



Agenda

SPECIAL MEETING OF
THE GOVERNING BODY
JUNE 23, 2016
4:00 P.M.
CITY COUNCIL CHAMBERS

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 – May 25, 2016
9. PRESENTATIONS
10. CONSENT CALENDAR
 - a) Annual Review and Request for Approval of City of Santa Fe Debt Management and Post Issuance Policy. (Helene Hausman)
 - b) Annual Review and Request for Approval of City of Santa Fe Investment Policy. (Helene Hausman)
 - c) Request for Approval of Professional Services Agreement in the Amount of \$58,855 – Procurement of Lights for Street and Parking Lot Light Poles in the North and Baca Railyard Districts; Santa Fe Railyard Community Corporation. (Robert Siqueiros)
 - d) Request for Approval of Bid No. 16/32/B and Construction Agreement in the Amount of \$167,773.62 – Removal and Replacement of Decorative Street Lights; Bixby Electric, Inc. (Rick Devine)
 - e) Request for Approval of Prioritization List of Small Sidewalk Projects in the Amount of \$500,000 Funded through 2014 CIP Bond. (John Romero)
 - f) Request for Approval of Amendment No. 1 to Professional Services Agreement in the Amount of \$25,000 – FY 2016/17 Tree Pruning and Removal Services (RFP #15/2/P); Coats Tree Services, Inc. (Richard Thompson)

CITY CLERK'S OFFICE

DATE 6/17/16 TIME 11:50 A.M.

SERVED BY M. Adams

RECEIVED BY [Signature]



Agenda

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CITY COUNCIL CHAMBERS

- g) Southside Transit Center – Site Work for Bus Shelter Installation – CIP Project #667. (LeAnn Valdez)
- 1) CONSIDERATION OF RESOLUTION NO. 2016-____. (Councilor Rivera, Councilor Villarreal and Councilor Dominguez)
A Resolution Amending Table 80 of the City of Santa Fe *Impact Fee Capital Improvements Plan 2020* Regarding Planned Major Road Improvements and Adding "Southside Transit Center Loop" as an Eligible Project to Receive "Road" Impact Fees.
 - 2) Request for Approval to Use Impact Fees in the Amount of \$1,144,585.45 – Capital Improvement Plan Funds to Complete Site Work Construction for Bus Shelter Installation at Southside Transit Center.
 - 3) Request for Approval of Budget Adjustment in the Amount of \$1,144,585.45 from Impact Fee Fund – Roads to Transit Bus Fund.
- h) CONSIDERATION OF RESOLUTION NO. 2016-____. (Councilor Trujillo and Councilor Maestas)
A Resolution Supporting the New Mexico Litter Control and Beautification Act of 1985 which Provides Public Funds in the Form of Grants for the Purpose of Enhancing Local Litter Control and Beautification Programs. (Gilda Montañño)
- i) CONSIDERATION OF RESOLUTION NO. 2016-____. (Mayor Gonzales, Councilor Ives and Councilor Rivera)
A Resolution in Support of "El Grito", an Annual Celebration of Mexican Independence Day on September 16, 2016; and Waiving all Associated Costs. (Xochitl Campos Biggs)
- j) Request for Approval of CYFD Grant Award and Agreement in the Amount of \$133,395 – FY 2016/17 Juvenile Services through the Santa Fe Regional Juvenile Justice Board; State of New Mexico Children Youth and Families Department. (Richard DeMella)
- 1) Request for Approval of Budget Increase in the Amount of \$133,395.
- k) Request for Approval of Amendment No. 1 to Professional Services Agreement in the Amount of \$57,848.38 – FY 2016/17 Elevator Maintenance Services at Sandoval Parking Garage and Santa Fe Community Convention Center; KONE, Inc. (Sara Smith)



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- l) Request for Approval of Amendment No. 2 to Professional Services Agreement in the Amount of \$1,260,000 – FY 2016/17 Advertising Services for Tourism Santa Fe; Fuseideas, LLC. (Randy Randall)
- m) Request for Approval of Amendment No. 2 to Professional Services Agreement in the Amount of \$140,000 – FY 2016/17 Website Services for Tourism Santa Fe; StudioX, Inc. (Randy Randall)
- n) Request for Approval of Amendment No. 2 to Professional Services Agreement in the Amount of \$116,000 – FY 2016/17 Public Relations Services for Tourism Santa Fe; Lou Hammond & Associates. (Randy Randall)
- o) Request for Approval of Amendment No. 1 to Professional Services Agreement in the Amount of \$45,000 – FY 2016/17 Brochure Display and Distribution Services for Tourism Santa Fe; Certified Folder Display Services, Inc. (Randy Randall)
- p) Request for Approval of Findings of Fact and Conclusions of Law for Case No. 2016-23, 701 Camino de la Familia Railyard Flats Master Plan Amendment, and Case No. 2016-25, 701 Camino de la Familia Railyard Flats Development Plan. (Kelley Brennan)
- q) Status of City of Santa Fe Cash and Investment Portfolio as of March 31, 2016. (Helene Hausman) (**Informational Only**)
- r) Request for Approval of Voluntary Collection Agreement – City of Santa Fe Lodgers' Tax Ordinance Relating to Short Term Rentals; AIRBNB, Inc. (Randy Randall)
- s) Request to Publish Notice of Public Hearing on July 13, 2016:
 - 1) Santa Fe Distillery, LLC, "Santa Fe Spirits" Local Economic Development Project: (Fabian Trujillo)
 - a) **Bill No. 2016-28:** An Ordinance Relating to the City of Santa Fe Economic Development Plan Ordinance, Article 11-11 SFCC 1987; Approving and Adopting a Local Economic Development Project Participation Agreement Between the City of Santa Fe and the Santa Fe Distillery, LLC, "Santa Fe Spirits" for Expansion to the Existing Manufacturing Facility, a Local Economic Development Project. (Councilor Rivera, Councilor Dominguez, Mayor Gonzales and Councilor Ives)



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- (1) Local Economic Development Project Participation Agreement Between the City of Santa Fe and the Santa Fe Distillery, LLC, "Santa Fe Spirits" for Expansion to the Existing Manufacturing Facility, a Local Economic Development Project.
- b) Intergovernmental Agreement Between the New Mexico Economic Development Department and the City of Santa Fe, New Mexico for the Purpose of Facilitating the Disbursement of Funds for the Santa Fe Distillery, LLC, "Santa Fe Spirits" Local Economic Development Project.
- 2) Wildflower International, Ltd. Local Economic Development Project: (Kate Noble)
 - a) **Bill No. 2016-29:** An Ordinance Relating to the City of Santa Fe Economic Development Plan Ordinance, Article 11-11 SFCC 1987; Approving and Adopting a Local Economic Development Project Participation Agreement Between the City of Santa Fe and Wildflower International, Ltd. for the Purchase of Land, Equipment, Engineering and Design Related to Construction of a Technology Facility, a Local Economic Development Project. (Mayor Gonzales, Councilor Ives and Councilor Maestas)
 - (1) Local Economic Development Project Participation Agreement Between the City of Santa Fe and Wildflower International, Ltd. for the Purchase of Land, Equipment, Engineering and Design Related to Construction of a Technology Facility, a Local Economic Development Project.
 - b) Intergovernmental Agreement Between the New Mexico Economic Development Department and the City of Santa Fe, New Mexico for the Purpose of Facilitating the Disbursement of Funds for the Wildflower International, Ltd. Local Economic Development Project.
 - t) Request for Approval of Grant Award and Modification No. 1 to Agreement – Wildland/Urban Interface and Hazardous Fuels Reduction/Aztec Springs Fuel Reduction Project in the Amount of \$47,266.56; New Mexico Energy, Minerals and Natural Resources Department Forestry Division. (Greg Gallegos)



Agenda

SPECIAL MEETING OF
THE GOVERNING BODY
JUNE 23, 2016
4:00 P.M.
CITY COUNCIL CHAMBERS

- u) Request for Ratification of Administratively Approved Special Dispenser Permits Issued Due to the Cancelled June 8, 2016 Governing Body Meeting. (Yolanda Y. Vigil)
- 1) Request from Meow Wolf for a Waiver of the 300 Foot Location Restriction and Approval to Allow the Dispensing/Consumption of Beer and Wine at Meow Wolf, 1352 Rufina Circle, Which is Within 300 Feet of La Petite Academy, 1361 Rufina Circle, for the following events:
 - June 8, 2016 – Calliope Musicals
 - June 16, 2016 – Bloomsday by Joycegeek
 - June 19, 2016 – Aralic and Econarchy by Blackdeath
 - 2) Request from Manitou Galleries for a Waiver of the 300 Foot Location Restriction and Approval to Allow the Dispensing/Consumption of Wine at Manitou Galleries, 225 Canyon Road, Which is Within 300 Feet of the Cathedral Basilica of St. Francis of Assisi, 131 Cathedral Place and the New Mexico School for the Arts, 275 East Alameda Street, for the Tom Murray Exhibition on June 17, 2016.
 - 3) Request from MTFA Contemporary Gallery for a Waiver of the 300 Foot Location Restriction and Approval to Allow the Dispensing/Consumption of Alcohol at MTFA Contemporary Gallery, 228 Old Santa Fe Trail, Which is Within 300 Feet of the Church of Antioch at Santa Fe, 207 Old Santa Fe Trail, for the Gallery Opening Reception on June 24, 2016.
11. **CONSIDERATION OF RESOLUTION NO. 2016-_____.**
A Resolution Relating to the City of Santa Fe, New Mexico Senior Lien Gross Receipts Tax Refunding Revenue Bonds, and the City of Santa Fe, New Mexico Subordinate Lien Gross Receipts Tax Refunding Revenue Bonds, in Accordance With City Ordinance No. 2016-21 Adopted On May 25, 2016; Approving the Sale of the Bonds to the New Mexico Finance Authority; Establishing Certain Details of the Bonds; Providing for the Payment of the Costs of Issuance of the Bonds; Approving Disclosure and Other Documents Relating to the Bonds; and Ratifying Action Previously Taken in Connection Therewith. (Oscar Rodriguez)



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4:00 P.M.

CITY COUNCIL CHAMBERS

12. PUBLIC HEARINGS:

- a) **CONSIDERATION OF BILL NO. 2016-25: ADOPTION OF ORDINANCE NO. 2016-____: (Councilor Rivera)**
An Ordinance Authorizing the Execution and Delivery of a Loan Agreement and Intercept Agreement by and Between the City of Santa Fe, New Mexico (the "Governmental Unit") and the New Mexico Finance Authority, Evidencing a Special, Limited Obligation of the Governmental Unit to Pay a Principal Amount of \$917,815 for the Purpose of Acquiring Fire Protection Equipment for its Fire Department and Paying a Loan Processing Fee; Providing for the Payment of the Principal and Interest Due Under the Loan Agreement Solely from the Distribution of Fire Protection Fund Revenues Distributed by the State Treasurer to the Governmental Unit Pursuant to Section 59A-53-7 NMSA 1978; Providing for the Distribution of Fire Protection Fund Revenues to be Redirected by the State Treasurer to the New Mexico Finance Authority or its Assigns for the Payment of Principal and Interest Due on the Loan Agreement Pursuant to an Intercept Agreement; Approving the Form and Terms of, and Other Details Concerning the Loan Agreement and Intercept Agreement; Setting the Maximum Interest Rate of the Loan; Ratifying Actions Heretofore Taken; Repealing all Action Inconsistent with this Ordinance; and Authorizing the Taking of Other Actions in Connection with the Execution and Delivery of the Loan Agreement and Intercept Agreement. (Oscar Rodriguez) **(Postponed from the June 8, 2016 Governing Body Agenda)**
- b) Request from Manitou Galleries for a Waiver of the 300 Foot Location Restriction and Approval to Allow the Dispensing/Consumption of Wine at Manitou Galleries, 225 Canyon Road, Which is Within 300 Feet of the Cathedral Basilica of St. Francis of Assisi, 131 Cathedral Place and the New Mexico School for the Arts, 275 East Alameda Street. The Request is for the Following Events Which Will be Held from 5:00 p.m. to 7:30 p.m.: (Yolanda Y. Vigil) **(Postponed from the June 8, 2016 Governing Body Agenda)**
- July 15, 2016 – Don Brackett/Darrell Davis
 - August 18, 2016 – Joshua Tobey
 - September 16, 2016 – Jeff Cochran
 - October 7, 2016 – Studio Incamminati
- c) **CONSIDERATION OF BILL NO. 2016-23: ADOPTION OF ORDINANCE NO. 2016-____: (Councilor Dominguez and Councilor Maestas)**
An Ordinance Repealing a Municipal Capital Outlay Gross Receipts Tax. (Oscar Rodriguez) **(Postponed from the June 8, 2016 Governing Body Agenda)**



Agenda

SPECIAL MEETING OF
THE GOVERNING BODY

JUNE 23, 2016

4:00 P.M.

CITY COUNCIL CHAMBERS

- d) CONSIDERATION OF BILL NO. 2016-24: ADOPTION OF ORDINANCE NO. 2016-____: (Mayor Gonzales)
An Ordinance Relating to the Sale and Consumption of Alcohol on City Property; Amending Subsection 23-6.2 SFCC 1987 to Authorize the Sale and Consumption of Beer and Wine on the Top Level of the Sandoval Parking Garage for the Sunset Party on June 30, 2016. (Noel Correria)
(Postponed from the June 8, 2016 Governing Body Agenda)
- e) CONSIDERATION OF BILL NO. 2016-26: ADOPTION OF ORDINANCE NO. 2016-____: (Mayor Gonzales, Councilor Ives and Councilor Lindell)
An Ordinance Amending Subsection 18-1.4 to Include Businesses Selling Goods Represented as Native American Within the Native American Arts or Crafts District; and Creating a New Subsection 18-5.29 to Establish the Native American Arts or Crafts District, and Establishing Regulations for Sale of Native American Arts or Crafts Within the District. (Debra Garcia)
(Postponed to the June 29, 2016 Meeting of the Governing Body)

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)(2), (7) and (8) NMSA 1978, Discussion Regarding Limited Personnel Matters, Including, without Limitation, the Evaluation Process for the City Manager; Threatened and Pending Litigation in Which the City of Santa Fe is or May Become a Participant, Including, without Limitation, Mediation under the Dispute Resolution Provision of the Facilities Operations and Procedures Agreement between the City of Santa Fe, Santa Fe County and Others (FOPA); and Discussion of the Purchase, Acquisition or Disposal of Real Property or Water Rights by the City of Santa Fe, Including, without Limitation, Relating to the Santa Fe River Target Flow Ordinance and Obligations to Provide Certain Acequias with Water and Relating to the Status of the Buckman Road Recycling and Transfer Station (BuRRT) Lease. (Kelley Brennan)

15. Action with Respect to Certain Proposed Amendments to the FOPA Pursuant to Discussions in Mediation.
16. Action Relating to the Santa Fe River Target Flow Ordinance and Obligations to Provide Certain Acequias with Water.



