lessons about project management, and keeping records on how they need to be kept with bonds and having the City work force do work. And I see you nodding your head, Oscar, so I'm going to take that into the affirmative."

FRIENDLY AMENDMENT: Councilor Lindell, acknowledging there is a motion on the floor, would like to amend the motion to allow us to proceed without any reallocation, to use the supplies we've purchased and to go ahead with City workers to complete that project on budget at Patrick Smith Park.

DISCUSSION ON FRIENDLY AMENDMENT: Councilor Dominguez said he might be willing to do that, but he wants to know where the budget sits for that Park right now.

Mayor Pro-Tem Ives said, "A point of order for the City Attorney. Is this an action we can or cannot take at this meeting."

Ms. Brennan said, "I'm really not sure. In either Resolution 2015-50 or 2015-51, you directed staff not to use work force crews to complete any of the bond work. To the extent there is a Resolution, typically we would amend the Resolution or adopt a new Resolution altering that provision, which we could bring forward, I assume at the next Public Works, which would address the notice provisions."

Mayor Pro-Tem Ives said, "I guess my inclination on this point is that it would be prudent to wait for the next City meeting. I agree, we've got to get this moving forward, but I think we need to do it right. Part of our problem is we haven't been doing these things right. So, if we can have that action teed-up, and that would give those actually charged with doing the work, an opportunity to really help us understand whether or not we do have enough to get that done."

Ms. Brennan said, "I would suggest that the motion would be to amend the Resolution prohibiting it, to permit this specific instance and that we bring it forward to Public works."

WITHDRAWAL OF FRIENDLY AMENDMENT: Councilor Lindell asked, "Ms. Brennan would you like for me to withdraw my very friendly amendment and make a separate motion."

Ms. Brennan said, "I think a specific motion to that point would be best under the circumstances rather than the motion that is on the floor now."

Councilor Dominguez said, "For clarification, Mayor Pro-Tem, we are not going to debate the Amendment tonight obviously. It's just basically direction to start the process in getting that amended. I can support that."

Councilor Dimas said he agreed with the friendly amendment,

Councilor Bushee said she supports the effort, commenting, "And don't think we need any more archaeological studies, or do we."

POINT OF ORDER: Ms. Brennan said, "Just on a point of Order, Councilor Dominguez had a motion, on the floor, the friendly has been withdrawn, I think your motion was somewhat different. Do you want to withdraw that and restate the motion."

Councilor Dominguez said, "Basically it [the motion] is to give direction to staff to start the process to amend the Resolution that prohibited the use of the City work force. I'll just leave it at that. I don't want to be specific to Patrick Smith Park, because if our Finance Department has everything in order, and it's proven to us that they have everything in order, that's something may be appropriate for all parks as it pertains to the 2012 Bond, not as it pertains to any other program that we have. So that would be it."

CLARIFICATION OF MOTION: Ms. Brennan said, "So, just to understand, with respect, you are asking us to bring forward a Resolution amending the prior Resolution prohibiting the use of work force crews to complete work in a specific instance." **Councilor Dominguez** said, "Not in a specific instance." **Ms. Brennan** said, "No. Just to bring forward a general [Resolution]."

CONTINUATION OF DISCUSSION ON THE MOTION: Councilor Bushee said she has a concern over the $1.25 million that goes to salaries for Parks Maintenance still being included in this. She said, "I don't know if you want to call that bridging strategy, or just a plain bad idea, but we've been doing it for some time. So what is the plan to stop paying for salaries for maintenance from our construction bond."

Mr. Rodriguez said, "Just to be absolutely clear what you see here. It's not $1.274 million, it's actually $1.35 million in maintenance. So all the numbers you see above and blow that are, in essence maintenance. So pardon if I make that very specific point. It is a significant amount above that. The reason we're doing this is because the bond package was designed this way. This money was put into the bond package at the very beginning. And regardless of how we go here, this is the last of it. There is no more funding, so there's no longer a decision here about should we continue it. It will end and I'm recommending strongly that we not go out for more bonds for some time now, and if I'm still around here as Finance Director I will be recommending against using that money to pay for maintenance again."

Councilor Bushee asked, "How are you suggesting we pay for our Parks Maintenance salaries."

Mr. Rodriguez said, "That's a big discussion we're going to start to have on Monday, where I outline for you very clearly the $15 million deficit that we've been talking about for some time. And there are a lot of things that I will be recommending that you do. One of them is that you just accept that we're not going to get out of this right away, but that we will have a plan to stop doing things like this for the next 2-3 years."

Councilor Bushee said, "Didn't you indicate to us that it's actually closer to $21 million of CIP concerns."

Mr. Rodriguez said, "Depending on how you define deficit. For example, I'm going to bringing to you the funds that are in deficit now, that are immediately in deficit. There are funds that are structurally in deficit, spending more than they're bringing in, but there's still a little cash in them to keep them going for another year or so, but that process will escalate. Next year, what you're looking at is $14.6 million of expenditure that the City has been keeping up with many bridging strategies. This is one of those, and I'll be talking about it specifically. So the solution to that, I'm afraid, is going to have to be a two to three, even a four year plan where you cut back things, you raise taxes, you do things in a very different fashion. And I'm afraid we'll have to do all of the above to get out of that in the next 2-3 years. That, and definitely revisiting the existing policy you have not to transfer money from other funds, or at least explicit transfer monies from other funds which is a practice which has been going on for years. And if you do nothing at all, you continue doing that, even into the next two years."

Councilor Bushee said, "Just to be clear, maybe I misheard in another meeting, that $21 million was the deficit we were aiming for."

Mr. Rodriguez said, "Structurally speaking yes. Cash wise speaking about $14.6 million."

Councilor Bushee said, "Then you would count things like this $1.35 million."

Mr. Rodriguez said, "No. Cash wise, I would count that $1.35 million, because you're not going to have that next year. Structurally, I'm talking about funds that have a little more cash to go but in year, at most two, will go into cash deficit."

Councilor Bushee what those would be.

Mr. Rodriguez said, "Well, gosh, I'm kind of blank at this point. I'll point those out to you very definitely, but there's many dozens of them actually."

Councilor Bushee said she doesn't serve on Finance and would suggest that collectively we look at this with the highest number.

Mr. Rodriguez said, "Well, just to name some. The Economic Development Fund. The Municipal GRT for example has a little bit more cash. You spend at the rate of about $8.6 million and there is only $755 in cash available, so this year it's not in cash deficit but going into next year it will be. Look, I've got, Insurance claims is another one, I guess I could go down the list there. But if you add them all up you are looking at costs exceeding recurring revenues by about $20 million."

Mayor Pro-Tem Ives said perhaps on this point, we could ask Mr. Rodriguez to come before Public Works as well with that presentation, and Mr. Rodriguez said, "Will do."

Councilor Bushee agreed. She said, "All I'm suggesting is that we not just look at immediate stop gap measures and that we look to the future a little bit further and make sure we're doing everything we gotta, and put everything out on the table."

Mr. Rodriguez said, "That would be my strong recommendation. And by the way, these are some of the first steps to that. You have all that information there. And with your permission, I would like to add just a little more information to the conversation we were having earlier about Patrick Smith Park. The fact is, and it may not be terribly satisfactory to hear, but the fact is we are past the seeding season. So even in the most ideal circumstances, at this stage we would not be recommending to begin that process. That would happen much later on, and at this point, all we're talking about is just doing the construction for the irrigation. And another bit of information. We bought the materials for that, but when we go out for bids, the contractors are not going to accept that material, or warranty that material. They will buy their own, and I hope you understand why that would happen. So that material would have to be put aside and be used as spare parts elsewhere. So we are in that situation with that park. Given that the summer has already passed, from this point forward, time is not lost."

Councilor Rivera asked how we can be in a $15 million deficit and be spending $45 million on CIP projects, and asked him to explain the different in the funding sources and why it doesn't affect that.

Mr. Rodriguez said, "What you have here are projects for which there is money. Some of these are grant funded projects, many are bond funded projects, and hardly any are being paid from cash which is where our deficit is. Even when you get the capital budget we're going to submit to you late next month, you will see there is a lot to do without touching cash, but we are going to be recommending to you to be touching

cash at some point. So this doesn't put us into a worse position than we already are. One of the things that has suffered, one of the bridging strategies that has been used in the past is to not do capital improvements, or to cut back maintenance which increases cost over the long term. That would also be a strategy I would recommend to you as a way to close that gap."

Councilor Rivera thanked Mr. Rodriguez for being specific on each topic, such as the bridges.

Councilor Rivera asked about the pilot project with green bike lanes which was approved for a report back, and asked if the Road Sharrows projects on page 3 of 9 proceeds before we have those recommendations. He would hate to spend a lot of money and then find out that the Green Road Sharrows project has been very successful and we're going to switch everything to that.

Councilor Bushee said, "All I would suggest is that the money has been pursued, there is a subcommittee of BTAC that has a plan for where the monies go. In fact, I think the Green Lanes, or the little sections of them, may have been free, some of them or demo projects. So we started with $50,000. I don't even know if we used it. Part of the problem is it is very pricey and are going to be very sporadic and the Sharrow Program, whether or not you use those, have been put in place throughout the City and a lot of it is refreshing. You know they're many years old and they get very dirty very quickly, and then some new areas as we move along and streets develop. I would suggest that we continue to have discussions and see if there are some critical areas where the Green Lanes can come in and consider shifting some of those fund. But I wouldn't suggested that all of the money would even be contemplated, because I think a lot of it has sort of been programmed already."

Councilor Rivera said it sounds as if Councilor Bushee has a good handle on that.

Responding to Councilor Rivera, Mr. Rivera said, "That is the crux of the problems that we're trying to solve here, is to get all this information in front of you in a way that you can ask that question on specific projects and we will have the managers of the projects to be able to answer those questions specifically. And the 5-year plan will allow for exactly that conversation."

Mr. Rodriguez said the way the projects have been managed has not been bad, and have been managed the way they were asked to do it for years. He said the process didn't lend itself to easy oversight, or for you to see projects together. It isn't that they were doing the projects wrong, given what they were told to do but we are now asking them to do it differently.

Mayor Pro-Tem Ives referenced a project to be begin in May 2014, but it wasn't ready to begin until May/June 2015, commenting this indicates we don't have a system for tracking the progress of our capital projects. Or we have a system that has so little rigor that we allow a functioning City park to essentially be ruined, necessitating additional expense and time, as well as inconveniencing those who use it. He said a lot of this was related to the archaeology work, and doesn't know if that was first contemplated as part of Patrick Smith, noting the archaeological work was final approved in June 2015. He said that suggests we

don't have a system that is functioning well if we have a system at all. He is concerned that if we had our own people ready to do that and could have saved the park in May 2014, why that wasn't brought to our attention. He said he realized this Resolution was adopted saying don't use City workers. However, if faced with that, versus allowing a park to be turned into a dirt lot, we are making wrong decisions.

Mayor Pro-Tem Ives continued, "I'm looking for real leadership within the City on project management and I'm not feeling comfortable with it. I say that in part because as I look at the capital program list and the BARs, I don't see any timeframes for anything, and that upsets me greatly. Because I don't know whether or not, for instance, if we didn't approve this tonight, is there anything that would suffer. Is there anything that wouldn't be completed on time. I have no idea when anything is supposed to be completed. So it's really hard sitting here making intelligent decisions on allocation of assets, setting priorities, if we don't know, for any of our projects, what are our timeframes. So personally I would love to see this list back with timeframes for the various projects in the various stages before we approve it, but I don't know if that would be unproductive in terms of trying to accomplish things we need to get done now."

Mr. Rodriguez said, "The Finance Committee established November 10, 2015, as the time for us to bring to you the capital budget. And that capital budget will be a 5-year timeframe. And we will identify within that 5 year timeframe where each of the projects are in terms of costs. And you will dates as far as that goes. All this does is say for this year, for the remainder of this year, this is the appropriation we need to move those projects forward. And again, that's all we were trying to do at this stage. The concern about timing, etc., well, we're building that system, if you will, with these kinds of.... this is one of the steps to get there. The capital budget will be the next big step for that."

Mayor Pro-Tem Ives said, "I guess my response is, we've been working on some of these for years and all we're doing is reaffirming that we don't have a timeframe, a plan for them to get accomplished. It astounds me that our project managers couldn't sit with this list in a single day and say, 'That through design, from here to here, it's designed for construction from this point to this point. I don't think it's asking too much of staff to actually have some sense of a project timeline for the expenditures of the dollars of the City. And again, I'm still not clear, if we did not approve this tonight if there's anything that would be affected negatively. But personally, I'm not read to approve this until I know what those timelines are and can better understand these in context."

Mayor Pro-Tem Ives continued, "And I appreciate that waiting for November 10, 2015, might seem like a reasonable timeframe to some I guess. I'm saying I'm just disappointed we don't have it now and don't know those, because none of this is new."

Mr. Rodriguez said, "To be perfectly clear, pardon, to answer your first question, what would be affected here if you don't approve it. Right now, the capital program is waiting for this. I was just reminded there is a lot stuff. They know I have the BARs on my desk now, and everyone's waiting for the budgets to be loaded because of your appropriation. If you don't approve it now, it will just wait two more weeks. For those projects past the construction cycle, the effect night be one way, but for those that we do need to make the next few steps will be affected a different. At this point, that's the best I can tell you. And as to

timeframes, Councilor, this took a mighty effort by staff to put all of this information together to at least educate and put it into final shape. It's the first time they've done it, and it took a lot of effort to do it. And so we hope to now have to do this again, but rather to do this as part of a budget that you approve every year where you have all that information. And we're just trying, if you will, to get there without affecting our capital program."

Mayor Pro-Tem Ives said, "Understood, and that's the answer I was looking for to that question to try and understand if there was consequence if it was not moved forward tonight. I understand you are saying there is consequence. I do not want to stand in the way, or cause any negative consequence. So I'll vote in favor of bringing this forward. But I will express my deep reservation about not having timeframes for all these projects, some of which have undoubtedly been moving forward for years. So if we have to wait until November 10th. I wish it could happen by our next meeting because, personally, I would love to see that."

Mayor Pro-Tem Ives said two other things. He said you mentioned that there is some talk of inter-park transfers earlier possibly to Patrick Smith Park. He said he would like to see the detail for allocations to certain park funds, and the amounts of any inter-park transfers, from what they were taken and then dedicated for both the 2008 and 2012 bonds so far.

Mr. Rodriguez said, "That's what we've been talking about for months. And our Audit Report of the 2008 Park Bond attempted to get to that question. We are still outstanding for the 2012 Park Bond. And I mentioned that I will bring that to you before we transfer anything. There are a number of resolutions that govern here, one of which is to not use City workforce to do these projects, although the projects were designed and costed out with that assumption. The other was do not move money from one project to another without coming to you for approval. And on top of that, if that movement of money was significant, we had to post an Ordinance change and have public hearings. We're going to be as careful as we can to take all of that into account and bring you a plan that navigates all of that."

Mayor Pro-Tem Ives said if it is already covered in the reports under the 2008 Bond sufficiently, if you could identify that material and provide a copy, I'll look at it to understand it better.

Councilor Maestas asked, "When you bring back the yet to be constructed 2012 Bond projects, will they reflect a contractor constructed project. Will the estimates be revised upward."

Mr. Rodriguez said yes.

Councilor Maestas said then there could be an overall deficit then. He said, "I just want to make sure that we're going to be consistent and come back with realistic estimates. That we don't have Patrick Smith Park situation come up again."

Mr. Rodriguez said, "To be sure. Patrick Smith Park, the cost estimate that was there at the very beginning was realistic and that is what was agreed was going to work. It's just the change in how we were going to do that would knock the budget down. So, our intention is come to you with our estimates of all of the remaining parks with quotes in hand. Also, an accounting of the projects that have been done with all of the parks. Some of them have balances in them and potentially there is enough balance in those parks

make up for the deficits that are here if you want to continue with the practice of using only contractors. So you'll have all that math in front of you with a recommendation as well. So yes. Given the new way of doing business, the cost of that, the balance with all of the different projects. And a recommendation about taking or not taking the resources. It could very well be that you will get a mixed plan. In other words, take some of the resources and also have City workers work on some these projects here. Again, we don't have all that information there, and we'll get it there."

Councilor Maestas asked, "Mr. Mayor Pro-Tem, I just want to end by asking, for the yet to be constructed 2012 Bond Projects, that we get information that designates the project manager. We want to make sure there is a project manager assigned to each and every project. So I would like that information. Thank you."

Mayor Pro-Tem Ives said his final request is to the Acting City Manager. He said, "I would like to set up a meeting with staff to look at what happened at Patrick Smith Park because there were such aberrant failures is the only way I can describe it, to accomplish that work in timely fashion. And obviously laudable goals, but when the end result is a dirt field, we obviously have failed in what we need to have done. I would love the opportunity to sit with staff and walk through that to really understand what the problems were, and then make sure we have, in place, opportunities and plans to avoid anything like that happening in the future. So if you wouldn't mind setting up a meeting like that, that would be great."

Acting Manager Litzenberg said, "So noted and I'll pass it on."

Councilor Dominguez asked if we anticipate there will be funds left over and if there may be projects that come in under budget.

Mr. Rodriguez said, "No, some came at budget, some came under budget, and there's many reasons why some of those projects are in the budget. One of those is it costs less, but in some cases it turned out that some of the elements that were part of the project were not doable, and so the money wasn't spent on that. We'll be reporting that two you."

Councilor Dominguez said, "So what I'm asking if, when it is all said and done, there are monies left over."

Mr. Rodriguez said, "Yes."

Councilor Dominguez asked what policy is in place that gives you direction on what to do with that.

Mr. Rodriguez said, "There is none. The only one we have is to come to you and recommend those budget transfers."

Councilor Dominguez asked if that is written policy, or something that happens maybe according to the individuals.

Mr. Rodriguez said, "No. Look. The procedures that we have in place are pretty clear. One is that the City Manager has discretion up to $50,000. You have delegated that discretion to the City Manager, and we try to execute that judiciously. And the City Manager certainly takes input from everyone involved before we move forward with that. Anything above $50,000 comes to you. And then, on top of that, you have said if there are going to be major changes, etc., even in project design, etc., we have to come to you to approve that as well."

CLARIFICATION OF THE MOTION BY THE MAKER: Councilor Dominguez said, "I guess, and part of my motion I just want to make it crystal clear, that if there are monies left over, I'm going to talk about the below $50,000 in a minute, but above $50,000 if there are any monies left over that reallocation has to be approved by the Governing Body, and I imagine that will be through the yearly capital budget process we go through."

Mr. Rodriguez said, "In the case of 2012, we will bring back to you a recommendation to use it for that program. In other words keep the money within that program."

Councilor Dominguez asked, "Aside from 2012."

Mr. Rodriguez said, "Aside from the 2012, yes. Whatever money is left over will be reported to you as part of the capital budget, with our recommendation about what to do with it and you do make those changes."

Councilor Dominguez said, "And I don't want to say it's going to be a complicated exercise, but it's definitely going to require staff to pay attention, because some of this might be grant monies that can't be used for anything else but whatever the project or proposal is."

Councilor Dominguez said, "In terms of everything under the $50,000, are there any credits there. Or how does that get handled. In other words, it costs $45,000 and not the $50,000 the City Manager has discretion over, that extra $5,000. It's still part of the overall formula if you will."

Mr. Rodriguez said, "First of all, let me just make it real clear, there is no other small TV camera and a big screen. There's only one screen. All the monies, whether $50,000, $5,000 or one cent, etc., all appear on the same radar to be viewed by everybody the same way."

Councilor Dominguez said this just reflects everything over $50,000.

Mr. Rodriguez said, "That's what this reflects. Right. Because all we're doing here is asking for a budget appropriation for this year, just to keep these projects moving forward. As I mentioned to you as well, using the City Manager's $50,000 discretion, a number of those expenditures have been made, in the same way they've always made in the past."

Councilor Dominguez said, "What I'm asking is how do we account for everything that is under $50,000. Where do we see that information."

Mr. Rodriguez said, "A number of different ways. First of all, whatever adjustments are made are put together in this report that goes to DFA every quarter, and we identify the things that have been done by the City Manager, etc., even the $10 ones. Every little adjustment will appear there. What you're doing here is only approving a budget that normally would just rain down on you during the course of the year. And we're just trying to not do that anymore and kind of put it here. So precisely, you get away from thinking somehow that there is money being spent you don't see. The only money that is spent is spent because you directed it because you appropriated that."

Mr. Rodriguez continued, "All right. And I'll tell you, and speaking for myself, and I have consulted with the City Manager about this, we use that $50,000 discretion with a lot of care."

Councilor Dominguez said, "I wouldn't expect anything else. I think that is the expectation that you guys don't just spend willy-nilly, you scrutinize it very carefully. But I still don't see where...."

Mayor Pro-Tem Ives said, "On that point. The quarterly BAR adjustment report, is that the report where we actually do make, we do approve all those adjustments and does that not include those made by the City Manager that are under the $50,000, so we do have that opportunity quarterly."

Mr. Rodriguez said, "Yes. And we identify....In that BAR it does appear.... there's a separate table that says all the City Manager."

Councilor Dominguez said then it's intermixed and not just capital.

Mr. Rodriguez said, "With this request then we will separate that – capital projects versus operating budget adjustments."

Councilor Dominguez said it would be helpful to see that parsed out. He asked if we have fixed assets for the entire City.

Mr. Rodriguez said, "Andy [Hopkins] was pointing out that we should just distinguish between projects and funds, so if we move money from one fund to another fund that all has to the Council. There is no City Manager discretion. But if we are moving money from one project to another, it's all within the same fund, we do take advantage of the $50,000 limit."

Councilor Dominguez said however it works internally, he is appreciate with the different kinds and amounts of information we're getting. He said, "I feel your pain, Councilor Ives. It's been a long time and I think that's the result of having a Finance Director previously who was here for a long time, the previous City Manager or previous administration that maybe was not following or providing us with this kind of information to hopefully get some stability in the Finance Department to get this kind of information for the long term.