Agenda

SPECIAL MEETING OF
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CITY COUNCIL CHAMBERS

17. Action Relating to the Buckman Road Recycling and Transfer Station Lease.
18. MATTERS FROM THE CITY CLERK
19. COMMUNICATIONS FROM THE GOVERNING BODY
20. 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.

**SUMMARY INDEX
CITY OF SANTA FE
SPECIAL MEETING OF THE GOVERNING BODY
Wednesday, June 23, 2016**

<u>ITEM</u>	<u>ACTION</u>	<u>PAGE</u>
<u>AFTERNOON SESSION</u>		
CALL TO ORDER AND ROLL CALL	Quorum	1
APPROVAL OF AGENDA	Approved [amended]	1-2
APPROVAL OF CONSENT CALENDAR	Approved	2
CONSENT CALENDAR LISTING		2-6
APPROVAL OF MINUTES: REGULAR CITY COUNCIL MEETING – MAY 25, 2016	Approved	7
PRESENTATIONS	None	7
CONSENT CALENDAR DISCUSSION	No items pulled for discussion	7
CONSIDERATION OF RESOLUTION NO. 2016-50. A RESOLUTION RELATING TO THE CITY OF SANTA FE, NEW MEXICO SENIOR LIEN GROSS RECEIPTS TAX REFUNDING REVENUE BONDS, AND THE CITY OF SANTA FE, NEW MEXICO SUBORDINATE LIEN GROSS RECEIPTS TAX REFUNDING REVENUE BONDS, IN ACCORDANCE WITH CITY ORDINANCE NO. 2016-21 ADOPTED ON MAY 25, 2016; APPROVING THE SALE OF THE BONDS TO THE NEW MEXICO FINANCE AUTHORITY; ESTABLISHING CERTAIN DETAILS OF THE BONDS; PROVIDING FOR THE PAYMENT OF THE COSTS OF ISSUANCE OF THE BONDS; APPROVING DISCLOSURE AND OTHER DOCUMENTS RELATING TO THE BONDS; AND RATIFYING ACTION PREVIOUSLY TAKEN IN CONNECTION THEREWITH	Approved	7-8

PUBLIC HEARINGS:

**CONSIDERATION OF BILL NO. 2016-25:
ADOPTION OF ORDINANCE NO. 2016-24. AN
ORDINANCE AUTHORIZING THE EXECUTION
AND DELIVERY OF A LOAN AGREEMENT AND
INTERCEPT AGREEMENT BY AND BETWEEN THE
CITY OF SANTA FE, NEW MEXICO (THE
"GOVERNMENTAL UNIT") AND THE NEW MEXICO
FINANCE AUTHORITY, EVIDENCING A SPECIAL,
LIMITED OBLIGATION OF THE GOVERNMENTAL
UNIT TO PAY A PRINCIPAL AMOUNT OF \$917,815
FOR THE PURPOSE OF ACQUIRING FIRE
PROTECTION EQUIPMENT FOR ITS FIRE
DEPARTMENT AND PAYING A LOAN PROCESSING
FEE; PROVIDING FOR THE PAYMENT OF THE
PRINCIPAL AND INTEREST DUE UNDER THE LOAN
AGREEMENT SOLELY FROM THE DISTRIBUTION OF
FIRE PROTECTION FUND REVENUES DISTRIBUTED
BY THE STATE TREASURER TO THE GOVERNMENTAL
UNIT PURSUANT TO SECTION 59A-53-7 NMSA 1978;
PROVIDING FOR THE DISTRIBUTION OF FIRE
PROTECTION FUND REVENUES TO BE REDIRECTED
BY THE STATE TREASURER TO THE NEW MEXICO
FINANCE AUTHORITY OR ITS ASSIGNS FOR THE
PAYMENT OF PRINCIPAL AND INTEREST DUE ON THE
LOAN AGREEMENT PURSUANT TO AN INTERCEPT
AGREEMENT; APPROVING THE FORM AND TERMS OF
AND OTHER DETAILS CONCERNING THE LOAN
AGREEMENT AND INTERCEPT AGREEMENT; SETTING
THE MAXIMUM INTEREST RATE OF THE LOAN;
RATIFYING ACTIONS HERETOFORE TAKEN; REPEALING
ALL ACTION INCONSISTENT WITH THIS ORDINANCE;
AND AUTHORIZING THE TAKING OF OTHER ACTIONS
IN CONNECTION WITH THE EXECUTION AND DELIVERY
OF THE LOAN AGREEMENT AND INTERCEPT AGREEMENT**

Approved

8-9

REQUEST FROM MANITOU GALLERIES FOR A
WAIVER OF THE 300 FOOT LOCATION RESTRICTION
AND APPROVAL TO ALLOW THE DISPENSING/
CONSUMPTION OF WINE AT MANITOU GALLERIES,
225 CANYON ROAD, WHICH IS WITHIN 300 FEET OF
THE CATHEDRAL BASILICA OF ST. FRANCIS OF
ASSISI, 131 CATHEDRAL PLACE AND THE NEW
MEXICO SCHOOL FOR THE ARTS, 275 EAST
ALAMEDA STREET. THE REQUEST IS FOR THE
FOLLOWING EVENTS WHICH WILL BE HELD FROM
5:00 P.M. TO 7:30 P.M.

- JULY 15, 2016 – DON BRACKETT/DARRELL DAVIS
- AUGUST 18, 2016 – JOSHUA TOBEY
- SEPTEMBER 16, 2016 – JEFF COCHRAN
- OCTOBER 7, 2016 – STUDIO INCAMMINATI

Approved

9-10

CONSIDERATION OF BILL NO. 2016-23: ADOPTION
OF ORDINANCE NO. 2016-25. AN ORDINANCE
REPEALING A MUNICIPAL CAPITAL OUTLAY GROSS
RECEIPTS TAX

Approved w/o amendments

10-12

CONSIDERATION OF BILL NO. 2016-24: ADOPTION
OF ORDINANCE NO. 2016-26. AN ORDINANCE
RELATING TO THE SALE AND CONSUMPTION OF
ALCOHOL ON CITY PROPERTY; AMENDING
SUBSECTION 23-6.2 SFCC 1987, TO AUTHORIZE
THE SALE AND CONSUMPTION OF BEER AND
WINE ON THE TOP LEVEL OF THE SANDOVAL
PARKING GARAGE FOR THE SUNSET PARTY
ON JUNE 30, 2016

Approved subject to agreement

12-13

CONSIDERATION OF BILL NO. 2016-26: ADOPTION
OF ORDINANCE NO. 2016- ____ . AN ORDINANCE
AMENDING SUBSECTION 18-1.4 TO INCLUDE
BUSINESSES SELLING GOODS REPRESENTED
AS NATIVE AMERICAN WITHIN THE NATIVE
AMERICAN ARTS OR CRAFTS DISTRICT; AND
CREATING A NEW SUBSECTION 18-5.29 TO
ESTABLISH THE NATIVE AMERICAN ARTS OR
CRAFTS DISTRICT AND ESTABLISHING
REGULATIONS FOR THE SALE OF NATIVE
AMERICAN ARTS OR CRAFTS WITHIN THE
DISTRICT

Postponed to 06/29/16

14

MATTERS FROM THE CITY MANAGER

Information/discussion

14-15

MATTERS FROM THE CITY ATTORNEY

EXECUTIVE SESSION	Approved	16
MOTION TO COME OUT OF EXECUTIVE SESSION	Approved	16
ACTION WITH RESPECT TO CERTAIN PROPOSED AMENDMENTS TO THE FOPA PURSUANT TO DISCUSSIONS IN MEDIATION	Not discussed in Executive Session	17
ACTION RELATING TO THE SANTA FE RIVER TARGET FLOW ORDINANCE AND OBLIGATIONS TO PROVIDE CERTAIN ACEQUIAS WITH WATER	Direction to staff	17
ACTION RELATING TO THE BUCKMAN ROAD RECYCLING AND TRANSFER STATION LEASE	Not discussed in Executive Session	17
MATTERS FROM THE CITY CLERK	None	17
COMMUNICATIONS FROM THE GOVERNING BODY	Information/discussion	17-19
ADJOURN		20

**MINUTES OF THE
REGULAR MEETING OF THE
GOVERNING BODY
Santa Fe, New Mexico
June 23, 2016**

CALL TO ORDER & ROLL CALL

A regular meeting of the Governing Body of the City of Santa Fe, New Mexico, was called to order by Mayor Pro-Tem Signe Lindell, on Wednesday, May 23, 2016, at approximately 5:00 p.m., in the City Hall Council Chambers. Following the Pledge of Allegiance, Salute to the New Mexico flag, and the Invocation, roll call indicated the presence of a quorum, as follows:

Members Present

Councilor Signe I. Lindell, Mayor Pro-Tem
Councilor Carmichael A. Dominguez
Councilor Mike Harris
Councilor Peter N. Ives
Councilor Ronald S. Trujillo
Councilor Renee Villarreal

Members Excused

Mayor Javier M. Gonzales
Councilor Joseph M. Maestas
Councilor Christopher M. Rivera

Others Attending

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

6. APPROVAL OF AGENDA

Brian Snyder, City Manager, said he would like to postpone Item 10(a) to the Council meeting of June 29, 2016, because Exhibits A and B were not included in the packet, but were emailed out earlier today. He said it isn't time sensitive so he would like to move it to the next Council meeting.

Councilor Ives asked to join as a cosponsor of Item 10(h) and Item 12(a), (c) and (d).

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

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

7. APPROVAL OF CONSENT CALENDAR

Councilor Dominguez said, "For the record, I am satisfied with the information that is given on Item 10(j), so I have nothing to pull."

MOTION: Councilor Dominguez moved, seconded by Councilor Harris, to approve the following Consent Calendar, as presented.

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

For: Mayor Pro-Tem Lindell, Councilor Dominguez, Councilor Harris, Councilor Ives, Councilor Trujillo and Councilor Villarreal.

Against: None.

10. CONSENT CALENDAR

A copy of Exhibit A *Glossary of Terms* regarding Item 10(a), is incorporated herewith to these minutes as Exhibit "1."

A copy of Exhibit B *Options for funding pre-construction costs prior to long-term debt issuance*, regarding Item 10(a), is incorporated herewith to these minutes as Exhibit "2."

A copy of an Amended FIR No. 2814, regarding Item 10(i), is incorporated herewith to these minutes as Exhibit "3."

A copy of an amendment sheet to Item 10(i), proposed by Mayor Gonzales, is incorporated herewith to these minutes as Exhibit "4."

- a) **ANNUAL REVIEW AND REQUEST FOR APPROVAL OF CITY OF SANTA FE DEBT MANAGEMENT AND POST ISSUANCE POLICY. (HELENE HAUSMAN) (This item is postponed to the Council meeting of June 29, 2016.)**
- b) **ANNUAL REVIEW AND REQUEST FOR APPROVAL OF CITY OF SANTA FE INVESTMENT POLICY. (HELENE HAUSMAN)**

- c) **REQUEST FOR APPROVAL OF PROFESSIONAL SERVICES AGREEMENT IN THE AMOUNT OF \$58,855 – PROCUREMENT OF LIGHTS FOR STREET AND PARKING LOT LIGHT POLES IN THE NORTH AND BACA RAILYARD DISTRICTS; SANTA FE RAILYARD COMMUNITY CORPORATION. (ROBERT SIQUEIROS.)**
- d) **REQUEST FOR APPROVAL OF BID NO. 16/32/B AND CONSTRUCTION AGREEMENT IN THE AMOUNT OF \$167,773.62 – REMOVAL AND REPLACEMENT OF DECORATIVE STREET LIGHTS; BIXBY ELECTRIC, INC. (RICK DEVINE)**
- e) **REQUEST FOR APPROVAL OF PRIORITIZATION LIST OF SMALL SIDEWALK PROJECTS IN THE AMOUNT OF \$500,000 FUNDED THROUGH 2014 CIP BOND. (JOHN ROMERO)**
- f) **REQUEST FOR APPROVAL OF AMENDMENT NO. 1 TO PROFESSIONAL SERVICES AGREEMENT IN THE AMOUNT OF \$25,000 – FY 2016/17 TREE PRUNING AND REMOVAL SERVICES (RFP #15/2/P); COATS TREE SERVICES, INC. (RICHARD THOMPSON)**
- g) **SOUTHSIDE TRANSIT CENTER – SITE WORK FOR BUS SHELTER INSTALLATION – CIP PROJECT #667. (LeANN VALDEZ)**
 - 1) **CONSIDERATION OF RESOLUTION NO. 2016-47. (COUNCILOR RIVERA, COUNCILLOR VILLARREAL AND COUNCILOR DOMINGUEZ). A RESOLUTION AMENDING TABLE 80 OF THE CITY OF SANTA FE *IMPACT FEE CAPITAL IMPROVEMENTS PLAN 2020* REGARDING PLANNED MAJOR ROAD IMPROVEMENTS AND ADDING “SOUTHSIDE TRANSIT CENTER LOOP” AS AN ELIGIBLE PROJECT TO RECEIVE “ROAD” IMPACT FEES.**
 - 2) **REQUEST FOR APPROVAL TO USE IMPACT FEES IN THE AMOUNT OF \$1,144,585.45 – CAPITAL IMPROVEMENT PLAN FUNDS TO COMPLETE SITE WORK CONSTRUCTION FOR BUS SHELTER INSTALLATION AT SOUTHSIDE TRANSIT CENTER.**
 - 3) **REQUEST FOR APPROVAL OF BUDGET ADJUSTMENT IN THE AMOUNT OF \$1,144,585.45 FROM IMPACT FEE FUND – ROADS TO TRANSIT BUS FUND.**
- h) **CONSIDERATION OF RESOLUTION NO. 2016-48. (COUNCILOR TRUJILLO AND, COUNCILOR MAESTAS AND COUNCILOR IVES). A RESOLUTION SUPPORTING THE NEW MEXICO LITTER CONTROL AND BEAUTIFICATION ACT OF 1985, WHICH PROVIDES PUBLIC FUNDS IN THE FORM OF GRANTS FOR THE PURPOSE OF ENHANCING LOCAL LITTER CONTROL AND BEAUTIFICATION PROGRAMS. (GILDA MONTANO)**