Councilor Dominguez continued, "Going back to my question about fixed assets, City-wide. There is not one."

Mr. Rodriguez said, "There is an accounting of everything that is there, but to me, an effective fixed asset is a condition of accounting. Yes there's a building, but no roof or a failing roof, etc. We don't have that. That's part of the capital planning piece that's missing here and we're trying to rebuild that and the capital budget process will be a very big step toward that."

Councilor Dominguez said, "So, I know we're deviating from this, but I'm going to bring it back to this. Certainly we need to have fixed assets throughout the City. But as it pertains to this, I would be curious to see what those fixed assets look like relative to Patrick Smith Park. Have we spent a bunch of money from the General Fund or some other fund for that park that we don't know about because we don't have a fixed assets report. I'm not saying that's the case, but I'm looking for ways to try to tie the two together."

CLARIFICATION OF MOTION: Councilor Dominguez said, "I guess I will in my motion just clarify that the moneys that are left over. What did we decide on that." Mr. Rodriguez reiterated, "As far as we know, we can't remove them without your appropriation." Councilor Dominguez said, "So, for the record then, it's crystal clear that that is the case."

Councilor Bushee said, "Oscar as the Director of Finance, you two presumably speak a lot. I don't get that opportunity often, but I was hoping... I know this is a component of the budget and the problems we face, but I was hoping for a more thorough, maybe creative way to look at some things and suggestions. Because I don't want the automatic assumption that a tax increase is the saving grace. It seemed like at one moment in your answers to our questions that it was a combination of cutting and adding. I just want to make sure you come up with as many options as possible. Again, I don't think we need creative financing. I think that's how we got here in the first place.... and I understand it came from a bond, but the Watershed Maintenance Projects. Do any of them... some of them are large.... fall under the water company, or could they. And what I want to know is what policies would need to be adjusted. Just as we mentioned this evening that we already know that we have to adjust the Resolution. I want to see it all comprehensively. I don't want it to be seat of the pants, or after the fact, and I know we need to move some of these projects along. I hear it from staff. I hear it as the Chair of the Bicycle and Trail Advisory Committee that we can't finish or get going on any projects until we do this piece. I would ask that you look and you come up with ways for us, or suggestions that perhaps could look at ongoing ways to solve the problem, without automatically assuming that property tax is going to be our be all and end all."

Mr. Rodriguez said, "If it were up to us, we've had a lot of conversation about how to get there. In fact to underscore your point, the property taxes right now in the General Fund are about $3.4 million. Even if we quadrupled, it wouldn't get us out of the problem we're in now, so that isn't going to be the solution. I think it's going to take a lot of different sorts of things, and we need guidance from you. We need for you to be in the conversation about what is acceptable."

Councilor Bushee said, "We need suggestions from you. And I don't want it to be like the last budget cycle where everybody just looked at the pot of gold that really didn't solve the problem. It was a temporary fix. And I'm asked to see the big picture and to see options suggested to the whole Governing Body."

Mr. Rodriguez said we will be having a lot of that conversation between now and when we see the budget presented. It is their intention to present a budget that has been well discussed, well directed by the Council so that what arrives there is something you said. Yes. That's close to the target.

Councilor Bushee said, "Again, I'm just going emphasize that in the past, and whether or not we got all the information, or got good information, the City Manger and the Finance Director were the go-to folks to try and come up with ways that we could look at solutions. What I don't want is what I found coming out your office, and I know you were new the last budget cycle, but was very easy and in great detail depicting the problem. Not a lot of absolutely, we've got bridging strategies that we've got to end or lots of things we've got to do to not do what we've been doing for years. I get that. That sort of lays the blame on past administrations. Right now, what we really need is everybody rolling up their sleeves, coming up with many possibilities. Looking at funds that exist now, whether or not they're appropriately being used. Looking at what else we might be able to do that is within the confines of our existing policies. But that's what I don't see here. And I get that, that this is just move this along. But I'm just saying, I'm not on the Committee, but I want to see as many positive approaches as possible that might come out of your office if you could. Just how we can solve the problems. Not just knowing what we've got to stop doing."

Councilor Dominguez said, "As the Finance Chair, can I respond Mayor Pro-Tem."

Councilor Maestas said, "I'd like to respond as well on that point."

Councilor Dominguez said, "I just want to say Councilor Bushee, you are right, it will take all of us to roll up our sleeves and not just staff. And I would actually say that silence throughout the process, in my opinion, could be an act of defiance even, because unless we have those discussions and ask the tough questions, and come up with ideas ourselves, however off-center those ideas might be, it's going to take each and every single one of us having a tough discussion about priorities. And that is not something that is just staff's responsibility. I think they can come up with creative ways on how to achieve those priorities, but it's really incumbent on the Governing Body to make sure those priorities are established, they are crystal clear whether it's revenue enhancements, or cuts, or however much those revenue enhancements may be, or however deep the cuts might be, it's going to require all of us to take a hard look at that."

Councilor Dominguez continued, "Now having said all of that, I will say this, that the Finance Committee meetings are open to everyone. Councilor Ives who doesn't sit on the Finance Committee certainly attends sometimes. I would encourage all of our Governing Body members to attend. And the meetings aren't necessarily just about stuff that is on consent. We have carved out time to discuss budgetary issues, and that certainly was the case last year. I think that we have come to the end of the road in kicking the can down the road and we need to make some tough decisions, so I certainly welcome anyone's advice."

Councilor Bushee said, "Just to respond briefly. I certainly attended as many of your budget hearings as I could, and my frustration on last year's budget cycle was that we really didn't have the discussions that we need to have. I'm just emphasizing the time has arrived, there's no turning back and I just really want to make sure, and I'm not asking the staff to give us all the answers, but I do think they can give us some suggestions we may carry further."

Councilor Dominguez said, "I certainly have a tremendous amount of respect for you Councilor Bushee, you've been around for a long time, you've seen the good and the bad, and have been through some tough times as well. But you're right. Those discussions didn't happen during the budget hearings, but the case was made before we even got the budget hearing, staff said many, many times, this is the direction we're going, we need some policy direction to do what needs to be done. That's not a criticism of anyone, it's just the reality. We need to be crystal clear as a Governing Body about how we're going to do that, and then I'm done."

Mayor Pro-Tem Ives said, "I'm going to jump back in. Councilor Maestas. Briefly."

Councilor Maestas said, "I'm going to be brief and it's germane to the whole budget discussion. I'm on the Finance Committee, and I know those of you that are on the Finance Committee are prepared to take on the tough issues. We looked at scenarios of across-the-board cuts. We asked for what we call a gap sheet, looking at the ongoing gaps and recurring budget, and one-time capital deficits. So, we were prepared to take that on, but I think what we got was a status quo budget. We got a budget that kicked the can down the road and I think it was not consistent with the sentiment on the Finance Committee. So I want to make it clear that we were prepared to take on the tough issues – the Water Fund transfer the payment in lieu of taxes was not a City Councilor generated concept or idea, it was factored into the budget and it represented policy which I was opposed to. I don't like making policy through a budget development."

Councilor Maestas continued, "I want to make sure it's clear that we've been talking about this and were prepared to address this, and what we got was a status quo budget and an all or nothing budget. It was almost impossible for us to take on any kinds of revenue enhancements if we took out the water fund transfer, if we decided to address some of the structural deficits. And it was this administration that exhausted all the remaining reserves to make it balance. So I think it's a little disingenuous to submit a status quo budget, kick the can down the road and as soon as it's adopted and implemented, the sky is falling and we have a $15 million deficit. I think a lot of my colleagues on the Finance Committee were very vocal about rolling up our sleeves and addressing those issues. So, let's own it is what I'm trying to say."

Mayor Pro-Tem Ives said, "I would conclude by saying, unfortunately, I think we did own it by establishing some policy for this past budget cycle which said no staff cuts, no cuts in services, no raising of taxes, so honestly, I think we, as a Governing Body, tied the hands of anyone doing a budget so they could only give us what they did give us which we have approved. And I think our efforts to tackle the tough problems is fully evidenced by the fact that, rather than waiting until April when the budget comes before the Governing Body, we're starting that discussion now to get the information we need to start those policy discussions now, so here's to a very changed process."

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

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

Against: None.

12. STATE OF THE MUNICIPAL COURT. (JUDGE ANN YALMAN.) (POSTPONED AT AUGUST 26, 2015 CITY COUNCIL MEETING)

Judge Yalman presented her State of the Municipal Court as set out in her Memorandum of August 14, 2015, which is in the Council packet. Please see this document for specifics of this presentation.

Judge Yalman said she wants to make it clear when she attends, or sends people out of State for training, it is only done on scholarship and have not been using the Court's funds to do that. They have obtained scholarship funds from the Municipal Judges Association, Judicial Education and from the Administrative Office of the Courts. She said the processes and procedures in the Court usually improve because they are learning from other Courts and other entities about our programs.

Judge Yalman talked about the issues and the difficulties of dealing with substance abuse in our community, and what she has been able to accomplish in the hybrid DUI/Drug Court program.

The Governing Body commented and asked questions as follows:

- Councilor Rivera asked Judge Yalman if she knows now how our recidivism rate compares with others municipalities in the State or nation.

  Judge Yalman said she doesn't know. She said a reporter that says she got something from the State. She said if you look at the convictions in DUI Court, some counties have 2 cases, and some with more, so it's a very uneven thing to do. She said we are reasonably pleased that with our DUI court we are preventing further DUI's. She said there are still some and some where there are 2 cases at the same time – a DUI in our Court and a DWI at Magistrate Court, so whoever gets it first, one is the first and the other is the second, but they took place a month apart. She thinks we probably are average. She said, "I don't think we're great, but I don't feel we're terrible, and I feel we are really changing peoples lives..... and I feel comfortable with most of our graduates that this is it. And that gives you a good feeling that some future DUI's are being prevented. Could we always do more. Probably."

- Councilor Rivera said he heard her talk about methadone and people who are addicted to heroin or opiates. He said the State has a program with Naloxone or Narcan that are things that reverse the affect of the opiates. He asked if that has affected the number of people that may be seeking treatment, or if she has seen any difference.

Judge Yalman said she is unaware that it has affected the number of people seeking treatment, commenting she hates to say that. She things there are a lot of people who addicted and seeking treatment and there's not enough to go around. She said they were seeing more people on suboxone than methadone, and the programs seems to be handled differently. She said they could get into suboxone if you were willing to wait two weeks, now you have to wait months. She said for a addict on the street, months can be a lifetime.

- Councilor Dimas said having been in the same position, he knows that judges do what they can and there's only so much that judges can do. He said the addiction rate in Santa Fé is very high, and something he talked about four years ago and we've made some progress. He said we at least now have Narcotics Unit with the Police Department which we didn't have for several years. The Drug Tip Hotline has brought several arrests on suspicious drug activity. He said we're trying to make as much progress as we can. However, with the number of addicts increasing, it's getting more and more difficult every day. He said we're losing so many of our young people to addiction who are overdosing and dying, and it's tragic. He said these are individuals who would have had a future if we had more drug courts and more money to fund the drug courts, and it's always about the budget. He said we need to spend more money and allocate more money for these projects.

- Councilor Dimas continued saying, "I thank you for the time you have spent in the court and it is unfortunate that you have chosen not to run again. Because I can tell you that being a part of that at one time, I think you're a great Judge and I think you have done as much as anybody could possibly do in the court system and I compliment you. And I thank you for your service. And I will tell you personally, even though I am going to be leaving, I thank you so very much for your time and service."

  Judge Yalman thanked Councilor Dimas saying, "Councilors you have been very supportive of both the DUI and the Drug Court. So I think I've been very fortunate in that regard."

- Mayor Pro-Tem Ives added his thanks as well, saying they have known each other more than 30 years. He said he knows from your years in private practice that you were always easy to work with, firm on the issues and a great advocate for your clients, and she has carried those attributes into her time on the bench. He said the Municipal Court has had a wonderful steward at its helm and is especially glad you are getting your staff trained and keeping up the professionalism which we know is so important, that you are doing it through scholarships is brilliant. He said "Thanks for paying attention to the bottom line while paying attention to all the hard work and enjoying results in the various programs you've initiated."

  Judge Yalman said, "I'm still there. I'm not gone yet."

- Councilor Maestas added his thanks to Judge Yalman for her service to the City, and hopes she enjoys more time. He said, as a former client, they have known each other for quite while. He said it is with mixed emotions that we see you go, and thanked her for everything she has done.

– Councilor Dimas said, "Don't worry about the conviction rate. When the newspaper talks about municipal or magistrate court, the first thing that pops up is the conviction rate of the judge. Judges are not prosecutors. That has to be made clear. As judges, and I still consider myself, and will always consider myself as part of judiciary since I retired from there. We don't prosecute people and we don't convict people. The District Attorney's Office does that, the State does it. And there are many many factors that go into dismissals in any Court, and it is important that people know that.

13. MATTERS FROM THE CITY MANAGER

There were no matters from the City Manager.

14. MATTERS FROM THE CITY ATTORNEY.

Ms. Brennan said, "I just wanted to tell you that on Tuesday, October 6, 2015, at 1:00 p.m. in Judge Singleton's Courtroom at the District Court, the motions on the miniatures case will be heard, all the motions. So if any of you want to attend and would like further information, let me know."

Ms. Brennan said, "With respect to the ongoing mediation on the Water Resources Agreement with the County, we have two dates scheduled, November 6 and November 20, 2015, so we will be reporting back to you after those sessions are done, no doubt."

EXECUTIVE SESSION

IN ACCORDANCE WITH THE NEW MEXICO OPEN MEETINGS ACT §10-15-1(H)(7)NMSA 1978, DISCUSSION REGARDING PENDING LITIGATION IN WHICH THE CITY OF SANTA FE IS A PARTICIPANT, INCLUDING, WITHOUT LIMITATION, DISCUSSION AND UPDATE ON MEDIATION UNDER THE DISPUTE RESOLUTION PROVISION OF THE WATER RESOURCES AGREEMENT BETWEEN THE CITY OF SANTA FE AND SANTA FE COUNTY; *CITY OF SANTA FE V. THE LIQUID COMPANY, INC., ET AL., FIRST JUDICIAL DISTRICT COURT, NO. D-101-CV-2015-01330*; AND DISCUSSION OF THE PURCHASE, ACQUISITION OR DISPOSAL OF REAL PROPERTY OR WATER RIGHTS BY THE CITY OF SANTA FE, INCLUDING, WITHOUT LIMITATION, THE TRANSFER TO THE CITY OF SANTA FE OF AN INTEREST IN REAL ESTATE BY SOLACE CRISIS TREATMENT CENTER TO EFFECTUATE THE EXPENDITURE OF FUND APPROPRIATED IN 2013 BY THE LEGISLATURE FOR BUILDING REPAIR AND THE PURCHASE AND INSTALLATION OF INFORMATION TECHNOLOGY AND RELATED INFRASTRUCTURE. (KELLEY BRENNAN).

This item is postponed to the next meeting of the City Council.

15. **ACTION REGARDING THE TRANSFER TO THE CITY OF SANTA FE OF AN INTEREST IN REAL ESTATE BY SOLACE CRISIS TREATMENT CENTER TO EFFECTUATE THE EXPENDITURE OF FUND APPROPRIATED IN 2013 BY THE LEGISLATURE FOR BUILDING REPAIR AND THE PURCHASE AND INSTALLATION OF INFORMATION TECHNOLOGY AND RELATED INFRASTRUCTURE**

This item is postponed to the next meeting of the City Council.

16. MATTERS FROM THE CITY CLERK

There were no matters from the City Clerk.

17. COMMUNICATIONS FROM THE GOVERNING BODY

A copy of "Bills and Resolutions scheduled for introduction by members of the Governing Body," for the Council meeting of September 30, 2015, is incorporated herewith to these minutes as Exhibit "3."

Councilor Dimas

Councilor Dimas had no communications.

Councilor Maestas

Councilor Maestas asked to be added as a cosponsor of 10(q).

Councilor Maestas said, for the record, he has recused himself on many issues regarding inter local liquor license transfers and related issues. The sale closed on his family's liquor license on September 25, 2015.

Councilor Maestas wished a happy birthday to his baby sister who had a birthday on September 21, 2015.

Councilor Maestas said we passed a Resolution for the group Beirut to play on the Plaza, and said it would be good to have a debriefing on the Maverick's Concert, noting the estimated crowd was 10,000 plus, and he heard complaints about the lack of facilities. He asked the City Manager to provide a report on that Concert.

Councilor Bushee

Councilor Bushee said there is a possibility about trying to convert an old bus into showers and bathrooms for the homeless population.

Councilor Bushee introduced an Ordinance amending the official map of historic structures to designate the Santa Fe Airport Terminal Building, located at 121 Aviation Drive, as a City Landmark.

Councilor Bushee asked to be added as a cosponsor of the 3 Resolutions sponsored by Mayor Gonzales, and the Resolution sponsored by Mayor Pro-Tem Ives with regard to a symposium on the history of Fiestas.

Councilor Dimas

Councilor Dimas said his granddaughter was born on his birthday, noting the baby and parents are doing well. He said his new granddaughter is a joy and beautiful.

Councilor Dominguez

Councilor Dominguez thanked everyone who attend SWAN Park grand opening, noting there were more than 4,000 people there. He said we want to be sure we have adequate security and that we create the Friends of the Park, and will work with Councilor Rivera if he will take that on.

Councilor Dominguez said this Saturday is "Paint the Town Pink," and invited everyone to Villa Linda Mall at 8:30 p.m.

Councilor Dominguez congratulated Councilor Ives on the marriage of his daughter, and wished Councilor Dimas a happy belated birthday.

Councilor Lindell

Councilor Lindell had no communications.

Councilor Trujillo

Councilor Trujillo had no communications.

Councilor Rivera

Councilor Rivera said he would join Councilor Dominguez in thanking all City staff that helped with the grand opening of SWAN Park, all those attended and the voters who voted for the bond.

Councilor Ives

Mayor Pro-Tem Ives introduced the following:

1. A Resolution in support of increasing the federal royalty rate for oil and gas produced on federal public lands. A copy of the Resolution is incorporated herewith to these minutes as Exhibit "4."

2. A Resolution directing staff to coordinate a symposium on the history of the Santa Fe Fiestas; on Don Diego de Vargas' expedition to Santa Fe in the late 17th Century; the dynamic interplay of cultures within the City of Santa Fe, both then and now; and to explore holding said symposium between Indian Market and the Fiestas in 2016.

Mayor Pro-Tem Ives said he would join as a cosponsor of item 10(q) on this evening's Consent Agenda.

Mayor Pro-Tem Ives said he would join as a cosponsor on the measure introduced by Councilor Bushee, and cosponsored by Councilor Lindell regarding amending the official map of historic structures to designate the Airport Terminal.

Mayor Pro-Tem Ives introduced the following on behalf of Mayor Gonzales:

1. A Resolution calling for a regular municipal election to be held March 1, 2016 for the purpose of electing one City Councilor from each Council District and electing one Municipal Judge at-large.

2. A Resolution designating Santa Fe as a Purple Heart City as part of the National campaign by the Military Order of the Purple Heart of the United States of America. A copy of the Resolution is incorporated herewith to these minutes as Exhibit "5."

   Mayor Pro-Tem Ives asked to be added as a cosponsor.

3. A Resolution amending Resolution 2015-31 to include all New Mexico veterans in the No-Cost Transit Program developed by the Transit Department. A copy of the Resolution is incorporated herewith to these minutes as Exhibit "6."

Mayor Pro-Tem Ives said, "On Saturday when my daughter and new son-in-law got married is as a perfect a day as I have spent on the face of this planet in my entire life. It was beautiful. So, to both of them, I sent heartfelt love and congratulations. It was just delightful."

END OF AFTERNOON SESSION AT APPROXIMATELY 7:00 P.M.

EVENING SESSION

A. CALL TO ORDER AND ROLL CALL

The Evening Session was called to order by Mayor Pro Tem Peter N. Ives, at approximately 7:15 p.m. There was the presence of a quorum as follows:

Members Present
Councilor Peter N. Ives, Mayor Pro-Tem
Councilor Patti J. Bushee
Councilor Bill Dimas
Councilor Carmichael A. Dominguez
Councilor Signe I. Lindell
Councilor Joseph M. Maestas
Councilor Christopher M. Rivera
Councilor Ronald S. Trujillo

Members Excused
Mayor Javier M. Gonzales

Others Attending
Erik Litzenberg, Acting City Manager
Kelley A. Brennan, City Attorney
Yolanda Y. Vigil, City Clerk
Carl Boaz for Melessia Helberg, Council Stenographer

F. PETITIONS FROM THE FLOOR

Mayor Pro-Tem Ives gave each person three minutes to petition the Governing Body.

Ms. Carolyn Sigstedt, 703 Alto Street, said you were asking for input regarding the budget, so as a constituent she will offer ideas/thoughts. She thinks it is wonderful you are beginning the budget process She said she wishes the Finance Director and Councilor Bushee were here to hear her remarks. She said her point is that the size of the City government is not that large, it is not the federal government. We don't have to hide money or use creative financing. We can have a very simple budget that is done department by department and compartmentalized and make each department stand behind and understand its budget. She said to be understood, it has to be readable by me, the constituents and the department, and monies can't be moved between departments, that's where we got into trouble with creative financing. She said before we begin a budget is take our existing economic situation as a City. She said the federal government can hide moneys in a zillion ways. She said we shouldn't do that, and what we should do is so simple.

Ms. Sigstedt continued, "And so, what I'm asking is that this budget be absolutely readable, and

readable by the League of Women Voters, everyone, so everybody gets a look a it, and there isn't money, once the budget is set, moved around from department to department because they forget about something or came up with a new project."