- i) **CONSIDERATION OF RESOLUTION NO. 2016-49. (MAYOR GONZALES, COUNCILOR IVES AND COUNCILOR RIVERA). A RESOLUTION IN SUPPORT OF "EL GRITO," AN ANNUAL CELEBRATION OF MEXICAN INDEPENDENCE DAY ON SEPTEMBER 16, 2016; AND WAIVING ALL ASSOCIATED COSTS. (XOCHITI CAMPOS BIGGS)**
- j) **REQUEST FOR APPROVAL OF CYFD GRANT AWARD AND AGREEMENT IN THE AMOUNT OF \$133,395 – FY 2016/17 JUVENILE SERVICES THROUGH THE SANTA FE REGIONAL JUVENILE JUSTICE BOARD; STATE OF NEW MEXICO CHILDREN YOUTH AND FAMILIES DEPARTMENT. (RICHARD DeMELLA)**
 - 1) **REQUEST FOR APPROVAL OF BUDGET INCREASE IN THE AMOUNT OF \$133,395.**
- k) **REQUEST FOR APPROVAL OF AMENDMENT NO. 1 TO PROFESSIONAL SERVICES AGREEMENT IN THE AMOUNT OF \$57,848.38 – FY 2016/17 ELEVATOR MAINTENANCE SERVICES AT SANDOVAL PARKING GARAGE AND SANTA FE COMMUNITY CONVENTION CENTER; KONE, INC. (SARA SMITH)**
- l) **REQUEST FOR APPROVAL OF AMENDMENT NO. 2 TO PROFESSIONAL SERVICES AGREEMENT IN THE AMOUNT OF \$1,260,000 – FY 2016/17 ADVERTISING SERVICES FOR TOURISM SANTA FE; FUSEIDEAS, LLC. (RANDY RANDALL)**
- m) **REQUEST FOR APPROVAL OF AMENDMENT NO. 2 TO PROFESSIONAL SERVICES AGREEMENT IN THE AMOUNT OF \$140,000 – FY 2016/17 WEBSITE SERVICES FOR TOURISM SANTA FE; STUDIO X, INC. (RANDY RANDALL)**
- n) **REQUEST FOR APPROVAL OF AMENDMENT NO. 2 TO PROFESSIONAL SERVICES AGREEMENT IN THE AMOUNT OF \$116,000 – FY 2016/17 PUBLIC RELATIONS SERVICES FOR TOURISM SANTA FE; LOU HAMMOND & ASSOCIATES. (RANDY RANDALL)**
- o) **REQUEST FOR APPROVAL OF AMENDMENT NO. 1 TO PROFESSIONAL SERVICES AGREEMENT IN THE AMOUNT OF \$45,000 – FY 2016/17 BROCHURE DISPLAY AND DISTRIBUTION SERVICES FOR TOURISM SANTA FE; CERTIFIED FOLDER DISPLAY SERVICES, INC. (RANDY RANDALL)**
- p) **REQUEST FOR APPROVAL OF FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR CASE NO. 2016-23, 701 CAMINO DE LA FAMILIA, RAILYARD FLATS MASTER PLAN AMENDMENT, AND CASE NO. 2016-25, 701 CAMINO DE LA FAMILIA RAILYARD FLATS DEVELOPMENT PLAN. (KELLEY BRENNAN)**
- q) **STATUS OF CITY OF SANTA FE CASH AND INVESTMENT PORTFOLIO AS OF MARCH 31, 2016. (HELENE HAUSMAN) (Informational Only)**

- r) **REQUEST FOR APPROVAL OF VOLUNTARY COLLECTION AGREEMENT – CITY OF SANTA FE LODGERS' TAX ORDINANCE RELATING TO SHORT TERM RENTALS; AIRBNB, INC. (RANDY RANDALL)**
- s) **REQUEST TO PUBLISH NOTICE OF PUBLIC HEARING ON JULY 13, 2016:**
 - 1) **SANTA FE DISTILLERY, LLC, "SANTA FE SPIRITS" LOCAL ECONOMIC DEVELOPMENT PROJECT. (FABIAN TRUJILLO)**
 - a) **BILL NO. 2016-28: AN ORDINANCE RELATING TO THE CITY OF SANTA FE ECONOMIC DEVELOPMENT PLAN ORDINANCE, ARTICLE 11-11 SFCC 1987; APPROVING AND ADOPTING A LOCAL ECONOMIC DEVELOPMENT PROJECT PARTICIPATION AGREEMENT BETWEEN THE CITY OF SANTA FE AND THE SANTA FE DISTILLERY, LLC, "SANTA FE SPIRITS," FOR EXPANSION TO THE EXISTING MANUFACTURING FACILITY, A LOCAL ECONOMIC DEVELOPMENT PROJECT. (COUNCILOR RIVERA, COUNCILOR DOMINGUEZ, MAYOR GONZALES AND COUNCILOR IVES)**
 - (1) **ECONOMIC DEVELOPMENT PROJECT PARTICIPATION AGREEMENT BETWEEN THE CITY OF SANTA FE AND THE SANTA FE DISTILLERY, LLC, "SANTA FE SPIRITS" FOR EXPANSION TO THE EXISTING MANUFACTURING FACILITY, A LOCAL ECONOMIC DEVELOPMENT PROJECT.**
 - b) **INTERGOVERNMENTAL AGREEMENT BETWEEN THE NEW MEXICO ECONOMIC DEVELOPMENT DEPARTMENT AND THE CITY OF SANTA FE, NEW MEXICO FOR THE PURPOSE OF FACILITATING THE DISBURSEMENT OF FUNDS FOR THE SANTA FE DISTILLERY, LLC, "SANTA FE SPIRITS" LOCAL ECONOMIC DEVELOPMENT PROJECT.**
 - 2) **WILDFLOWER INTERNATIONAL, LTD., LOCAL ECONOMIC DEVELOPMENT PROJECT. (KATE NOBLE)**
 - a) **BILL NO. 2016-29: AN ORDINANCE RELATING TO THE CITY OF SANTA FE ECONOMIC DEVELOPMENT PLAN ORDINANCE, ARTICLE 11-11 SFCC 1987; APPROVING AND ADOPTING A LOCAL ECONOMIC DEVELOPMENT PROJECT PARTICIPATION AGREEMENT BETWEEN THE CITY OF SANTA FE AND WILDFLOWER INTERNATIONAL, LTD., FOR THE PURCHASE OF LAND, EQUIPMENT, ENGINEERING AND DESIGN RELATED TO CONSTRUCTION OF A TECHNOLOGY FACILITY, A LOCAL ECONOMIC DEVELOPMENT PROJECT (MAYOR GONZALES, COUNCILOR IVES AND COUNCILOR MAESTAS)**
 - (1) **LOCAL ECONOMIC DEVELOPMENT PROJECT PARTICIPATION AGREEMENT BETWEEN THE CITY OF SANTA FE AND WILDFLOWER INTERNATIONAL, LTD., FOR**

THE PURCHASE OF LAND, EQUIPMENT, ENGINEERING AND DESIGN RELATED TO CONSTRUCTION OF A TECHNOLOGY FACILITY, A LOCAL ECONOMIC DEVELOPMENT PROJECT.

- b) INTERGOVERNMENTAL AGREEMENT BETWEEN THE NEW MEXICO ECONOMIC DEVELOPMENT DEPARTMENT AND THE CITY OF SANTA FE, NEW MEXICO FOR THE PURPOSE OF FACILITATING THE DISBURSEMENT OF FUNDS FOR THE WILDFLOWER INTERNATIONAL, LTD., LOCAL ECONOMIC DEVELOPMENT PROJECT.**
- t) REQUEST FOR APPROVAL OF GRANT AWARD AND MODIFICATION NO. 1 TO AGREEMENT – WILDLAND/URBAN INTERFACE AND HAZARDOUS FUELS REDUCTION/AZTEC SPRINGS FUEL REDUCTION PROJECT IN THE AMOUNT OF \$47,266.56; NEW MEXICO ENERGY, MINERALS AND NATURAL RESOURCES DEPARTMENT, FORESTRY DIVISION. (GREG GALLEGOS)**
- u) REQUEST FOR RATIFICATION OF ADMINISTRATIVELY APPROVED SPECIAL DISPENSER PERMITS ISSUED DUE TO THE CANCELED JUNE 8, 2016 GOVERNING BODY MEETING. (YOLANDA VIGIL)**

 - 1) REQUEST FROM MEOW WOLF FOR A WAIVER OF THE 300 FOOT LOCATION RESTRICTION AND APPROVAL TO ALLOW THE DISPENSING/ CONSUMPTION OF BEER AND WINE AT MEOW WOLF, 1352 RUFINA CIRCLE, WHICH IS WITHIN 300 FEET OF LA PETITE ACADEMY, 1361 RUFINA CIRCLE, FOR THE FOLLOWING EVENTS:**

 - JUNE 8, 2016 – CALLIOPE MUSICALS**
 - JUNE 16, 2016 – BLOOMSDAY BY JOYCEGEEK**
 - JUNE 19, 2016 – ARALIC AND ECONARCHY BY BLACKDEATH**
 - 2) REQUEST FROM MANITOU GALLERIES FOR A WAIVER OF THE 300 FOOT LOCATION RESTRICTION AND APPROVAL TO ALLOW THE DISPENSING/ CONSUMPTION OF WINE AT MANITOU GALLERIES, 225 CANYON ROAD, WHICH IS WITHIN 300 FEET OF THE CATHEDRAL BASILICA OF ST. FRANCIS OF ASSISI, 131 CATHEDRAL PLACE AND THE NEW MEXICO SCHOOL FOR THE ARTS, 275 EAST ALAMEDA STREET, FOR THE TOM MURRAY EXHIBITION ON JUNE 17, 2016.**
 - 3) REQUEST FROM MTFA CONTEMPORARY GALLERY FOR A WAIVER OF THE 300 FOOT LOCATION RESTRICTION AND APPROVAL TO ALLOW THE DISPENSING/CONSUMPTION OF ALCOHOL AT MTFA CONTEMPORARY GALLERY, 228 OLD SANTA FE TRAIL, WHICH IS WITHIN 300 FEET OF THE CHURCH OF ANTIOCH AT SANTA FE, 207 OLD SANTA FE TRAIL, FOR THE GALLERY OPENING RECEPTION ON JUNE 24, 2016.**

8. APPROVAL OF MINUTES: REGULAR CITY COUNCIL MEETING – MAY 25, 2016.

MOTION: Councilor Dominguez moved, seconded by Councilor Harris, to approve the minutes of the Regular City Council meeting of May 25, 2016, as presented.

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

9. PRESENTATIONS

There were no presentations

CONSENT CALENDAR DISCUSSION

No items were removed from the Consent Calendar for discussion.

11. CONSIDERATION OF RESOLUTION NO. 2016-50. A RESOLUTION RELATING TO THE CITY OF SANTA FE, NEW MEXICO SENIOR LIEN GROSS RECEIPTS TAX REFUNDING REVENUE BONDS, AND THE CITY OF SANTA FE, NEW MEXICO SUBORDINATE LIEN GROSS RECEIPTS TAX REFUNDING REVENUE BONDS, IN ACCORDANCE WITH CITY ORDINANCE NO. 2016-21 ADOPTED ON MAY 25, 2016; APPROVING THE SALE OF THE BONDS TO THE NEW MEXICO FINANCE AUTHORITY; ESTABLISHING CERTAIN DETAILS OF THE BONDS; PROVIDING FOR THE PAYMENT OF THE COSTS OF ISSUANCE OF THE BONDS; APPROVING DISCLOSURE AND OTHER DOCUMENTS RELATING TO THE BONDS; AND RATIFYING ACTION PREVIOUSLY TAKEN IN CONNECTION THEREWITH. (OSCAR RODRIGUEZ)

A copy of *An Abstract of Proceedings*, with attachments, in this matter, is incorporated herewith to these minutes as Exhibit "5."

Oscar Rodriguez, Director, Finance Department, said he circulated a Brief earlier this morning on the sale of the bonds, noting the sale took place this morning and this Ordinance accepts the terms of the sale. He said representatives of the Modrall Firm and First Southwest are in attendance this afternoon to answer any questions. He said initially it was thought this action would result in approximately \$250,000 in savings, noting the Governing Body approved the sale at the last Council meeting. He said market conditions have improved since the approval of the sale of the bonds, and now it is anticipated the savings will be between \$350,000 and \$500,000 annually.

Mr. Rodriguez continued, saying said none of this affects the General Fund Operating Budget directly, noting the fund that will benefit the most is the Capital Outlay Fund, No. 3102. He said one of the big reforms we put in place during the budget process this year was to make Fund No. 3102 entirely

Capital for debt service. He said staff will be bringing a recommendation for the use of the additional resources to design projects so all the projects approved will have design funds so they can be designed, so when we advertise for the contract the only thing to be approved will be the construction, everything being shovel ready. He noted there is a savings of \$4 million over the course of the payback for the bonds.