Ms. Sigstedt continued, "Tonight, also and I'll just be very brief on this. You mentioned parks. I'm next to the 702 Alto Park across from the Boys and Girls Club. That Park used bond money that was mis-spent in my opinion. They put in a ton of money into that park, but right now, the steps in that park anyone could legally sue you for tripping on them. They don't function in that park. All the landscaping they did, they put barriers in without weed resistant retardant, so the park is totally overgrown and your staff can't manage it. The park is being used by addicts and homeless, and I came to the conclusion that if I heard a gunshot, a woman or child scream, I would call 911 immediately. Otherwise, because we don't have anything else for the homeless, I would allow what goes on there each night to go on there. But then I decided no, we as a city can and should do better than that. And so that's why I'm here."

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VERBATIM TRANSCRIPT
OF THE REQUESTED PORTION OF PETITIONS FROM THE FLOOR, ITEM #F
CITY COUNCIL MEETING
September 30, 2015

STEFANIE BENINATO: Good evening everybody. Stefanie Beninato, P.O. Box 1601, Santa Fe, New Mexico. I am here because I am again being denied public records. I'm being denied records about how much we have spent in legal contracts. I'm being denied records about the plans for the improvement on the 500 [600?] block of Don Gaspar which actually has not functioned. So we have put money into that improvement. It didn't do anything about the ponding on the east side of Don Gaspar, and according to Mr. Meunich, who is Virginia Gonzales's husband, their property has flooded 3 times this summer, and I saw it flood again last week. And the water now, instead of being disbursed at Don Gaspar, flows up a little hill, goes down Paseo and overwhelms the drains at Galisteo and Paseo, causing that intersection now to be hazardous, both for pedestrians and bicyclists. In fact, I almost got pushed over on my bike by the water as I tried to go through there to get across the street. The other thing I want to talk about and Joe, could you turn this on here so I could use the overhead please. Thank you. I want to talk about fraud and wastes, because we have wasted money on Josh Harris who is a lawyer in Albuquerque, that's my opinion. We have wasted money on Josh Harris, who is from Beall and Biehler, now a national firm called Lewis and Brisbois, my French, I've forgotten, Brisbois. And here's some of the fraud he's committed in my opinion. This is the original public record of my plat for the improvements to my property. If you look... I'm sorry, this is his Exhibit F, or whatever it is. You'll notice here that there's an X, and there's this line here was

whited out. I will show you the original. This is the original. There is no X here. It says 2.5 feet. There's a line coming down here showing that there was a buildup here of 12 inches of dirt which was an effort again to keep water away from the back of the property and put it into the driveway area. By doing this, Mr. Harris made it look like something happened here at the *[inaudible]* rain, when nothing happened there. This is called tampering with evidence. It's called falsification of a public record, and it is not only unethical, but it's a violation of so many rules it's not even funny. Just one more example and then I'll stop. This is an example... this is a picture of a 60 year old maple chest of drawers that I have from my family. This picture has been cropped. You can see damage here. You can see the warping out, you can see how high the water came, but you can see the damage over here because he cropped it out. I gave him the picture and it's the only one from this vantage that you could definitely see damage down here. Again, this is alteration of an exhibit in a Court case. It's unethical, it's illegal and I will be pursuing this both from a disciplinary point of view and also with the Court, but we are wasting enormous amounts of money on this lawyer and on this law firm. And I would suggest that you stop the contract with them, and that you hire people who are ethical. And we're not part of a national firm, so we are not paying City taxpayers money, not only to an Albuquerque lawyer, but to a national firm. Thank you.

I certify that this is a true and accurate transcript of the requested portion of Petitions from the Floor, Item #F, City Council Meeting, September 30, 2015.

Melessia Helberg, Council Stenographer

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G. APPOINTMENTS

Economic Development Review Subcommittee.

Mayor Gonzales made the following appointment to the Economic Development Review Subcommittee:

Lisa Farens Alejandro – to fill unexpired term 05/2017

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

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

H. PUBLIC HEARINGS

1) REQUEST FROM SAGE BAKING CO., LTD., FOR A RESTAURANT LIQUOR LICENSE WITH PATIO SERVICE (BEER AND WINE FOR ON-PREMISE CONSUMPTION ONLY) TO BE LOCATED AT SAGE BAKE HOUSE, 535 CERRILLOS ROAD, SUITE C. (YOLANDA VIGIL)

The staff report was presented by Yolanda Y. Vigil, City Clerk, from her Memorandum of September 24, 2015, which is in the Council packet, noting this business is not within 300 feet of a church or school. She noted that this business would have patio service, and the patio is fully enclosed. She said there are staff reports in the packet regarding litter, noise and traffic, and staff recommends this business be required to comply with all of the City's ordinance as a condition of doing business in the City.

The Applicant was in attendance.

Public Hearing

Stefanie Beninato was sworn. Ms. Beninato said she is a patron of Sage Baking and like them, but feel that having a liquor license is totally going to change the business and the atmosphere. She said, in terms of patio service, it is enclosed, but it is where you have to enter. So there is an exit right there that there is nobody there watching that people don't walk out with the alcohol, so that is one concern. The other concern is that have no overall alcohol distribution in a retail plan. She asked how many other licenses for liquor are right there. We had a brewing company at Luna District and now we'll have this, and then we have the Hotel Santa Fe right across the street, so within 50 feet there are a fair amount of alcohol available. She said Sage Inn will also be doing a drink and dine restaurant we well. She said she isn't trying to keep Sage from expanding doing what they want, because she doesn't think there is anything that would prevent you from allowing this, and she is just pointing out some of the problems. She said she believes the atmosphere will change at Sage Bakery and may not be as attractive to me as somebody who went there because it was a bakery, not because it served alcohol.

The Public Hearing was closed

MOTION: Councilor Bushee moved, seconded by Councilor Maestas, to approve the request from D.T.A., LLC, for a waiver of the 300 foot location restriction to allow the sale of wine at Interior Route Wines, with all conditions of approval as recommended by staff.

DISCUSSION: Councilor Bushee said she would ask that the record reflect that this is a Beer and Wine License only.

Councilor Lindell said regarding Sage Bakery, aside from this issue they are before us with tonight, she wants to acknowledge that Sage Bakery donates hundreds of pounds of bread daily to the Food Depot, and she wanted to publicly thank them for that.

Councilor Bushee asked if this request means they will serve in the evening as well.

Andre Fowles, Sage Bake House, Applicant was sworn. Ms. Fowles said, "We presently don't have any plans to expand our hours. Were just applying for this license because we think it would be nice for people to come in and have lunch if they wanted a glass to accompany their lunch. We are going to have a very very limited, very edited selection. We're not going into the bar business and I actually have been in the restaurant business where there were a lot of alcohol sales previously, and I really don't want to do that any more. So it's a very limited scale."

Councilor Maestas asked if the proposed new iron and cedar fence is to provide a better sense of enclosure to the patio.

Mr. Fowles said yes, commenting it's already been constructed and is there, and it is to deal with the situation so people can't just take alcohol and leave. And there is an entrance and there will be a sign poster that says no alcohol behind this point.

Councilor Maestas commended Sage Bakery for its bread which is fantastic. And although he commends them for their bread, he can't commend them for giving him a big panza.

Mayor Pro-Tem Ives said in additional to the bread, there are many other selections there which are thoroughly delightful.

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

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

Against: None.

2) REQUEST FROM D.T.A., LLC, FOR THE FOLLOWING: (YOLANDA Y. VIGIL)

a) PURSUANT TO §60-6B-10 NMSA 1978, A REQUEST FOR A WAIVER OF THE 300 FOOT LOCATION RESTRICTION TO ALLOW THE SALE OF WINE AT INTERIOR ROUTE WINES, 411 W. WATER STREET, SUITE C, WHICH IS WITHIN 300 FEET OF OUR LADY OF GUADALUPE CHURCH, 417 AGUA FRIA STREET.

b) IF THE WAIVER OF THE 300 FOOT RESTRICTION IS GRANTED, A REQUEST FROM D.T.A., LLC, FOR A WINERY OFF-SITE LIQUOR LICENSE TO BE LOCATED AT INTERIOR ROUTE WINES, 411 W. WATER STREET, SUITE C.

The staff report was presented by Yolanda Y. Vigil, City Clerk, from her Memorandum of September 24, 2015, which is in the Council packet, noting receipt of a letter of no objection from Reverend Tien-Tri Nguyen, of Our Lady of Guadalupe Church. Ms. Vigil noted there are staff reports in the packet regarding litter, noise and traffic, and staff recommends this business be required to comply with all City ordinances as a condition of doing business in the City.

The Applicant was in attendance.

Public Hearing

Stefanie Beninato was sworn. Ms. Beninato said, "Again, I have the same remarks or comments as before about the saturation in this area of restaurants that have liquor licenses that serve alcohol. Wineries, breweries, all of that, there is a brewery on Read Street and several in this area. And again, I wish you would do something more systematic than just piecemeal allow these kinds of licenses or waivers, which this is really a waiver in a way. So, that's my comment. Thank you."

The Public Hearing was closed

MOTION: Councilor Dominguez moved, seconded by Councilor Dimas, to grant the waiver of the 300 foot restriction and allow the sale of wine at Interior Route Wines, 411 Water Street, Suite C with all conditions of approval as recommended by staff.

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

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

Against: None.

MOTION: Councilor Maestas moved, seconded by Councilor Dimas to approve the request from D.T.A., LLC, for a Winery Off-Site Liquor License to be located at Interior Route Wines, 411 W. Water Street, Suite C, with all conditions of approval as recommended by staff.

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

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

Against: None.

3) REQUEST FROM GUADALUPE, LLC, FOR A SMALL BREWER'S LICENSE TO BE LOCATED AT PIZZERIA DA LINO, 204 N. GUADALUPE. (YOLANDA Y. VIGIL)

The staff report was presented by Yolanda Y. Vigil, City Clerk, from her Memorandum of September 24, 2015, which is in the Council packet, noting there are staff reports in the packet regarding litter, noise and traffic, and staff recommends that this business be required to comply with all of the City's Ordinances as a condition of doing business in the City.

The Applicant was in attendance.

Public Hearing

Stefanie Beninato was sworn. Ms. Beninato said, "Same comment as last time. Again, you could probably just walk around on Guadalupe Street, and every third building you could stop and have a drink. So how many liquor licenses are enough in the downtown area, and how do you do it so you don't disadvantage somebody and not unfair to people who come in later, as opposed to people whose businesses have been there for a long time. But again, if we have an alcohol distribution system or restrictions on the south side, then why not have it for the whole City. It seems a little bit discriminatory to have it only for one part of the City and not for the other. Thank you for listening."

The Public Hearing was closed

MOTION: Councilor Trujillo moved, seconded by Councilor Dimas, to approve the request from Guadalupe, LLC, for a Small Brewer's License to be located at Pizzeria da Lino, 204 N. Guadalupe, with all conditions of approval as recommended by staff.

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

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

Against: None.

Explaining his vote: Councilor Trujillo said, "Yes, and your pizzas are the bomb."