Councilor Dominguez thanked Mr. Rodriguez for his work on this, and thanked the Authority as well. He said the fact we're doing this is a good thing. He asked if any of the terms have changed.

Mr. Rodriguez said the terms stay the same, commenting this is a refinancing to take advantage of lower interest rates and we will just be paying a lower debt service.

Councilor Dominguez asked if the Resolution will suffice and no other action is needed.

Mr. Rodriguez said the only thing left to do is to bind the City with this Ordinance, noting a Resolution was approved earlier, but it is locked-in in this fashion.

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

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

For: Mayor Pro-Tem Lindell, Councilor Dominguez, Councilor Harris, Councilor Ives, Councilor Trujillo and Councilor Villarreal.

Against: None.

12. PUBLIC HEARINGS:

- a) **CONSIDERATION OF BILL NO. 2016-25: ADOPTION OF ORDINANCE NO. 2016-24. (COUNCILOR RIVERA, COUNCILOR IVES AND COUNCILOR TRUJILLO). AN ORDINANCE AUTHORIZING THE EXECUTION AND DELIVERY OF A LOAN AGREEMENT AND INTERCEPT AGREEMENT BY AND BETWEEN THE CITY OF SANTA FE, NEW MEXICO (THE "GOVERNMENTAL UNIT") AND THE NEW MEXICO FINANCE AUTHORITY, EVIDENCING A SPECIAL, LIMITED OBLIGATION OF THE GOVERNMENTAL UNIT TO PAY A PRINCIPAL AMOUNT OF \$917,815 FOR THE PURPOSE OF ACQUIRING FIRE PROTECTION EQUIPMENT FOR ITS FIRE DEPARTMENT AND PAYING A LOAN PROCESSING FEE; PROVIDING FOR THE PAYMENT OF THE PRINCIPAL AND INTEREST DUE UNDER THE LOAN AGREEMENT SOLELY FROM THE DISTRIBUTION OF FIRE PROTECTION FUND REVENUES DISTRIBUTED BY THE STATE TREASURER TO THE GOVERNMENTAL UNIT PURSUANT TO SECTION 59A-53-7 NMSA 1978; PROVIDING FOR THE DISTRIBUTION OF FIRE PROTECTION FUND REVENUES TO BE REDIRECTED BY THE STATE TREASURER TO THE NEW MEXICO FINANCE AUTHORITY OR ITS**

ASSIGNS FOR THE PAYMENT OF PRINCIPAL AND INTEREST DUE ON THE LOAN AGREEMENT PURSUANT TO AN INTERCEPT AGREEMENT; APPROVING THE FORM AND TERMS OF AND OTHER DETAILS CONCERNING THE LOAN AGREEMENT AND INTERCEPT AGREEMENT; SETTING THE MAXIMUM INTEREST RATE OF THE LOAN; RATIFYING ACTIONS HERETOFORE TAKEN; REPEALING ALL ACTION INCONSISTENT WITH THIS ORDINANCE; AND AUTHORIZING THE TAKING OF OTHER ACTIONS IN CONNECTION WITH THE EXECUTION AND DELIVERY OF THE LOAN AGREEMENT AND INTERCEPT AGREEMENT. (OSCAR RODRIGUEZ). (Postponed from the June 8, 2016 Governing Body Agenda)

Mr. Rodriguez said this loan is designed to pay for this type of equipment in this fashion, and it will be repaid with money we get from the State to buy things like this, noting it is not money from the General Fund.

Public Hearing

There was no one speaking to this request.

The Public Hearing was closed

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

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

For: Mayor Pro-Tem Lindell, Councilor Dominguez, Councilor Harris, Councilor Ives, Councilor Trujillo and Councilor Villarreal.

Against: None.

Explaining his vote: Councilor Trujillo said, "Yes, and add me as a sponsor too."

- b) REQUEST FROM MANITOU GALLERIES FOR A WAIVER OF THE 300 FOOT LOCATION RESTRICTION AND APPROVAL TO ALLOW THE DISPENSING/ CONSUMPTION OF WINE AT MANITOU GALLERIES, 225 CANYON ROAD, WHICH IS WITHIN 300 FEET OF THE CATHEDRAL BASILICA OF ST. FRANCIS OF ASSISI, 131 CATHEDRAL PLACE AND THE NEW MEXICO SCHOOL FOR THE ARTS, 275 EAST ALAMEDA STREET. THE REQUEST IS FOR THE FOLLOWING EVENTS WHICH WILL BE HELD FROM 5:00 P.M. TO 7:30 P.M. (YOLANDA Y. VIGIL) (Postponed from the June 8, 2016 Governing Body Agenda)**
- JULY 15, 2016 – DON BRACKETT/DARRELL DAVIS**
 - AUGUST 18, 2016 – JOSHUA TOBEY**
 - SEPTEMBER 16, 2016 – JEFF COCHRAN**
 - OCTOBER 7, 2016 – STUDIO INCAMMINATI**

Yolanda Vigil, City Clerk, presented information from her Memorandum dated June 15, 2016, to Mayor Gonzales & City Councilors, which is in the Council packet. Ms. Vigil noted there are letters in the packet from the Reverend Adam Lee Ortega y Ortiz, The Cathedral Basilica of Saint Francis of Assisi and Cindy Montoya, New Mexico School for the Arts, indicating they have no opposition to this request.

Public Hearing

There was no one speaking to this request.

The Public Hearing was closed

MOTION: Councilor Ives moved, seconded by Councilor Villarreal, to grant the waiver of the 300 foot location restriction and to allow the dispensing/consumption of wine, 5:30 p.m. to 7:30 p.m., for the following events:

- July 15, 2016 – Don Brackett/Darrell Davis
- August 18, 2016 – Joshua Tobey
- September 16, 2016 – Jeff Cochran
- October 7, 2016 – Studio Incamminati

with all conditions of approval as recommended by staff.

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

For: Mayor Pro-Tem Lindell, Councilor Dominguez, Councilor Harris, Councilor Ives, Councilor Trujillo and Councilor Villarreal.

Against: None.

- c) **CONSIDERATION OF BILL NO. 2016-23: ADOPTION OF ORDINANCE NO. 2016-25. (COUNCILOR DOMINGUEZ, AND COUNCILOR MAESTAS AND COUNCILOR IVES) AN ORDINANCE REPEALING A MUNICIPAL CAPITAL OUTLAY GROSS RECEIPTS TAX. (OSCAR RODRIGUEZ). (Postponed from the June 8, 2016 Governing Body Agenda)**

Mr. Rodriguez said with this action the Governing Body will be putting into place a positive decision the Governing Body made with the budget to repeal this GRT at the same time the new GRT becomes effective on January 1, 2017.

Public Hearing

There was no one speaking to this request.

The Public Hearing was closed

MOTION: Councilor Dominguez moved, seconded by Councilor Trujillo, to adopt Ordinance No. 2016-25, without the amendments.

DISCUSSION: Councilor Dominguez asked Ms. Brennan to speak to the amendments.

Ms. Brennan said, "Yes Councilor. I would say that the second amendment is no longer necessary as you just passed the Resolution and the Ordinance. And the first Amendment, I ask that you not do, because we have had a very strong signal from Taxation and Revenue that they want the Ordinance to follow their pattern exactly, which gives the option and date in statutory form."

CLARIFICATION OF MOTION BY MAKER: Councilor Dominguez said, "So then to clarify, Madam Mayor Pro-Tem, my motion is without the Amendments."

CONTINUATION OF DISCUSSION: Councilor Harris asked, "Gives who the option. You said statutory, and it went to two dates. And as you know I proposed the amendment to eliminate July 1, 2017."

Ms. Brennan said, "It really allows whichever date first occurs, and they do it as a contingency measure. In fact, we're going to be introducing a bill tonight to [inaudible] something that we have already adopted to be in accord with what they want to see to approve, because Taxation and Revenue has to approve it."

Councilor Harris said it really isn't an option necessarily, nobody gets a choice.

Ms. Brennan said, "It's the option that if it's not delivered on time, if it's not approved in time, and if a number of things happen you would have the option of the next date kicking in. Really, it allows flexibility rather than limiting."

Councilor Harris asked when that will be resolved finally – when we know absolutely that January 1, 2017 is the date, because so much was dependent upon this particular action.

Ms. Brennan said, "When it's approved by Taxation and Revenue prior to January, it will kick in."

Councilor Harris asked how long that will take.

Ms. Brennan said, "I think it should be fairly quickly. I think it has to happen within 30 days."

Mr. Rodriguez said, "I have been in conversations with Taxation and Revenue, and they are very strict about their format, and all of that language seems to put things to us in a way that we are intending to approve this before January 1, and they stuck to that format that we need to have their language exactly, nothing different. And that's why we bring it to you this way. You will recall the reason we took that out is you wanted to make clear to everybody that no other date was being considered. I agreed with you that is the way to go, but Taxation and Revenue says no, you've got to follow their form."

Councilor Harris said, "By all means if we're notified as soon as Taxation and Revenue signs off, I would appreciate it. I'll sleep better at night then."

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

For: Mayor Pro-Tem Lindell, Councilor Dominguez, Councilor Harris, Councilor Ives, Councilor Trujillo and Councilor Villarreal.

Against: None.

- d) **CONSIDERATION OF BILL NO. 2016-24: ADOPTION OF ORDINANCE NO. 2016-26. (MAYOR GONZALES AND COUNCILOR IVES). AN ORDINANCE RELATING TO THE SALE AND CONSUMPTION OF ALCOHOL ON CITY PROPERTY; AMENDING SUBSECTION 23-6.2 SFCC 1987, TO AUTHORIZE THE SALE AND CONSUMPTION OF BEER AND WINE ON THE TOP LEVEL OF THE SANDOVAL PARKING GARAGE FOR THE SUNSET PARTY ON JUNE 30, 2016. (NOEL CORREIA) (Postponed from the June 8, 2016 Governing Body Agenda)**

Noel Correia, Director, Parking Division, said this is a request to permit service of alcohol on this one particular evening on the rooftop of the Sandoval Garage. He is here requesting approval. He said the condition of the Agreement will be such that people won't be served more than 3 alcoholic beverages during this party, and the beverages will be served in two kinds of containers. Wine will be served in no more than a 4 ounce container, and the beer will be up to 12 ounces. He said the recipients of drinks will be required to wear wristbands so the bartenders can regulate and monitor the number of drinks being served to any person. He said there will be live music, noting the event will begin at 5:30 p.m., and will not go beyond 10:00 p.m.

Ms. Brennan said, "If there is a motion to approve, it should be subject to the execution with the City of an agreement regulating the event."

Public Hearing

There was no one speaking to this request.

The Public Hearing was closed

Councilor Dominguez said this is an Ordinance and the amendment is date specific and asked what happens on July 1, 2016 – is the language no longer recognized, how does that work.

Ms. Brennan said, "It is a one-time approval, even though it is an ordinance, and that would be it."

Councilor Dominguez asked if we have to amend the Ordinance later to strike that language.

Ms. Brennan said, "We could if we wanted to, or it would just remain, but it wouldn't empower any other event. It's just for the one that would be approved. And for the record, the agreement we're talking about is modeled on the agreement we have with the Fuego."

Ms. Vigil said, "We will put a note on the actual Ordinance that is sent to the codifier, and ask it not to be codified, so it won't be in the Code."

Councilor Dominguez asked how many pieces of legislation we "have out there like that."

Ms. Vigil said, "Not very many."

Ms. Vigil said the Land Use bills.

Councilor Villarreal asked if there is a better way to do this, because every time we have an event, which she is happy to support, we do it piecemeal. She said it doesn't make sense to keep doing it this way.

Ms. Brennan said, "In fact, Councilor Dominguez is working on a revision that clarifies a lot of these issues."

Councilor Villarreal said she is in support of that.

Responding to Councilor Villarreal, Ms. Brennan said, "There are always exceptions to every rule."

MOTION: Councilor Dominguez moved, seconded by Councilor Trujillo, to adopt Ordinance No. 2016-26, relating to the sale and consumption of alcohol on City property; amending Subsection 23-6.2 SFCC to authorize the sale and consumption of beer and wine on the top level of the Sandoval Parking Garage for the Sunset Party on June 30, 2016, with approval subject to the execution of an agreement with the City regulating the event, and with the amendments in the packet making this Ordinance effective immediately upon adoption."

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

For: Mayor Pro-Tem Lindell, Councilor Dominguez, Councilor Harris, Councilor Ives, Councilor Trujillo and Councilor Villarreal.

Against: None.

- e) **CONSIDERATION OF BILL NO. 2016-26: ADOPTION OF ORDINANCE NO. 2016-____ (MAYOR GONZALES, COUNCILOR IVES AND COUNCILOR LINDELL). AN ORDINANCE AMENDING SUBSECTION 18-1.4 TO INCLUDE BUSINESSES SELLING GOODS REPRESENTED AS NATIVE AMERICAN WITHIN THE NATIVE AMERICAN ARTS OR CRAFTS DISTRICT; AND CREATING A NEW SUBSECTION 18-5.29 TO ESTABLISH THE NATIVE AMERICAN ARTS OR CRAFTS DISTRICT AND ESTABLISHING REGULATIONS FOR THE SALE OF NATIVE AMERICAN ARTS OR CRAFTS WITHIN THE DISTRICT. (DEBRA GARCIA). (Postponed to the June 29, 2016 Meeting of the Governing Body)**

This item is postponed to the Governing Body meeting of June 29, 2016.

MOTION: Councilor Ives moved, seconded by Councilor Harris, to reconsider the previous approval of the Consent Agenda, as amended, to incorporate the proposed amendment to Item 10(i), Resolution No. 2016-49, [Exhibit "4"], and to approve the Consent Agenda as further amended.

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

For: Councilor Dominguez, Councilor Harris, Councilor Ives, Councilor Trujillo and Councilor Villarreal.

Against: Mayor Pro-Tem Lindell

13. MATTERS FROM THE CITY MANAGER

Mayor Pro-Tem Lindell asked Mr. Snyder to address the current situation with the fire in the watershed.

Mr. Snyder said Chief Litzenberg is here and can provide any updates. He said he spoke with each Councilor today by mid-afternoon with regard to the report of a fire in the watershed north of McClure Reservoir. He said at that time it was a 5 acre fire in the wilderness in an untreated area, with a lot of fuel. He said the concern is that it could spread fairly fast because of the fuel. He said the City is working in conjunction with the U.S. Forest Service which is taking the lead. He said he spoke with them this afternoon and the Forest Service had an aircraft in the air observing the terrain and fire situation, to determine what resources they would need to attack the fire. He said they have air tankers, helicopters and other resources. He understands after they spoke, the Forest Service was going to do an air assault on the fire throughout the afternoon and evening, and into the night as far as possible, and then bring in ground resources tomorrow morning.

Mr. Snyder said the fire is of great concern to the City because it is near our reservoirs. However, he said Chief Litzenberg has assured him this is a top priority, and a lot of resources are being applied and "they're hitting it with all they have right now."

Councilor Harris said we had a nice shower about an hour ago, and asked if there was natural fire suppression from that.

Chief Litzenberg said the rain is a mixed blessing. It helps with some of the firefighting. However, it is in heavy timber, so the rain only goes so far on heavy timber. He said it also stops the air assault, but as soon as the rain clears "and the weather pattern is such," they will get aircraft back in the area. He said in general, when the rain comes, it usually shuts things down for the rest of the day. He said, "So the City Manager said heavy duty assaults on it. And probably a lot of foot traffic tomorrow, and probably a continuation of the air assault would be a pretty effective way to address it."

Chief Litzenberg continued, saying, as the City Manager said, this is a pretty aggressive start to a fire of this size, but the U.S. Forest Service understands the importance of this to our community.

Mayor Pro-Tem Lindell thanked Chief Litzenberg, commenting that we have very very well trained people, and are hoping for a good outcome.

Councilor Dominguez asked, once you get people on foot in the area, if they will have a better idea about how the fire started, or if he has some sort of idea now.

Chief Litzenberg said we don't have an idea, all we have are guesses. He said when you have dry lightning in a wilderness area like we had yesterday where there isn't a lot of foot traffic, we usually expect it to be caused by lightening. He said we will need to have people on the ground to make a solid judgement. He said it is often difficult to nail that down with a fire of this size, unless there is something obvious to nail-down the cause.

Councilor Lindell asked Mr. Snyder the best way for folks to keep up with information on this.

Mr. Snyder said we are working jointly with the Forest Service PIO, so any press releases will be jointly released. There will be updates at the City website Twitter and Face Book. He said as new information comes in, we will be doing press releases. He said it is an ever changing situation, and we will pass along any information to the Governing Body, directly to the media and the website and the social media.

Mr. Snyder said he had questions about the Agenda and not having Petitions from the Floor this evening. He said the reason that isn't on the Agenda is because it is a special meeting and we didn't advertise Petitions from the Floor. He said, however, there will be the standard Petitions from the Floor at the Council meeting next week on June 29, 2016.

14. MATTERS FROM THE CITY ATTORNEY.

EXECUTIVE SESSION

IN ACCORDANCE WITH THE NEW MEXICO OPEN MEETINGS ACT §§10-15-1(H)(2), (7) AND (8) NMSA 1978, DISCUSSION REGARDING LIMITED PERSONNEL MATTERS, INCLUDING, WITHOUT LIMITATION THE EVALUATION PROCESS FOR THE CITY MANAGER; THREATENED AND PENDING LITIGATION IN WHICH THE CITY OF SANTA FE IS OR MAY BECOME A PARTICIPANT, INCLUDING, WITHOUT LIMITATION, MEDIATION UNDER THE DISPUTE RESOLUTION PROVISION OF THE FACILITIES OPERATIONS AND PROCEDURES AGREEMENT BETWEEN THE CITY OF SANTA FE, SANTA FE COUNTY AND OTHERS (FOPA); AND DISCUSSION OF THE PURCHASE, ACQUISITION OR DISPOSAL OF REAL PROPERTY OR WATER RIGHTS BY THE CITY OF SANTA FE, INCLUDING, WITHOUT LIMITATION, RELATING TO THE SANTA FE RIVER TARGET FLOW ORDINANCE AND OBLIGATIONS TO PROVIDE CERTAIN ACEQUIAS WITH WATER AND RELATING TO THE STATUS OF THE BUCKMAN ROAD RECYCLING AND TRANSFER STATION (BuRRT) LEASE. (KELLEY BRENNAN)

MOTION: Councilor Villarreal moved, seconded by Councilor Ives, that the Council go into Executive Session to discuss the matters listed on the Agenda in accordance with the recommendation of the City Attorney.

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

For: Mayor Pro-Tem Lindell, Councilor Dominguez, Councilor Harris, Councilor Ives, Councilor Trujillo and Councilor Villarreal.

Against: None.

The Council went into Executive Session at 4:45 p.m.

MOTION TO COME OUT OF EXECUTIVE SESSION

MOTION: At approximately 6:15 p.m. Councilor Ives moved, seconded by Councilor Dominguez, that the City Council come out of Executive Session and stating for the record that the discussion in Executive Session was limited to the matters noted on the Agenda.

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

For: Mayor Pro-Tem Lindell, Councilor Dominguez, Councilor Harris, Councilor Ives, Councilor Trujillo and Councilor Villarreal.

Against: None.

15. ACTION WITH RESPECT TO CERTAIN PROPOSED AMENDMENTS TO THE FOPA PURSUANT TO DISCUSSIONS IN MEDIATION.

This item was not discussed in Executive Session.

16. ACTION RELATING TO THE SANTA FE RIVER TARGET FLOW ORDINANCE AND OBLIGATIONS TO PROVIDE CERTAIN ACEQUIAS WITH WATER.

MOTION: Councilor Ives moved, seconded by Councilor Harris, that the City Council direct the City Manager and the City Attorney to take such actions, with respect to the diversion by the Nature Conservancy of water from the Santa Fe River as are consistent with the discussion held in Executive Session, noting that there was no discussion of policy relating to this matter or any other matter.

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

For: Mayor Pro-Tem Lindell, Councilor Dominguez, Councilor Harris, Councilor Ives, Councilor Trujillo and Councilor Villarreal.

Against: None.

17. ACTION RELATING TO THE BUCKMAN ROAD RECYCLING AND TRANSFER STATION LEASE.

This item was not discussed in Executive Session.

18. MATTERS FROM THE CITY CLERK

There were no matters from the City Clerk.

19. COMMUNICATIONS FROM THE GOVERNING BODY

A copy of "Bills and Resolutions scheduled for introduction by members of the Governing Body," for the Special Council meeting of June 23, 2016, is incorporated herewith to these minutes as Exhibit "6."

Councilor Trujillo

Councilor Trujillo said the Game & Fish have issued an emergency salvage order on the Santa Fe River for the fish from the Fishing Derby. He wanted to let everyone know, until June 30, 2016, any means to take fish out of the River is okay, including netting and such. He thanked the staff and everybody involved in the Fishing Derby which was a great success. He said Councilors Lindell and Villarreal were there and he is glad they got to have that experience.

Councilor Trujillo said the Fuego have set June 29th as the City night, but the Council will be meeting then. He said he hopes we can make changes so this won't happen next year.

Councilor Trujillo wished his wife, Amber, a Happy Anniversary, saying they celebrated their 19th anniversary on Tuesday.

Councilor Harris

Councilor Harris said, from what he knows about the circumstances at the Rodeo Grounds, he thinks it was handled properly. He appreciated Ms. Martinez's notice. He said he thinks this is a "problem of the Rodeo's own making," from what he knows about the subsequent acts, including moving the canopy that was installed by an unlicensed contractor with no structural stamp.... there were a whole host of violations. He said, "I think the Land Use Department, I know they worked with them, but the Rodeo had gone way too far. And so I think they did the proper thing."

Mayor Pro-Tem Lindell

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

1. An Ordinance authorizing the sale of 7,146.1 square feet of real property located adjacent to 308 Madrid Lane and described as "portion of Madrid Lane," as shown and delineated on a survey entitled, "Legal Description Portion of Madrid Lane," prepared by Del Rio Surveys, Inc., Philip B. Weigel, N.M.P.S. No. 9758, dated June 1, 2016, lying and being situate within the City and County of Santa Fe, New Mexico. A copy of the Ordinance is incorporated herewith to these minutes as Exhibit "7."
2. An Ordinance authorizing the sale of 1,996.9 square feet of real property located adjacent to 424 Arroyo Tenorio Street and described as 'Portion of Tract A to be consolidated' as shown and delineated on a Plat of Survey entitled, "Plat of Lot Consolidation Survey for Gary Swanson & Jane Swanson," prepared by Del Rio Surveys, Inc., Philip B. Weigel, N.M.P.S. No. 9758, dated January 20, 2016, lying and being situate within the Santa Fe Grant, NE 1/4 of Section 25, T17N, R9E, N.M.P.M., in the City and County of Santa Fe, New Mexico. A copy of the Ordinance is incorporated herewith to these minutes as Exhibit "8."

Mayor Pro-Tem Lindell introduced the following Resolution on behalf of Councilor Maestas:

A Resolution authorizing the City of Santa Fe Transit Division to provide free transit services to "Music on the Hill," during the 2016 Summer Season. A copy of the Resolution is incorporated herewith to these minutes as Exhibit "9."

Mayor Pro-Tem Lindell introduced the following Resolution on behalf of Councilor Rivera:

A Resolution proclaiming severe or extreme drought conditions may exist in the City of Santa Fe; imposing fire restrictions; restricting the sale or use of fireworks within the City of Santa Fe and prohibiting other fire hazard activities. A copy of the Resolution is incorporated herewith to these minutes as Exhibit "10."

Mayor Pro-Tem Lindell said this Saturday is the Pride Parade and she would hope people will be able to attend and participate in the activities. The parade is at 1:00 p.m.

Mayor Pro-Tem Lindell wished a Happy 12th Birthday to Katie Gonzales today.

Councilor Dominguez

Councilor Dominguez introduced an Ordinance adopting a Municipal Gross Receipts Tax. A copy of the Ordinance is incorporated herewith to these minutes as Exhibit "11."

Councilor Dominguez said he will celebrate his 25th Wedding Anniversary tomorrow.

Councilor Dominguez said he won't be able to attend the Pride Parade because he will be in Washington, D.C.

Councilor Villarreal

Councilor Villarreal said she will see everyone at the Pride Parade on Saturday. She said she and Councilor Lindell will be doing the ribbon cutting for the Native Bee House at the Railyard at 10:00 a.m.

Councilor Ives

Councilor Ives said he and his wife, Pat, celebrated their 31st Wedding Anniversary at the beginning of the month and "looking forward to the next 31."

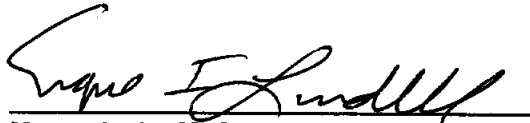
Councilor Ives asked that the placement of the flags be corrected for the next meeting.

Mr. Brennan said, "I just wanted to note for the record, with respect to the Executive Session, that Items #15 and #17 were not discussed, and will be postponed, and the evaluation process for the City Manager also was postponed."

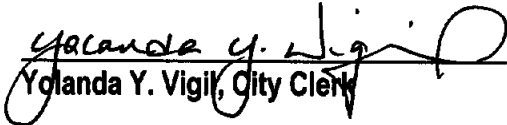
I. ADJOURN

The was no further business to come before the Governing Body, and upon completion of the Agenda, the meeting was adjourned at approximately 6:20 p.m.

Approved by:


Mayor Javier M. Gonzales

ATTESTED TO:


Yolanda Y. Vigil, City Clerk

Respectfully submitted:


Melessia Helberg, Council Stenographer

Exhibit A

GLOSSARY OF TERMS

Many of the definitions contained in the is Glossary are derived from various municipal securities resources including the *Municipal Securities' Rulemaking Board* (MSRB) and other sources deemed to be accurate and reliable.

AD VALOREM TAX (Latin for "according to value"): a tax levied according to the value of the property (property tax), merchandise (sales tax/GRT), or other value-based taxable event.

ADVANCE REFUNDING: this type of bond issue is used when it is advantageous to refund an existing bond issue for interest savings or other benefits, but the new bonds are issued more than 90 days before the bonds being refunded can be called for early redemption. The proceeds of the new bond issue are placed in an escrow account at the City's paying agent bank and used by the escrow bank to pay interest and principal coming due on the refunded bonds on and until their earliest redemption date. The debt service schedule for principal and interest payments on the refunding bonds replaces the schedule for the refunded bonds in the City's debt payment plan. An advance refunding is often done when changes in the overall municipal bond market would yield a minimum net present value savings of at least three percent (3%).

ANNUAL INFORMATION STATEMENT ("AIS"): the City's Comprehensive Annual Financial Report ("CAFR"), which is prepared annually according to State requirements and Generally Acceptable Accounting Principles ("GAAP"), and available for review on the City's website.

ARBITRAGE REBATE: the (potential) profit made by issuing bonds bearing interest at tax-exempt rates and investing the proceeds at materially higher yields. This "profit" on a municipal tax-exempt issue, is strictly limited by the IRS, and must be rebated back to the IRS.

BOND PROSPECTUS: also known as an Official Statement, this document is required by the federal securities laws, and provides details about a municipal bond issue offered for sale to the public. A prospectus should contain all material facts about the proposed bonds, the sources of revenue pledged to pay the bonds, and the relevant facts about the City, its management and its financial condition that an investor would want to know in order to make an informed investment decision.

BOND RATING: a grade given to bonds that indicates their credit quality. Private independent rating services such as Standard & Poor's, Moody's and Fitch provide these evaluations of a bond issuer's financial strength, and its ability to pay a bond's principal and interest in a timely fashion.