Explaining her vote: Councilor Bushee said, "I was going to give a whole restaurant review, but I guess I'll just concur. Everything's the bomb. And I think they have to compete with the brewery right next door now, Fire and Hot, so I absolutely understand this. Yes."

Explaining his vote: Mayor Pro-Tem Ives said, "I would echo the compliments to Lino, and of course he also serves as an Honorary Consul General for the country of Italy, and we thank you for your service. Yes."

4) REQUEST FROM TURQUOISE TRAIL FINE SPIRITS, LLC, FOR A RECTIFIER LICENSE TO BE LOCATED AT TURQUOISE TRAIL FINE SPIRITS, LLC, 1630 UPPER CANYON ROAD. (YOLANDA Y. VIGIL)

The staff report was presented by Yolanda Y. Vigil, City Clerk, from her Memorandum of September 24, 2015, which is in the Council packet, noting the business is not within 300 feet of a church or school, and said staff recommends that this business be required to comply with all of the City's ordinances as a condition of doing business in the City.

The Applicant was in attendance.

Public Hearing

Stephanie Beninato was sworn. Ms. Beninato said, "I would love an explanation of what a Rectifier License is. I don't know if any of you actually know what it is you're approving. Is it different than a normal license. Councilor Maestas, I would assume that you might be able to clarify that for the Council and for the public. And again, it's really the same comment. I really wish you had a plan so there could be some sort of evening out of all of this alcohol in downtown."

The Public Hearing was closed

Councilor Bushee said the business is located at 1630 Upper Canyon Road, and asked if there were any concerns from the neighborhood association or anybody.

Mr. Vigil said, "We did not receive any comments one way or the other, and nothing was submitted either to Alcohol and Gaming."

Councilor Bushee said she wants to point out that it is not downtown.

Mayor Pro-Tem Ives said there is a representative in audience who could address that if that is appropriate given our procedurals posture.

Ms. Brennan said, "If you're talking about the definition of Rectifier, it's in your packet on packet page 19. '*Rectifier means a persons who blends, mixes or distills alcohol with other liquids or substances for the purpose of making an alcoholic beverage for the purpose of sale, other than to the consumer by the drink, and includes all bottlers of spiritous liquors.*' "

Mayor Pro-Tem Ives said, "On that point I had the opportunity recently to attend the Upper Canyon Road Association Annual Meeting and the applicant was present at that, along with many neighbors, and certainly no one there seemed to have any issues with what was being proposed. And I imagine had there been, it would have been said then."

Councilor Bushee said, "I just want to be clear that I assume they have a home occupation license and all of that. For the record, I was clarifying that it's not downtown."

MOTION: Councilor Maestas moved, seconded by Councilor Lindell, to approve the request for a Rectifier License from Turquoise Trail Fine Spirits, LLC, 1630 Upper Canyon Road, with all conditions of approval as recommended by staff.

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

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

Against: None.

5) REQUEST FOR APPROVAL OF COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) 2014-2015 CONSOLIDATED ANNUAL PERFORMANCE EVALUATION REVIEW (CAPER). (MARGARET AMBROSINO)

The staff report was presented by Alexandra Ladd, from Margaret Ambrosino's Memorandum of August 4, 2015, which is in the Council packet, noting we have 90 days to get this turned in, commenting essentially we have to turn it in to HUD to explain how we have spent the CDBG funds and programs we provided.

The Governing Body commented and asked questions as follows:

- Councilor Dominguez said, regarding the unspent money articulated in Table one, he doesn't see anywhere that says by when they are supposed to spend it, and asked if there are specific timelines for spending it.

  Ms. Ladd said it is up to the City, noting at the end of every program year, they may reprogram those funds depending on the circumstances, or carry them forward. She noted there was a situation this year with the Housing Trust where they were supposed to have two of their loans closed before June 30th, but due to things that happens in real estate closings, it didn't happen until July. So we will carry that forward. She said as long as it is accounted for, the unspent funds don't exceed a certain percentage of the overall grant amount, and if we have a good explanation for carrying them forward, HUD is pretty accommodating on that.

- Councilor Dominguez said other than Esperanza and the Santa Fe Recovery Center, it's housing that has this allocation hasn't been spent, and he assumes what you are saying is, because of the timing of closing, it's not just public funds, it's private funds as well.

  Ms. Ladd said this is true, especially for the Home Improvement Program, noting the down payment assistance isn't repaid unless the home is sold, but loan payments are made for the Home Improvement Program, and they are constantly generating income, commenting this is the source of the bulk of the program income. She said the non-housing projects usually are a single rehab of a building, or new roof, or accessibility ramps, noting there are projects with a fairly easy start and finish timeline.

- Councilor Dominguez asked if she is speaking of the ramp at the Santa Fe Recovery Center.

  Ms. Ladd said that is correct, and they needed that one section so they can use their beautiful building.

- Councilor Dominguez said commented there have been several public hearings and you have complied with the public notice imposed by HUD. He said he often wonders if there isn't more we can do to notify the public. The public has to be aware and take advantage of process itself. He thinks the PIO could do more to get the word out. He said a lot of education that needs to happen. He said he is in support of this request.

- Councilor Maestas said we had a significant philosophical debate about the Pulte development, in terms of following through with the set-aside for affordable single family homes, versus what Pulte proposes as an alternative which is more multi-family units. He said sometimes we spread our affordable housing over so many different areas, and asked if we should reconsider focusing on a few areas and directing more resources to it.

- Councilor Maestas continued, noting there is a shortage of multi-family units although we are starting to see some developments, and he realizes this is all set and he will support this. However, he would like to have a broader debate on changing the paradigm and objectively evaluating the effectiveness of the cost/benefit. He realizes the performance measures are what was planned and what was actually accomplished. He wants to dig deeper and look at some of a benefit/cost analysis of each of the different areas and see what has the best ratio and being to start concentrating more investment in that. He thinks at some point we need to have a debate about that to step back and revisit how we are spending our money across the board in these programs, and perhaps consider investing in fewer areas that have higher cost benefit/cost ratio.

  Ms. Ladd said the CDBG Commission has struggled with that every year, and for the last two years they had an extra meeting in November before the funding process starts to discuss our priorities, noting it is a drop in the bucket because it isn't a lot of money. The Commission has discussed if we should we pick a priority for the whole amount and really try to throw everything at one need and do that every year. She said part of the problem in that, because housing needs are so different for example, for someone on the street, versus the needs of a working person who wants to buy their first home. So, are you quantifying it as just keeping someone alive, is that enough, or are you looking at a success story further down the road if they get the housing. She said it would be interesting, noting they have some of those numbers. She said every $1 of down-payment assistance can leverage $14 from other sources.

- Councilor Maestas said he wouldn't advocate reducing fund to just the most vulnerable, but thinks it would be good to take a step back and revisit the whole priority instead of trying to spread it out and look objectively at which programs have the highest benefit for the cost.

- Mayor Pro-Tem Ives said he has no issue with approving it tonight. However, he is concerned that we get all the different aspects of these programs throughout the City in a little bit of a piecemeal. For example, this is coming forward now because this is the last day to get this done. He thinks it would be helpful in the upcoming budget to really understand the full breadth of all the programs run by the City designed to address needs of the homeless and those looking for inexpensive homes or rentals. He said we have had a number of studies on assessment of needs we discussed previously for those working in this field."

- Mayor Pro-Tem Ives continued, saying he would like to see a couple of study sessions inviting all who are involved in these programs and have a broad discussion on needs. He said his sense is we need to totally look at affordable housing to make sure it is affordable at the renter and ownership levels. He said it isn't as much a criticism as much as an affirmative request to do it differently. He thinks this follows what Councilor Maestas is saying that we need to make sure we

are doing what is needed in our community. He said a lot of these are structured under federal and State procedures so we don't have much flexibility. He remains unconvinced we are meeting the needs of Santa Fe. He asked her if she would that up as we move forward, probably in November, and set up a meeting with all interested parties on affordable housing to make sure we are doing it right.

- Mayor Pro-Tem Ives said we passed the measure directing staff to engage with Chainbreakers and other organizations that deal with the homeless and low income folks, and asked if that has been done here in preparation of this document.

  Ms. Ladd said, "Well no. The preparation of this document started about 3 months ago. It goes out to all the service providers so they can input their information, make corrections or what. So it does go out to a range of contributors but mostly for verification purpose the way this is set up and we can't deviate from this template at all. There's not a whole lot of room for any kinds of needs assessment. But with that said, we are beginning a process to do a whole new affordable housing plan, and Chainbreakers has been engaged on that. In fact, we have a meeting next meeting to start that process. I think a policy plan we actually have control over what it says is probably going to be a little bit more effective way to tease out some of those issues.

  Ms. Ladd continued saying, "I should clarify that the way the funding process works for the CDBG is that the City puts out a notice of funding availability and then receives proposals for the projects. There have been years where projects have been funded because they put in good proposals, not necessarily because they related to a specific need. All of the applicants demonstrate the need and do a wonderful job. I think that's why the CDBG Commission wanted to start that conversation earlier and even write that into the notice of funding availability: We are going to fund projects that help very low income renters this year, and that's it. And I don't know what that ultimate goal will look like, but something along those lines. We would happily invite any members of the Council to participate. We will open it to members of the Committee. It will be advertised as a public meeting."

- Mayor Pro-Tem said he remembers that measure being strong directive to engage all those entities across the board in those issues. The fact that you're somewhat saying we haven't done it here is a little concerning vis a vis that Resolution. He wants to be sure we aren't just going lip service, and we're doing the affirmative reaching out.

- Mayor Pro-Tem Ives asked when the report back to the Governing Body from the earlier measure will be forthcoming.

  Ms. Ladd said they will figure that out when they meet on Tuesday.

Public Hearing

There was no one speaking for or against this request.

The Public Hearing was closed

MOTION: Councilor Bushee moved, seconded by Councilor Lindell, to approve the request for approval of the Community Development Block Grant (CDBG) 2014-2015 Consolidated Annual Performance Evaluation Review (CAPER) as presented

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

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

Against: None.

6) **CONSIDERATION OF BILL NO. 2015-33: ADOPTION OF ORDINANCE NO. 2015-31 (MAYOR GONZALES, ~~AND~~ COUNCILOR BUSHEE, AND COUNCILOR IVES). AN ORDINANCE AMENDING THE DISTRESS MERCHANDISE SALE LICENSE PROVISIONS, SECTION 18-5.1 SFCC 1987, TO REQUIRE ADDITIONAL INFORMATION BE PROVIDED WITH AN APPLICATION FOR A BUSINESS LICENSE; AND TO CLARIFY UNDER WHAT CIRCUMSTANCES A LICENSE WILL BE DENIED (LISA MARTÍNEZ) (Postponed at September 9, 2015 City Council Meeting)**

Mayor Pro-Tem Ives asked to join as a cosponsor of this Ordinance.

Greg Smith, Planning Division Director, said Lisa Martinez is unable to attend due to a family emergency. He said he and Ms. Brennan are prepared to respond to questions. He said they made minor amendments to clarify the intent with regard to Distress Merchandise Sale, providing an additional provision giving the City Manager some enforcement on this issue.