BORROWING COSTS: interest and other costs incurred by a municipal entity in connection with the borrowing of funds. Borrowing costs that are directly attributable to the acquisition or construction of a qualifying asset should be capitalized as part of the cost of that asset, as long as it is probable that they will result in future economic benefits to the issuer and the costs can be measured reliably. Other borrowing costs such as issuance costs are recognized as an expense in the period in which they were incurred. Examples of issuance costs which are typically expensed

rather than capitalized include fees of the financial advisor, bond counsel, underwriters, and paying agent, printing costs, and other associated expenses for the issuance of debt.

CALL PROVISIONS: terms of a bond that allows the issuer to pay off or redeem a bond prior to its maturity date, typically at a certain time and at a certain price. For City bonds, there is typically a 10-year lockout before bonds maturing after the call date can be called for early redemption.

CAPITAL IMPROVEMENT/ASSET: assets of significant value and having a useful life of several years, the cost of which is capitalized under consistently applied accounting practices. Land, buildings, plants, roads, sewers, parks, machinery, vehicles, furniture, permits, goodwill, tenancy rights, patents, and trademarks are some examples of capital assets. Operating costs, such as wages, salaries and benefits are not typically capitalized costs.

CURRENT REFUNDING: refunding of an existing bond issue due to circumstances that are advantageous to the City's maintenance of debt (i.e., lower rate, better terms, removal of restrictive covenants, etc.). Unlike an advance refunding, in a current refunding the refunding bonds are issued to pay off the refunded bonds within 90 days of the date that the refunded bonds can be called for redemption.

ENTERPRISE FUND REVENUES: an enterprise fund establishes a separate accounting and financial reporting mechanism for municipal services for which a fee (revenue) is charged in exchange for goods or services. Under enterprise accounting, the revenues (and expenditures) of services are separated into separate funds with their own financial statements, rather than commingled with the revenues (and expenses) of all other government activities. Examples include the Santa Fe Convention Center, Santa Fe University of Art and Design, Transit, Parking, Water, Wastewater and Solid Waste departments, whose revenues are intended to fully support their operations (including related debt).

GROSS RECEIPT TAX: state and local tax on the total amount of money, or other consideration, received from selling goods or services within the state. Although the gross receipts tax is imposed on businesses selling the goods or services, it is common for a business to pass the gross receipts tax on to the purchaser. The gross receipts tax rate varies throughout the state of NM from 5.125% to 8.6875% depending on the location of the business. The rate varies because, in addition to the State's 5.125% rate, municipalities and counties are permitted to enact various "local option" gross receipts taxes, and individual local governments throughout the State have chosen to enact certain "local option gross receipts taxes which have not been enacted by other local governments, and the combined rate applicable to a particular business will depend on the local government jurisdiction in which the business is located. Gross receipts taxes are paid to the State, which then distributes the local option allocations to the appropriate counties and municipalities.

GENERAL OBLIGATION BONDS (GO BONDS): bonds which are secured by the full faith and credit of the issuer and re-paid by property taxes. Such bonds constitute debts of the issuer and normally require voter approval by election prior to issuance. Because GO bonds are payable from property taxes, by approving GO bonds, voters are also approving the imposition of a property tax increase, to the extent that the rates in place prior to the issuance of the bonds

are not sufficient to pay the bonds. However, a tax increase may not be necessary if assessed valuation within the government jurisdiction issuing the bonds is increasing, due to increases in property values or to new construction.,

HOME-RULE CHARTER: a state constitutional power that allows a local government to adopt its own rules and to exercise any power that is not expressly prohibited by the State Constitution or State Statutes. In contrast, local governments without home-rule powers are allowed to exercise only powers that are expressly granted by State law (or necessarily implied by expressly granted authority). The City adopted its Home-Rule charter by vote in 1997, and further amended it by vote in 2008 and 2014.

INTEREST RATE RISK: the risk associated with the issuance of VARIABLE rate bonds where interest paid on the bonds fluctuates over time, because it is based on an underlying benchmark interest rate or index that changes periodically with changes in market conditions. It's the City's current policy to issue only FIXED rate bonds to keep payment terms consistent over time.

LODGER'S TAX: a tax on persons using commercial lodging accommodations (hotel, motel, short-term rental), which provides revenues for advertising, publicizing and promoting certain recreational and tourist facilities, as well as acquisition and construction of such facilities.

PRELIMINARY EXPENDITURES: specified types of expenditures made for a project prior to the issuance of bonds to finance the project which may be reimbursed from bond proceeds even if the expenditures are incurred more than 60 days prior to the date on which the bonds are issued, for which it is not necessary to adopt a reimbursement resolution (defined below). Preliminary Expenditures include project-related architectural, surveying, engineering, design, soil testing, appraisal, and similar costs that are incurred prior to the commencement of construction or acquisition of the project. Preliminary expenditures do not include land acquisition, site preparation or other costs associated with the commencement of physical construction. Preliminary expenditures may not exceed 20 percent of the issue price of the bonds expected to finance the project.

PROPERTY TAX: a tax based on the value of property that the owner is required to pay to the respective county in which the property is located.

REIMBURSEMENT RESOLUTION: action taken by a governmental body stating that it intends to issue bonds to reimburse itself for expenditures for a specifically identified project that will be made prior to the issuance of the bonds. Under federal tax law, the interest on bonds which are issued to reimburse governmental expenditures made more than 60 days prior to the date on which the bonds are issued will be taxable, unless the governmental body has adopted a reimbursement resolution or other official declaration of its intent to reimburse beforehand, in which case expenditures made up to 60 days before the date of the reimbursement resolution may be reimbursed with proceeds of bonds to be issued up to 18 months in the future. Preliminary expenditures (defined above) may be reimbursed from bond proceeds regardless of when they are made or whether a reimbursement resolution has been adopted.

TAX COMPLIANCE CERTIFICATE: this certificate is completed prior to issuance of a bond and describes the governmental purposes of the bonds, how the proceeds are expected to be invested prior to expenditure, the time frames within which the proceeds are expected to be spent, yield restriction requirements, applicable exceptions to expenditure requirements , and other information necessary to comply with the federal tax laws and regulations required to maintain the tax-exempt status of the bonds.

UNDERWRITER: an investment bank which purchases a new issue of securities for resale to the investment public. The underwriter is typically compensated by purchasing the bonds from the issuer and selling the bonds for a higher price to investors. The underwriter and underwriting group used on any City bond issue can vary, based on cost, experience, timing and other determining factors.

Exhibit B

OPTIONS FOR FUNDING PRE-CONSTRUCTION COSTS PRIOR TO LONG-TERM DEBT ISSUANCE

The following represent a general overview of options for financing pre-construction costs prior to long-term debt issuance. These short-term options are essentially of two types: cash or debt. Debt may consist of bonds or loans/notes. These have been reviewed with Chris Muirhead and Katherine Creagan as Bond Counsel, George Williford as Financial Advisor, Oscar Rodriguez, Finance Director, and Kelley Brennan, City Attorney.

These options have been put in order of what represents the best interest of the City, which includes consideration of accessibility, issuance cost, timeline involved, effort involved by both the City's staff and our advisors, and complexity. More in depth information can be provided by our advisors.

1. CASH

Cash is generally the quickest to access, the least expensive and the preferred option identified both in the Council approved Financial Policy prepared by the Finance Director, as well as in the Council approved Debt Management & Post Issuance Policy. If the City finds itself in a position where cash funding of pre-construction costs for a project, or projects, is not feasible, then other options exist. If the City intends to reimburse itself for the cash used for pre-construction expenses from the subsequent bond or loan, a Reimbursement Resolution needs to be approved by Council prior to beginning to spend such cash. A sample form of Reimbursement Resolution is attached hereto.

2. SHORT TERM BONDS/LOANS

Short term bonds are a standard municipal method of securing pre-construction financing at favorable rates that can then be taken out with the proceeds of the longer term refunding bonds/loans when issued. In addition to a bond, such short-term debt can also be in the form of an NMFA loan or a bank loan. Both our financial advisor and our bond counsel have experience with various forms of short term debt financing. Which form is selected will depend on market conditions and the needs of the City at the time.

Short term bonds/loans can be issued in advance of GO, GRT or utility bonds as long as their use is approved in advance by the voters and/or City Council as appropriate. In New Mexico they are authorized under the "Short Term Interest Rate Act", Sections 6-18-1 through 6-18-16, and have a two year maximum term. The timing of the issuance is driven by City processes, i.e. generally 60-90 days. This would include Council approval but no preliminary official statement if privately placed with a bank or the NMFA, which is a probable option. Short term bonds/loans can also be issued for more than two years but the State's Revenue Bond Act, Sections 3-31-1 through 3-31-12, governs the procedure rather than the Short Term Interest Rate Act.

Issuance of short term debt is more consistent with our borrowing practices than other options below, and our current Council Approved Debt Management & Post Issuance Policy allows this under Section 6.1: "Pay-as-you-go financing should be considered before issuing any debt...Once the City has determined that pay-as-you-go is not a feasible or sufficient financing option, the City may use bonds, loans, or other debt financing sources as deemed appropriate by City staff and approved by Council." The actual structure of the short term debt has flexibility in terms of maturity, level or ballooning debt service, soft put maturity, etc., to encourage execution of the planned long-term financing takeout, be it bonds or loans. Different City projects, timing needs, dollar amounts, and other factors will help determine the selected maturity of the short term debt, its internal structure, potential purchasers, and whether a bond or loan is more appropriate and/or cost effective.

NMFA has indicated it has the following options:

- a. Drinking Water Loans – These are just for water projects and are for the entire project (not just soft costs) wherein we pay monthly interest on draws of cash during construction (but no principal) and the finalized debt service schedule is prepared based on the actual completed construction cost of the project. We have two of these loans in Water.
- b. The negotiated purchase of Bond Anticipation Notes (BANs) issued for a term of one-year by a municipality under one of two conditions:
 - i. If a municipality has a GO bond issue coming up that voters have already approved, but the jurisdiction is at the constitutional debt capacity limit for GO bonds and expect more capacity to become available through payoff of prior debt within a year.
 - ii. If the costs to be incurred are soft costs directly related to the capital project to be long-term bond/loan funded, and they comply with IRS requirements for taxable or tax-exempt municipal bonds and State requirements for bonds and/or loans. NMFA usually purchases BANs for GO debt but are open to BANs for GRT debt if approved by their attorney.

3. LINE OF CREDIT

This option would most likely be in the form of a note, the timeline for which would be 90 – 120 days – the same as a regular bond. Entering into a line of credit requires compliance with the Revenue Bond Act provisions for issuance of bonds, including the adoption of ordinances, pledged revenues, etc. The process may affect the cost effectiveness of a line of credit, and given the time involved, are not preferable to traditional short term bonds/loans. The unique feature of a line of credit is it can be structured with draws and payback provisions. NMFA does not handle lines of credit.

4. LETTER OF CREDIT

A letter of credit was not felt to be practical by our financial advisor. Letters of credit are used to provide credit support for complex financial structures and are not a source of funding for short-term financial needs.

5. COMMERCIAL PAPER

The issuance of commercial paper would take the normal full bond process, i.e. 90-120 days, and would need to satisfy the Internal Revenue Code to be issued on a tax-exempt basis, in addition to State statutory provisions. Creation of a commercial paper program involves multiple parties including a tender and remarketing agent, bank liquidity support, and possibly other costly features over and above those of a regular bond issue. Such a program is generally most cost effective if structured to issue multiple annual tranches of about \$30 million. Given that the City is in the midst of changing our CIP processes and procedures, the timing and general size requirements for using this funding option may not be appropriate for the City.

CITY OF SANTA FE, NEW MEXICO

RESOLUTION NO. _____

A RESOLUTION OF THE GOVERNING BODY OF THE CITY OF SANTA FE, NEW MEXICO DECLARING ITS OFFICIAL INTENT TO REIMBURSE ITSELF WITH THE PROCEEDS OF A FUTURE TAX-EXEMPT BORROWING FOR CERTAIN CAPITAL EXPENDITURES UNDERTAKEN OR TO BE UNDERTAKEN BY THE CITY; IDENTIFYING THE CAPITAL EXPENDITURES AND THE FUNDS TO BE USED FOR SUCH PAYMENT; AND PROVIDING CERTAIN OTHER MATTERS IN CONNECTION THEREWITH.

WHEREAS, the City of Santa Fe (the "City"), in the State of New Mexico (the "State"), is a political subdivision duly organized and existing pursuant to the Constitution and laws of the State; and

WHEREAS, the City Council (the "Governing Body") is the governing body of the City; and

WHEREAS, the Governing Body has determined that it is in the best interest of the City to make certain capital expenditures in connection with the Project (as hereinafter defined); and

WHEREAS, the City currently intends and reasonably expects to participate in a tax-exempt borrowing to finance such capital expenditures within 18 months of the date of such capital expenditures or the placing in service of the Project, whichever is later (but in no event more than three years after the date of the original expenditure of such moneys), including an amount not to exceed \$_____ for reimbursing the City for the portion of such capital expenditures made no earlier than 60 days prior to the date hereof or to be made after the date hereof but before such borrowing; and

WHEREAS, the Governing Body hereby desires to declare its official intent, pursuant to 26 C.F.R. §1.150-2, to reimburse the City for such capital expenditures with the proceeds of the City's future tax-exempt borrowing.

NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF SANTI FE, NEW MEXICO THAT:

Section 1. Declaration of Official Intent. The City presently intends and reasonably expects to finance its acquisition of streets, roads, buildings and other capital improvements (the "Project") with moneys currently held in City's General Fund.

Section 2. Dates of Capital Expenditures. All of the capital expenditures within the scope of this Resolution were made no earlier than 60 days prior to the date of this Resolution.

Section 3. Issuance of Bonds or Notes. The City presently intends and reasonably expects to participate in a tax-exempt borrowing within 18 months of the date of the expenditure of moneys on the Project or the date upon which the Project is placed in service or abandoned, whichever is later (but in no event more than three years after the date of the original expenditure of such moneys), and to allocate an amount not to exceed \$_____ of the proceeds thereof to reimburse the City for its prior expenditures in connection with the Project.

Section 4. Confirmation of Prior Acts. All prior acts of the officials, agents and employees of the City that are in conformity with the purpose and intent of this Resolution, and in furtherance of the Project, shall be and the same hereby are in all respects ratified, approved and confirmed.

Section 5. Repeal of Inconsistent Resolutions. All other resolutions of the Governing Body or parts of resolutions, inconsistent with this Resolution are hereby repealed to the extent of such inconsistency.

Section 6. Effective Date of Resolution. This Resolution shall take effect immediately upon its adoption.

ADOPTED AND APPROVED this ___ day of _____, ____.

CITY OF SANTA FE, NEW MEXICO

By _____
Mayor

[SEAL]

ATTEST:

By _____
Clerk

Approved as to Form:

City Attorney

Exhibit B**OPTIONS FOR FUNDING PRE-CONSTRUCTION COSTS
PRIOR TO LONG-TERM DEBT ISSUANCE**

The following represent a general overview of options for financing pre-construction costs prior to long-term debt issuance. These short-term options are essentially of two types: cash or debt. Debt may consist of bonds or loans/notes. These have been reviewed with Chris Muirhead and Katherine Creagan as Bond Counsel, George Williford as Financial Advisor, Oscar Rodriguez, Finance Director, and Kelley Brennan, City Attorney.

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Short term bonds/loans can be issued in advance of GO, GRT or utility bonds as long as their use is approved in advance by the voters and/or City Council as appropriate. In New Mexico they are authorized under the "Short Term Interest Rate Act", Sections 6-18-1 through 6-18-16, and have a two year maximum term. The timing of the issuance is driven by City processes, i.e. generally 60-90 days. This would include Council approval but no preliminary official statement if privately placed with a bank or the NMFA, which is a probable option. Short term bonds/loans can also be issued for more than two years but the State's Revenue Bond Act, Sections 3-31-1 through 3-31-12, governs the procedure rather than the Short Term Interest Rate Act.

Exhibit "2"

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- b. The negotiated purchase of Bond Anticipation Notes (BANs) issued for a term of one-year by a municipality under one of two conditions:
 - i. If a municipality has a GO bond issue coming up that voters have already approved, but the jurisdiction is at the constitutional debt capacity limit for GO bonds and expect more capacity to become available through payoff of prior debt within a year.
 - ii. If the costs to be incurred are soft costs directly related to the capital project to be long-term bond/loan funded, and they comply with IRS requirements for taxable or tax-exempt municipal bonds and State requirements for bonds and/or loans. NMFA usually purchases BANs for GO debt but are open to BANs for GRT debt if approved by their attorney.

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This option would most likely be in the form of a note, the timeline for which would be 90 – 120 days – the same as a regular bond. Entering into a line of credit requires compliance with the Revenue Bond Act provisions for issuance of bonds, including the adoption of ordinances, pledged revenues, etc. The process may affect the cost effectiveness of a line of credit, and given the time involved, are not preferable to traditional short term bonds/loans. The unique feature of a line of credit is it can be structured with draws and payback provisions. NMFA does not handle lines of credit.

4. LETTER OF CREDIT

A letter of credit was not felt to be practical by our financial advisor. Letters of credit are used to provide credit support for complex financial structures and are not a source of funding for short-term financial needs.

5. COMMERCIAL PAPER

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CITY OF SANTA FE, NEW MEXICO

RESOLUTION NO. _____

A RESOLUTION OF THE GOVERNING BODY OF THE CITY OF SANTA FE, NEW MEXICO DECLARING ITS OFFICIAL INTENT TO REIMBURSE ITSELF WITH THE PROCEEDS OF A FUTURE TAX-EXEMPT BORROWING FOR CERTAIN CAPITAL EXPENDITURES UNDERTAKEN OR TO BE UNDERTAKEN BY THE CITY; IDENTIFYING THE CAPITAL EXPENDITURES AND THE FUNDS TO BE USED FOR SUCH PAYMENT; AND PROVIDING CERTAIN OTHER MATTERS IN CONNECTION THEREWITH.

WHEREAS, the City of Santa Fe (the "City"), in the State of New Mexico (the "State"), is a political subdivision duly organized and existing pursuant to the Constitution and laws of the State; and

WHEREAS, the City Council (the "Governing Body") is the governing body of the City; and

WHEREAS, the Governing Body has determined that it is in the best interest of the City to make certain capital expenditures in connection with the Project (as hereinafter defined); and

WHEREAS, the City currently intends and reasonably expects to participate in a tax-exempt borrowing to finance such capital expenditures within 18 months of the date of such capital expenditures or the placing in service of the Project, whichever is later (but in no event more than three years after the date of the original expenditure of such moneys), including an amount not to exceed \$_____ for reimbursing the City for the portion of such capital expenditures made no earlier than 60 days prior to the date hereof or to be made after the date hereof but before such borrowing; and

WHEREAS, the Governing Body hereby desires to declare its official intent, pursuant to 26 C.F.R. §1.150-2, to reimburse the City for such capital expenditures with the proceeds of the City's future tax-exempt borrowing.

NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF SANTA FE, NEW MEXICO THAT:

Section 1. Declaration of Official Intent. The City presently intends and reasonably expects to finance its acquisition of streets, roads, buildings and other capital improvements (the "Project") with moneys currently held in City's General Fund.

Section 2. Dates of Capital Expenditures. All of the capital expenditures within the scope of this Resolution were made no earlier than 60 days prior to the date of this Resolution.

Section 3. Issuance of Bonds or Notes. The City presently intends and reasonably expects to participate in a tax-exempt borrowing within 18 months of the date of the expenditure of moneys on the Project or the date upon which the Project is placed in service or abandoned, whichever is later (but in no event more than three years after the date of the original expenditure of such moneys), and to allocate an amount not to exceed \$_____ of the proceeds thereof to reimburse the City for its prior expenditures in connection with the Project.

Section 4. Confirmation of Prior Acts. All prior acts of the officials, agents and employees of the City that are in conformity with the purpose and intent of this Resolution, and in furtherance of the Project, shall be and the same hereby are in all respects ratified, approved and confirmed.

Section 5. Repeal of Inconsistent Resolutions. All other resolutions of the Governing Body or parts of resolutions, inconsistent with this Resolution are hereby repealed to the extent of such inconsistency.

Section 6. Effective Date of Resolution. This Resolution shall take effect immediately upon its adoption.

ADOPTED AND APPROVED this ___ day of _____, ____.

CITY OF SANTA FE, NEW MEXICO

By _____
Mayor

[SEAL]

ATTEST:

By _____
Clerk

Approved as to Form:

City Attorney

**City of Santa Fe
Fiscal Impact Report (FIR)**

This Fiscal Impact Report (FIR) shall be completed for each proposed bill or resolution as to its direct impact upon the City's operating budget and is intended for use by any of the standing committees of and the Governing Body of the City of Santa Fe. Bills or resolutions with no fiscal impact still require a completed FIR. Bills or resolutions with a fiscal impact must be reviewed by the Finance Committee. Bills or resolutions without a fiscal impact generally do not require review by the Finance Committee unless the subject of the bill or resolution is financial in nature.

Section A. General Information

(Check) Bill: _____ Resolution: X

(A single FIR may be used for related bills and/or resolutions)

Short Title(s): A RESOLUTION IN SUPPORT OF "EL GRITO", AN ANNUAL CELEBRATION OF MEXICAN INDEPENDENCE DAY ON SEPTEMBER 17, 2016; AND WAIVING ALL ASSOCIATED FEES.

Sponsor(s): Mayor Gonzales, Councilors Ives and Rivera

Reviewing Department(s): Mayor's Office

Persons Completing FIR: Xochitl Campos-Biggs Date: 5/3/16 Phone: x6694

Reviewed by City Attorney: Kelly A. Brennan Date: 6/23/16
(Signature)

Reviewed by Finance Director: [Signature] Date: 6-23-2016
(Signature)

Section B. Summary

Briefly explain the purpose and major provisions of the bill/resolution:

This resolution states City Council support for the celebration of Mexican Independence Day (Día de la Independencia on September 16th, 2016. The celebration will take place on Saturday, September 17th at the Santa Fe Plaza from 1:00pm to 8:00pm. The City agrees to waive associated Police and Fire fees associated with this celebration.

Section C. Fiscal Impact

Note: Financial information on this FIR does not directly translate into a City of Santa Fe budget increase. For a budget increase, the following are required:

- The item must be on the agenda at the Finance Committee and City Council as a "Request for Approval of a City of Santa Fe Budget Increase" with a definitive funding source (could be same item and same time as bill/resolution)
- Detailed budget information must be attached as to fund, business units, and line item, amounts, and explanations (similar to annual requests for budget)
- Detailed personnel forms must be attached as to range, salary, and benefit allocation and signed by Human Resource Department for each new position(s) requested (prorated for period to be employed by fiscal year)*

1. Projected Expenditures:

- Indicate Fiscal Year(s) affected – usually current fiscal year and following fiscal year (i.e., FY 03/04 and FY 04/05)
- Indicate: "A" if current budget and level of staffing will absorb the costs
"N" if new, additional, or increased budget or staffing will be required
- Indicate: "R" – if recurring annual costs
"NR" if one-time, non-recurring costs, such as start-up, contract or equipment costs
- Attach additional projection schedules if two years does not adequately project revenue and cost patterns
- Costs may be netted or shown as an offset if some cost savings are projected (explain in Section 3 Narrative)

Finance Director: _____

Exhibit "3"

_____ Check here if no fiscal impact

Column #:	1	2	3	4	5	6	7	8
	Expenditure Classification	FY 15/16	"A" Costs Absorbed or "N" New Budget Required	"R" Costs Recurring or "NR" Non-recurring	FY _____	"A" Costs Absorbed or "N" New Budget Required	"R" Costs - Recurring or "NR" Non-recurring	Fund Affected

Personnel*	\$3,408	A	NR	\$				
Fringe**	\$ 512			\$				
Capital Outlay	\$			\$				
Land/ Building	\$			\$				
Professional Services	\$			\$				
All Other Operating Costs	\$300			\$				
Total:	\$3220			\$				

* Any indication that additional staffing would be required must be reviewed and approved in advance by the City Manager by attached memo before release of FIR to committees. **For fringe benefits contact the Finance Dept.

2. Revenue Sources:

- To indicate new revenues and/or
- Required for costs for which new expenditure budget is proposed above in item 1.

Column #:	1	2	3	4	5	6
	Type of Revenue	FY _____	"R" Costs Recurring or "NR" Non-recurring	FY _____	"R" Costs - Recurring or "NR" Non-recurring	Fund Affected

_____	\$		\$		
_____	\$		\$		
_____	\$		\$		
Total:	\$		\$		

3. Expenditure/Revenue Narrative:

Explain revenue source(s). Include revenue calculations, grant(s) available, anticipated date of receipt of revenues/grants, etc. Explain expenditures, grant match(s), justify personnel increase(s), detail capital and operating uses, etc. (Attach supplemental page, if necessary.)

The City will waive all fees associated with this event including permit fees, and any costs associated with Police and Fire protection. Police costs as estimated at \$1822, Fire at \$646, and the remaining balance is for the permit fees, personnel, and other operating costs.

Section D. **General Narrative**

1. Conflicts: Does this proposed bill/resolution duplicate/conflict with/companion to/relate to any City code, approved ordinance or resolution, other adopted policies or proposed legislation? Include details of city adopted laws/ordinance/resolutions and dates. Summarize the relationships, conflicts or overlaps.

None identified.

2. Consequences of Not Enacting This Bill/Resolution:

Are there consequences of not enacting this bill/resolution? If so, describe.

The City will not express its support for the celebration of Día de la Independencia, and will not waive the associated permit, Police and Fire fees.

3. Technical Issues:

Are there incorrect citations of law, drafting errors or other problems? Are there any amendments that should be considered? Are there any other alternatives which should be considered? If so, describe.

None identified.

4. Community Impact:

Briefly describe the major positive or negative effects the Bill/Resolution might have on the community including, but not limited to, businesses, neighborhoods, families, children and youth, social service providers and other institutions such as schools, churches, etc.

Support of this celebration would solidify the cultural ties between New Mexico and Mexico. Holding the event on the Plaza would also draw visitors to the celebration to learn more about Mexican history and their struggle for independence.

CITY OF SANTA FE, NEW MEXICO
PROPOSED AMENDMENT(S) TO RESOLUTION NO. 2016-__
El Grito Support

Members of the City Council:

I propose the following amendment(s) to Resolution No. 2016-__:

1. On page 1, line 12 *delete* "SEPTEMBER 16" and *insert* in lieu thereof "SEPTEMBER 17"
2. On page 2, line 2 *delete* "2:00pm until 7:00pm on Friday, September 16, 2016" and *insert* in lieu thereof "1:00pm until 8:00pm on Saturday, September 17, 2016"
3. On page 2, line 5 *delete* "September 16" and *insert* in lieu thereof "September 17"

Respectfully submitted,

Javier M. Gonzales, Mayor

ADOPTED: _____
NOT ADOPTED: _____
DATE: _____

Yolanda Y. Vigil, City Clerk

AN ABSTRACT OF PROCEEDINGS

STATE OF NEW MEXICO)

) ss.

COUNTY OF SANTA FE)

The Governing Body (the "Governing Body") of the City of Santa Fe (the "City") in the County of Santa Fe, State of New Mexico, met in special session in full conformity with law and ordinances and rules of the City, at City Hall, 200 Lincoln Avenue, Santa Fe, New Mexico, being the regular meeting place of the Governing Body, at the hour of 4:00 p.m., on Thursday, the 23rd day of June, 2016.