Ms. Brennan said, "I just wanted to ask if, and I'm trying to find this now, at the end we can add one word to one provision when the motion is made and I'll find it by then.

Councilor Maestas said he read the whole thing and support the amendment but didn't see any language that was stricken to determine if the business license would be revoked.

Ms. Brennan said, "I believe that this simply are the provisions that were added...were the provisions that were requested and necessary relating to the subsequent business being a unique business. In other words, distinguishable in certain ways that are listed so that it clarified that particular issue. I don't believe it changed anything else."

Councilor Maestas said on page 1, Section 18-5.1, it looks like the application process for a Distress Sale Permit starts at the Finance Department, but sees no involvement by the Finance Committee. He said, "What you are saying is the last hearing we had was a fluke, was a misinterpretation of the Ordinance. Is that correct."

Ms. Brennan said, "No, no, I'm not saying that at all Councilor. I believe this Section, 18-5.1, relates to the Distressed Merchandise Sale License. And so the section you're talking about may be a different section."

Mayor Pro-Tem Ives said he believes that section related to business licenses as a more general matter. He said on packet page 7, you will notice a new Section 9 there which provides,"*For any of the reasons stated in subsection G, the City Manager may also suspend or revoke...*" and that's the additional powers of the City Manager. And it says, "*...subject to appeal to the Governing Body within fifteen days of the City Manager's written decision.*"

Ms. Brennan said, "Correct. And that's the revocation of the business license as opposed to the Distressed Merchandise Sale License. So it's sort of a two step process. And that is the Distress Merchandise Sale License is more in the nature of a permit for a very limited period of time. The Business License, of course, allows you to do business within the City, and has more rights invested and entitlements associated with it."

Councilor Maestas asked who has the authority, who makes the determination to revoke the Business License.

Ms. Brennan said, "I believe the City Manager makes the determination and the decision is appealable to the Governing Body. And if I could just add, as a matter of fact, it's in that provision, line 16, *Revocation of License. The distress sale license shall be revoked if the City Manager finds...*"

Councilor Bushee asked if there is anything that we can do to beef up enforcement.

Mr. Smith said the Land Use Department continues to work with the Finance Department, in terms of monitoring ongoing operations. We don't typically search out these issues. We respond primarily in response to complaints. Although, if the field personnel from the Land Use Department discover, for example, an illegal going out of business sign, then it's also referred to the Finance Department for review under the sales provisions.

Councilor Bushee asked if it is just revocation of the business license, or is there something else we can add to this.

Ms. Brennan said, "I think that the revocation of the Business License is a rather extreme measure under the circumstances, because you cannot then carry on business within the City."

Councilor Bushee said they just come back with a new name.

Ms. Brennan said, "This is part of the reason that this clarifies that they can come back, but it needs to be a unique business and these ways of deciding whether it is unique. In other words, they're not selling the same products on the same premises, at the same place with a mildly varied name."

Councilor Bushee asked if we are proactively monitoring or if this is just complaint driven.

Ms. Brennan said, "I think it's typically complaint driven, but I do think we get complaints on these and I think by the fact that we issue a permit for a limited period of time and there are some follow up and reporting requirements is a fairly good way of monitoring it without actively sending inspectors out on a regular basis."

Councilor Bushee said we have the same repeat offenders.

Ms. Brennan said, "The language that has been added about the unique businesses is taken from an Aspen Ordinance and has been quite successful for them."

Councilor Maestas said, in terms of formatting, on line 16, part G on packet page 6, we changed it from the license to the Distressed Sale License, but we didn't make that change globally in all of the subparagraphs under 18-5.1, which is Distressed Merchandise Sale License. He asked if that needs to be done.

Ms. Brennan said, "Unfortunately, the person who was staffing this is not here and can't answer that direct question. I assume there was a sense that in the particular places it was added it wasn't as clear as it was in the ones where it did not appear."

Councilor Maestas reiterated his concerns, commenting it is a minor detail, but he thinks we should make those changes to be consistent.

Councilor Maestas said the City Manager's authority is indicated to revoke the Business License and we put it almost as a subparagraph under 18-5.1. He said that should have been a totally separate paragraph outside of Distressed Merchandise Sale License, because it calls for the revocation of the Business License. He said he doesn't know who wrote this, but "I would have made number 9 on page 7 of our packet, I would have made that a kind of stand alone provision of that. Anyway, I just had some format recommendations."

Ms. Brennan said, "I would only respond to that last one. It appears that 9 is referring to the reasons in Subsection G, and so I think that is the reason for placing it here. That it follows from the reasons given."

Councilor Maestas said it is the highest level of action to be taken which is revoking a Business License is the reason he thought it should stand alone.

Ms. Brennan said, "The heading of Paragraph G is Revocation of License. And you are correct it talks about the Distressed Sale License and Business License, so it could be shuffled. I don't' think there are any legal concerns about where it appears. I think there is one kind of logic."

Councilor Maestas said we clarified that it's the Distressed Sale License in that Paragraph G, but then we include a subparagraph that speaks to the Business License, saying, "That's where I'm coming from. That's all I had."

Public Hearing

Stephanie Beninato said, "I support Councilor Maestas's suggestions, particularly about using the same wording, if you're going to be talking about the Distress Business License, then name it throughout that section. Or, if in G, you're talking about Business License in both, then I guess you do have to name it. But if somebody is quickly looking through it, they might not get it, that it's the Distress Business License. So I think it's easy enough to just make an amendment to change it. It makes it two words longer every time it's in the ordinance, but it might be work it for clarity for people, I don't know, aren't educated enough in law to understand what they're reading. And I do appreciate Councilor Maestas's careful reading of the Ordinance, even though he is not a lawyer. I also would wonder, and I don't know if it's in the proposed Ordinance, but I would hope you would require the person getting this Distress Business License to actually post the permit visible from the street, so people walking by, people are downtown a lot, would go, oh my gosh, look at that, it's been up another week beyond what it should be. That will help drive complaints, if that's how you're doing it. And that way it will be clear to people. They don't have to call the City and go, how long has this sale been going on. They will know that it needs to end on a certain date and it will be clear, both to an inspector who goes by, or to a member of the public who might care and it will just be easier for those people to know when and if they should call."

The Public Hearing was closed

Mayor Pro-Tem Ives asked Ms. Brennan if it would be possible to move this forward, given it's coming to us as an Ordinance, with a request simply that the distinction be made within the context of the document that the language be clarified when a Distressed Sale license is being talked about, and when a Business License is being talked about.

Ms. Brennan said, "I believe it's appropriate to approve subject to the clarification language regarding Distressed Sale License and Business License be provided as directed. And I would ask that the one change that I asked for on line 16, Paragraph G, by the addition of the word "Manager," after the word "City," so it clarifies who is exercising that authority.

MOTION: Councilor Maestas moved, seconded by Councilor Bushee, to adopt Ordinance No. 2015-31, with those amendments.

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

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

Against: None.

7. **CONSIDERATION OF BILL NO. 2015-35: ADOPTION OF ORDINANCE NO. 2015-32 (MAYOR GONZALES, COUNCILOR DOMINGUEZ, COUNCILOR RIVERA, COUNCILOR DIMAS, COUNCILOR MAESTAS, COUNCILOR IVES, COUNCILOR BUSHEE AND COUNCILOR TRUJILLO). AN ORDINANCE RELATING TO EARLY VOTING; AMENDING SUBSECTION 9-1.7 SFCC 1987, TO AUTHORIZE THE MUNICIPAL CLERK TO ESTABLISH ALTERNATE EARLY VOTING LOCATIONS AND REQUIREMENTS FOR SUCH LOCATIONS. (YOLANDA Y. VIGIL)**

The staff report was presented by Yolanda Vigil, City Clerk, from the Legislative Summary on this bill which is in the Council packet. Please see this document for specifics of this presentation. She said, "In a nutshell, this is allowing us to have additional early voting locations. As I mentioned when you discussed the request to publish, I am looking at using Genoveva Chavez Community Center as our alternate location. So we would have early voting at the City Clerk's Office and at the GCCC.

Public Hearing

Stephanie Beninato said, "I'm very happy that this ordinance is coming in front of you. I would assume that all of you will support it because it does gives people who live on the south side an easier way to do early voting. I think it's important we encourage everybody to vote. I think statistics show the residents of the south side maybe vote less than people on the north and east side. So anything that can be done to encourage people and make it easier to vote, I think the City should follow through on. Thank you."

The Public Hearing was closed

MOTION: Councilor Bushee moved, seconded by Councilor Rivera, to adopt Ordinance No. 2015-32 as presented.

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

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

Against: None.

I. ADJOURN

The was no further business to come before the Governing Body, and upon completion of the Agenda, the meeting was adjourned at approximately 8:15. p.m.

Approved by:

Mayor Javier M. Gonzales

ATTESTED TO:

Yolanda Y. Vigil, City Clerk

Respectfully submitted:

Melessia Helberg, Council Stenographer

ITEM #10-s

ACTION SHEET
ITEM FROM THE
PUBLIC WORKS/CIP AND LAND USE COMMITTEE MEETING
OF
MONDAY, SEPTEMBER 28, 2015

ITEM 14

REQUEST FOR APPROVAL OF A RESOLUTION SPONSORING THE UPCOMING BEIRUT CONCERT, A FREE COMMUNITY EVENT, SCHEDULED FOR OCTOBER 4, 2015 ON THE SANTA FE PLAZA; AUTHORIZING THE CLOSURE OF SAN FRANCISCO STREET FOR THE EVENT TO ALLOW FOR FOOD VEHICLE VENDORS IN THE PLAZA AREA **(MAYOR GONZALES AND COUNCILOR BUSHEE) (JESSE GUILLEN)**

PUBLIC WORKS COMMITTEE ACTION: Approved on consent

FUNDING SOURCE:

SPECIAL CONDITIONS / AMENDMENTS / STAFF FOLLOW UP: Add Councilor Ives as a sponsor

VOTE	FOR	AGAINST	ABSTAIN
CHAIRPERSON TRUJILLO			
COUNCILOR BUSHEE	X		
COUNCILOR DIMAS	X		
COUNCILOR DOMINGUEZ	Excused		
COUNCILOR IVES	X		

Exhibit "1"

ITEM #10 (s)

CITY OF SANTA FE, NEW MEXICO
PROPOSED AMENDMENT(S) TO RESOLUTION NO. 2015-__
Beirut Concert Sponsorship

Mayor and Members of the City Council:

We propose the following amendment(s) to Resolution No. 2015-____:

1. On page 2, line 2, ***delete*** "2015-15" and ***insert in lieu thereof*** "2015-13".

2. On page 2, line 3, ***delete*** "food vehicle vendors" and ***insert in lieu thereof*** "mobile vehicle vendors serving food".

Respectfully submitted,

_____
Staff

ADOPTED: _____
NOT ADOPTED: _____
DATE: _____

_____
Yolanda Y. Vigil, City Clerk

Exhibit "2"

CITY COUNCIL MEETING
September 30, 2015
BILLS AND RESOLUTIONS SCHEDULED FOR INTRODUCTION BY MEMBERS OF THE GOVERNING BODY

Mayor Javier Gonzales		
Co-Sponsors	**Title**	**Tentative Committee Schedule**
	A RESOLUTION CALLING FOR A REGULAR MUNICIPAL ELECTION TO BE HELD MARCH 1, 2016 FOR THE PURPOSE OF ELECTING ONE CITY COUNCILOR FROM EACH COUNCIL DISTRICT AND ELECTING ONE MUNICIPAL JUDGE AT-LARGE.	City Council – 10/14/15
	A RESOLUTION DESIGNATING SANTA FE AS A PURPLE HEART CITY AS PART OF THE NATIONAL CAMPAIGN BY THE MILITARY ORDER OF THE PURPLE HEART OF THE UNITED STATES OF AMERICA.	Public Works Committee – 10/13/15 Veterans Advisory Board – 10/14/15 Finance Committee – 10/19/15 City Council – 10/28/15
Ives	A RESOLUTION AMENDING RESOLUTION 2015-31 TO INCLUDE ALL NEW MEXICO VETERANS IN THE NO-COST TRANSIT PROGRAM DEVELOPED BY THE TRANSIT DEPARTMENT.	Public Works Committee – 10/13/15 Veterans Advisory Board – 10/14/15 Finance Committee – 10/19/15 Transit Authority Board – 10/20/15 City Council – 10/28/15

Councilor Patti Bushee		
Co-Sponsors	**Title**	**Tentative Committee Schedule**
Lindell	AN ORDINANCE AMENDING THE OFFICIAL MAP OF HISTORIC STRUCTURES TO DESIGNATE THE SANTA FE AIRPORT TERMINAL BUILDING, LOCATED AT 121 AVIATION DRIVE, AS A CITY LANDMARK.	City Council (request to publish) – 10/28/15 City Council (public hearing) – 12/9/15

Councilor Bill Dimas		
Co-Sponsors	**Title**	**Tentative Committee Schedule**

This document is subject to change.

Exhibit "3"

Councilor Carmichael Dominguez

Co-Sponsors	Title	Tentative Committee Schedule

Councilor Peter Ives

Co-Sponsors	Title	Tentative Committee Schedule
	A RESOLUTION A RESOLUTION IN SUPPORT OF INCREASING THE FEDERAL ROYALTY RATE FOR OIL AND GAS PRODUCED ON FEDERAL PUBLIC LANDS.	City Council - 10/14/15
	A RESOLUTION DIRECTING STAFF TO PLAN AND COORDINATE A SYMPOSIUM ON THE HISTORY OF THE SANTA FE FIESTAS; ON DON DIEGO DE VARGAS' EXPEDITION TO SANTA FE IN THE LATE 17TH CENTURY; THE DYNAMIC INTERPLAY OF CULTURES WITHIN THE CITY OF SANTA FE BOTH THEN AND NOW; AND TO EXPLORE HOLDING SAID SYMPOSIUM BETWEEN INDIAN MARKET AND THE FIESTAS IN 2016.	City Business Quality of Life Committee – 11/10/15 Finance Committee - 11/30/15 City Council 12/9/15

Councilor Signe Lindell

Co-Sponsors	Title	Tentative Committee Schedule

Councilor Joseph Maestas

Co-Sponsors	Title	Tentative Committee Schedule

Councilor Chris Rivera

Co-Sponsors	Title	Tentative Committee Schedule

Councilor Ron Trujillo

Co-Sponsors	Title	Tentative Committee Schedule

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 Jesse Guillen, (505) 955-6518, jbguillen@santafenm.gov or Rebecca Seligman at (505) 955-6501, rxseligman@santafenm.gov .

CITY OF SANTA FE, NEW MEXICO

RESOLUTION NO. 2015-__

INTRODUCED BY:

Councilor Peter Ives

A RESOLUTION

IN SUPPORT OF INCREASING THE FEDERAL ROYALTY RATE FOR OIL AND GAS PRODUCED ON FEDERAL PUBLIC LANDS.

WHEREAS, the Bureau of Land Management is responsible for ensuring that American taxpayers receive a fair return for oil and gas developed on federal public lands; and

WHEREAS, oil and gas production has reached record levels while antiquated federal royalty rates have been permitted to lag behind the rates charged by Western states; and

WHEREAS, the Bureau of Land Management currently charges a royalty rate of only 12.5% for oil and gas produced on federal lands, while New Mexico charges up to 18.75% for oil and gas produced on state lands; and

WHEREAS, the federal royalty rate has not been increased in nearly a century;

WHEREAS, the Department of Interior and Bureau of Land Management have been discussing a possible increase in the royalty rate for years; and

WHEREAS, the Government Accountability Office has repeatedly called on the Department of Interior to increase onshore oil and gas royalty rates; and

Exhibit "A"

WHEREAS, New Mexico receives approximately half of the royalties generated by energy produced on federal public lands within the state; and

WHEREAS, New Mexico is a major oil and gas producer, and received over $546 million in federal royalties for FY2014; and

WHEREAS, independent analysis shows that the failure of the federal government over time to modernize the royalty structure has resulted in the loss of hundreds of millions of dollars in revenue for New Mexico; and

WHEREAS, the vast majority of federal royalties returned to New Mexico go to the Public School Fund, and an increased royalty rate will provide critical funds that will benefit students in our community and across the state; and

WHEREAS, increasing the federal royalty rate will ensure a fair share of revenue to New Mexico taxpayers.

NOW THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF SANTA FE that the Bureau of Land Management is respectfully requested to move forward with updating the regulations governing the royalty charged for oil and gas produced on federal public lands to ensure a fair share for taxpayers.

PASSED, APPROVED AND ADOPTED this _____day of _____, 2015.

_____

JAVIER M. GONZALES, MAYOR

ATTEST:

_____

YOLANDA Y. VIGIL, CITY CLERK

APPROVED AS TO FORM:

_____

KELLEY A. BRENNAN, CITY ATTORNEY

M/Legislation/Resolutions 2015/Oil and Gas Royalty Rate

CITY OF SANTA FE, NEW MEXICO

RESOLUTION NO. 2015-__

INTRODUCED BY:

Mayor Javier M. Gonzales

Councilor Patti Bushee

A RESOLUTION

DESIGNATING SANTA FE AS A PURPLE HEART CITY AS PART OF THE NATIONAL CAMPAIGN BY THE MILITARY ORDER OF THE PURPLE HEART OF THE UNITED STATES OF AMERICA.

WHEREAS, the Purple Heart is the oldest military medal currently being awarded by the United States Military Services, originating in 1782 by General George Washington; and

WHEREAS, the Purple Heart was originally known as the Badge of Military merit, and was designed to recognize "instances of unusual Gallantry and Fidelity" by soldiers; and

WHEREAS, revival of the Purple Heart award occurred by Executive Order in 1932, at the direction of President Hoover and what was then the United States War Department; and

WHEREAS, the Military Order of the Purple Heart of the United States of America was formed in 1932, and subsequently chartered by Congress in 1958, and is composed of recipients of the Purple Heart Award for wounds suffered in combat; and

WHEREAS, the mission of the Military Order of the Purple Heart is to foster an environment of goodwill among the combat-wounded veteran members and their families,

Exhibit "5"

promote patriotism, support legislative initiatives, and most importantly make sure that Americans never forget to recognize the price that servicemen and women have paid for our nation's freedom; and

WHEREAS, the Purple Heart is awarded to soldiers who are wounded or killed at the hands of the enemy while in combat and serving as a member of the United States Military; and

WHEREAS, there are over 1000 Purple Heart cities and counties throughout the United States; and

WHEREAS, the City of Santa Fe and surrounding areas has a large concentration of highly decorated military veterans and Purple Heart recipients; and

WHEREAS, residents of the City of Santa Fe have the utmost respect and gratitude to the men and women who have served their community and country selflessly through dedicated service in the Armed Forces.

NOW THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF SANTA FE that the City of Santa Fe is hereby designated a Purple Heart City as part of the national campaign by the Military Order of the Purple Heart of the United States of America.

BE IT FURTHER RESOLVED THAT the citizens of the City of Santa Fe are encouraged to show their appreciation for the courage and sacrifices made by Purple Heart recipients in defending our freedoms, and to show them the honor, respect and support they have earned through their service in the Armed Services.

BE IT FURTHER RESOLVED THAT the City of Santa Fe shall work with appropriate State and County agencies to place signage at the entrances to, and other fitting locations around, the City designating the City of Santa Fe as a Purple Heart City.

PASSED, APPROVED AND ADOPTED this _____day of _____, 2015.

JAVIER M. GONZALES, MAYOR

ATTEST:

YOLANDA Y. VIGIL, CITY CLERK

APPROVED AS TO FORM:

KELLEY A. BRENNAN, CITY ATTORNEY

M/Legislation/Resolutions 2015/Purple Heart City

CITY OF SANTA FE, NEW MEXICO

RESOLUTION NO. 2015-__

INTRODUCED BY:

Mayor Javier M. Gonzales

Councilor Peter N. Ives

Councilor Patti Bushee

A RESOLUTION

AMENDING RESOLUTION 2015-31 TO INCLUDE ALL NEW MEXICO VETERANS IN THE NO-COST TRANSIT PROGRAM DEVELOPED BY THE TRANSIT DEPARTMENT.

WHEREAS, on April 8, 2015 the Governing Body passed Resolution 2015-31 that authorized the Transit Department to develop and implement a no-cost transit program for Santa Fe veterans; and

WHEREAS, it is the desire of the Governing Body to include all New Mexico veterans in the no-cost transportation program established by Resolution 2015-31 in the City of Santa Fe; and

WHEREAS, the City of Santa Fe recognizes and appreciates the service of brave men and women in our community who have served our great country; and

WHEREAS, our older veterans are faced with many of the problems and issues associated with age; and

WHEREAS, our younger veterans are faced with problems and issues of unemployment and underemployment; and

WHEREAS, there are varying levels of service made available to veterans at the federal, state and local level, as well as services made available through local non-profits; and

Exhibit "6"

WHEREAS, there is a need to make the Santa Fe Trails Transit System ("Transit System") more accessible for veterans; and

WHEREAS, year round no-cost bus passes would benefit the needs of veterans in our state and local community; and

WHEREAS, the Governing Body has shown support for veterans in our community through the adoption of various pieces of legislation; and

WHEREAS, there is a need to continue to assist veterans in Santa Fe, therefore, the Governing Body desires to establish a no cost transit program that would include addressing the needs of veterans in an effort to recognize the contributions veterans have made.

NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF SANTA FE that Resolution 2015-31 is hereby amended to authorize the Transit Division to include all New Mexico veterans in its no-cost transit program.

PASSED, APPROVED and ADOPTED this ____ day of _____, 2015.

_____

JAVIER M. GONZALES, MAYOR

ATTEST:

_____

YOLANDA Y. VIGIL, CITY CLERK

APPROVED AS TO FORM:

_____

KELLEY A. BRENNAN, CITY ATTORNEY

M/Legislation/Resolutions 2015/NM Vets Bus Fares