Upon roll call the following were found to be present, constituting a quorum of the Governing Body:

PRESENT:	Mayor:	_____
	Councilor:	_____
	Councilor:	_____
	Councilor:	_____
	Councilor:	_____
	Councilor:	_____
	Councilor:	_____
	Councilor:	_____
	Councilor:	_____
ABSENT:		_____

Thereupon the following proceedings, among others, were had and taken:

Exhibit "5"

RESOLUTION

A RESOLUTION RELATING TO THE CITY OF SANTA FE, NEW MEXICO SENIOR LIEN GROSS RECEIPTS TAX REFUNDING REVENUE BONDS, AND THE CITY OF SANTA FE, NEW MEXICO SUBORDINATE LIEN GROSS RECEIPTS TAX REFUNDING REVENUE BONDS, IN ACCORDANCE WITH CITY ORDINANCE NO. 2016-21 ADOPTED ON MAY 25, 2016; APPROVING THE SALE OF THE BONDS TO THE NEW MEXICO FINANCE AUTHORITY; ESTABLISHING CERTAIN DETAILS OF THE BONDS; PROVIDING FOR THE PAYMENT OF THE COSTS OF ISSUANCE OF THE BONDS; APPROVING OTHER DOCUMENTS RELATING TO THE BONDS; AND RATIFYING ACTION PREVIOUSLY TAKEN IN CONNECTION THEREWITH.

All terms not defined herein shall have the meanings given them in the City Ordinance No. 2016-21 adopted by the Governing Body on May 25, 2016 ("Bond Ordinance").

WHEREAS, pursuant to the Act, the Governing Body adopted the Bond Ordinance authorizing the issuance of the City of Santa Fe, New Mexico Senior Lien Gross Receipts Tax Refunding Revenue Bonds in one or more series in a principal amount not to exceed \$37,000,000 (the "Senior Lien Bonds") and the City of Santa Fe, New Mexico Subordinate Lien Gross Receipts Tax Refunding Revenue Bonds in one or more series in a principal amount not to exceed \$16,000,000 (the "Subordinate Lien Bonds" and, together with the Senior Lien Bonds, the "Bonds") and providing for the adoption of this resolution ("Sale Resolution") setting forth certain details with respect to the Bonds; and

WHEREAS, the Governing Body has determined that it is advisable to sell the Bonds to the New Mexico Finance Authority and desires to adopt this Sale Resolution as contemplated by the Bond Ordinance; and

WHEREAS, the New Mexico Finance Authority (the "Purchaser") has offered to purchase the Senior Lien Bonds for a total amount of \$33,314,458.30 (\$28,600,000.00 aggregate principal amount, plus an original issue premium of \$4,714,458.30) pursuant to the approval of the purchase by its board of directors at a meeting held on June 23, 2016 and has presented a final Bond Purchase Agreement to the Governing Body setting out the terms with respect to the purchase and sale of the Bonds for approval by the Governing Body in connection with adoption of this Sale Resolution;

WHEREAS, the Purchaser has offered to purchase the Subordinate Lien Bonds for a total amount of \$13,011,736.35 (\$11,500,000.00 aggregate principal amount, plus an original issue premium of \$1,511,736.35) pursuant to the approval of the purchase by its board of directors at a meeting held on June 23, 2016 and has presented a final Bond Purchase Agreement to the Governing Body setting out the terms with respect to the

purchase and sale of the Bonds for approval by the Governing Body in connection with adoption of this Sale Resolution;

WHEREAS, the forms of the Bond Purchase Agreements, Escrow Agreements, and Intercept Agreements by and between the Purchaser and the City, dated July 13, 2016 ("Intercept Agreements"), relating to sale of the Bonds to the New Mexico Finance Authority have been presented to the Governing Body for approval in connection with the adoption of this Sale Resolution.

THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF SANTA FE, NEW MEXICO:

Section 1. Ratification. All action not inconsistent with the provisions of this Sale Resolution heretofore taken by the Governing Body, including the adoption of the Bond Ordinance, and taken by the officials of the City directed toward the sale and issuance of the Bonds be and the same hereby is ratified, approved and confirmed.

Section 2. Details of the Bonds. The Senior Lien Bonds shall be issued in two series, and the Subordinate Lien Bonds shall be issued in two series.

A. Series 2016A Bonds (Senior Lien). The City of Santa Fe, New Mexico Senior Lien Gross Receipts Tax Refunding Revenue Bonds, Series 2016A (the "Series 2016A Bonds") shall be issued in the aggregate principal amount of \$6,700,000 for the purpose of current refunding the Series 2006B Bonds maturing on and after June 1, 2017 (the "2016A Refunding Project"). The Series 2016A Bonds shall be dated the date of their issuance and delivery, shall be issued in denominations of \$5,000 or any integral multiple thereof, shall bear interest from their date until maturity at the rates hereinafter designated, payable commencing on December 1, 2016 and semiannually thereafter on June 1 and December 1 in each year, and shall mature in the designated principal amounts on June 1 in each of the years hereinafter designated, as follows:

<u>Amounts</u> <u>Maturing</u>	<u>Interest Rate</u> <u>(Per Annum)</u>	<u>Year</u> <u>Maturing</u>
\$860,000	5.00%	2017
860,000	5.00%	2018
900,000	5.00%	2019
945,000	5.00%	2020
995,000	5.00%	2021
1,045,000	5.00%	2022
1,095,000	5.00%	2023

provided, however, that the individual Bonds shall bear interest from the most recent interest payment date to which interest has been fully paid or duly provided for in full or, if no interest has been paid, from their date.

B. Series 2016B Bonds (Senior Lien). The City of Santa Fe, New Mexico Senior Lien Gross Receipts Tax Refunding Revenue Bonds, Series 2016B (the "Series 2016B Bonds") shall be issued in the aggregate principal amount of \$21,900,000 for the purpose of advance refunding the Series 2008 Bonds maturing on and after June 1, 2019 (the "2016B Refunding Project"). The Series 2016B Bonds shall be dated the date of their issuance and delivery, shall be issued in denominations of \$5,000 or any integral multiple thereof, shall bear interest from their date until maturity at the rates hereinafter designated, payable commencing on December 1, 2016 and semiannually thereafter on June 1 and December 1 in each year, and shall mature in the designated principal amounts on June 1 in each of the years hereinafter designated, as follows:

<u>Amounts</u> <u>Maturing</u>	<u>Interest Rate</u> <u>(Per Annum)</u>	<u>Year</u> <u>Maturing</u>
\$35,000	5.00%	2017
5,000	5.00%	2018
2,790,000	5.00%	2019
4,020,000	5.00%	2020
4,825,000	5.00%	2021
5,065,000	5.00%	2022
310,000	5.00%	2023
325,000	5.00%	2024
340,000	4.00%	2025
355,000	4.00%	2026
370,000	4.00%	2027
385,000	2.00%	2028
390,000	4.00%	2029
405,000	4.00%	2030
420,000	4.00%	2031
440,000	4.00%	2032
450,000	4.00%	2033
475,000	4.00%	2034
495,000	4.00%	2035

provided, however, that the individual Bonds shall bear interest from the most recent interest payment date to which interest has been fully paid or duly provided for in full or, if no interest has been paid, from their date.

C. Series 2016C Bonds (Subordinate Lien). The City of Santa Fe, New Mexico Subordinate Lien Gross Receipts Tax Refunding Revenue Bonds, Series 2016C (the "Series 2016C Bonds") shall be issued in the aggregate principal amount of \$9,480,000 for the purpose of current refunding the Series 2005 Bonds maturing on and after June 1, 2017 and the Series 2006C Bonds maturing on and after June 1, 2017 (collectively, the "2016C Refunding Project"). The Series 2016C Bonds shall be dated the date of their issuance and delivery, shall be issued in denominations of \$5,000 or any integral multiple thereof, shall bear interest from their date until maturity at the rates hereinafter designated, payable commencing on December 1, 2016 and semiannually

thereafter on June 1 and December 1 in each year, and shall mature in the designated principal amounts on June 1 in each of the years hereinafter designated, as follows:

<u>Amounts</u> <u>Maturing</u>	<u>Interest Rate</u> <u>(Per Annum)</u>	<u>Year</u> <u>Maturing</u>
\$1,665,000	5.00%	2017
1,700,000	5.00%	2018
1,785,000	5.00%	2019
1,875,000	5.00%	2020
1,980,000	5.00%	2021
155,000	5.00%	2022
160,000	5.00%	2023
160,000	5.00%	2024

provided, however, that the individual Bonds shall bear interest from the most recent interest payment date to which interest has been fully paid or duly provided for in full or, if no interest has been paid, from their date.

D. Series 2016D Bonds (Subordinate Lien). The City of Santa Fe, New Mexico Subordinate Lien Gross Receipts Tax Refunding Revenue Bonds, Series 2016D (the "Series 2016D Bonds") shall be issued in the aggregate principal amount of \$2,020,000 for the purpose of advance refunding the 2008 Land Acquisition Finance Authority Loan maturing on and after June 1, 2019 (the "2016D Refunding Project"). The Series 2016D Bonds shall be dated the date of their issuance and delivery, shall be issued in denominations of \$5,000 or any integral multiple thereof, shall bear interest from their date until maturity at the rates hereinafter designated, payable commencing on December 1, 2016 and semiannually thereafter on June 1 and December 1 in each year, and shall mature in the designated principal amounts on June 1 in each of the years hereinafter designated, as follows:

<u>Amounts</u> <u>Maturing</u>	<u>Interest Rate</u> <u>(Per Annum)</u>	<u>Year</u> <u>Maturing</u>
\$160,000	5.00%	2019
170,000	5.00%	2020
180,000	5.00%	2021
190,000	5.00%	2022
195,000	5.00%	2023
205,000	5.00%	2024
220,000	4.00%	2025
225,000	4.00%	2026
235,000	4.00%	2027
240,000	2.00%	2028

provided, however, that the individual Bonds shall bear interest from the most recent interest payment date to which interest has been fully paid or duly provided for in full or, if no interest has been paid, from their date.

Section 3. Optional Redemption. The Bonds maturing on and after June 1, 2027, shall be subject to redemption prior to maturity at the City's option in one or more units of principal of \$5,000 on and after June 1, 2026, in whole or in part at any time, in such order of maturities as the City may determine (and by lot if less than all of the Bonds of any such maturity is called, such selection by lot to be made by the Paying Agent/Registrar) at a redemption price equal to the principal amount of the Bonds to be redeemed, plus accrued interest, if any, to the redemption date.

Section 4. Deposits into Funds and Accounts. On the date of delivery of the Bonds, the proceeds from the sale of each series of Bonds shall be deposited in the funds and accounts created under the General Indenture of Trust and Pledge dated as of June 1, 1995, by and between the Purchaser and BOKF, NA and all Supplemental Indentures thereto (collectively, the "Indenture"), and used as set forth below and in the Bond Ordinance:

A. Series 2016A Bonds (Senior Lien): Proceeds in the amount of \$7,711,834.85 comprised of \$6,700,000.00 aggregate principal amount, plus an original issue premium of \$1,011,834.85.

- a. \$30,477.97 to be retained by the Purchaser to be used to pay the Purchaser's Processing Fee.
- b. \$7,638,365.50 to the Escrow Account to be applied to the 2016A Refunding Project.
- c. \$42,167.83 to the City's Project Account in the Program Fund to be used for the payment of Costs of Issuance.
- d. \$823.55 to the City's Debt Service Account to be used for debt service on the Series 2016A Bonds.

B. Series 2016B Bonds (Senior Lien): Proceeds in the amount of \$25,602,623.45 comprised of \$21,900,000.00 aggregate principal amount, plus an original issue premium of \$3,702,623.45.

- a. \$99,622.03 to be retained by the Purchaser to be used to pay the Purchaser's Processing Fee.
- b. \$25,362,776.70 to the Escrow Account to be applied to the 2016B Refunding Project.
- c. \$137,832.17 to the City's Project Account in the Program Fund to be used for the payment of Costs of Issuance.
- d. \$2,392.55 to the City's Debt Service Account to be used for debt service on the Series 2016B Bonds.

C. Series 2016C Bonds (Subordinate Lien): Proceeds in the amount of \$10,644,425.35 comprised of \$9,480,000.00 aggregate principal amount, plus an original issue premium of \$1,164,425.35.

- a. \$57,910.43 to be retained by the Purchaser to be used to pay the Purchaser's Processing Fee.
- b. \$10,489,168.30 to the Escrow Account to be applied to the 2016C Refunding Project.
- c. \$94,800.00 to the City's Project Account in the Program Fund to be used for the payment of Costs of Issuance.
- d. \$2,546.62 to the City's Debt Service Account to be used for debt service on the Series 2016C Bonds.

D. Series 2016D Bonds (Subordinate Lien): Proceeds in the amount of \$2,367,311.00 comprised of \$2,020,000.00 aggregate principal amount, plus an original issue premium of \$347,311.00.

- a. \$12,339.57 to be retained by the Purchaser to be used to pay the Purchaser's Processing Fee.
- b. \$2,334,201.70 to the Escrow Account to be applied to the 2016D Refunding Project.
- c. \$20,200.00 to the City's Project Account in the Program Fund to be used for the payment of Costs of Issuance.
- d. \$569.73 to the City's Debt Service Account to be used for debt service on the Series 2016D Bonds.

The City Finance Director shall be, and hereby is, authorized to make any necessary adjustments in the amounts to be deposited in the funds and accounts described in this Section on the date of delivery of the Bonds, or to allow deposits into funds and accounts required or contemplated by the Indenture.

Section 5. Sale of the Bonds. The Bonds are hereby sold to the Purchaser, in accordance with the Bond Purchase Agreements, at the total purchase price for the Bonds as set forth in the preambles of this Sale Resolution. All Costs of Issuance, except for those to be paid by the Purchaser, incurred in connection with issuance of the Bonds and as set forth in the Bond Purchase Agreement, are to be paid by the City.

Section 6. Approval of Bond Purchase Agreements, Escrow Agreements and Intercept Agreements; Execution of Documents. The forms of the Bond Purchase Agreements, Escrow Agreements and Intercept Agreements have been filed in the City Clerk's Office and presented to the Governing Body at this meeting. The terms and provisions of the Bond Purchase Agreements, the Escrow Agreements and Intercept Agreements, in substantially the forms presented to the Governing Body, are in all respects approved, authorized and confirmed. The officers of the City, including without limitation, the Mayor, City Manager, and Finance Director be, and they hereby are, authorized and directed to take all action necessary or appropriate to effectuate the provisions of this Sale Resolution, including, without limiting the generality of the foregoing, the execution of the Bond Purchase Agreement, the Escrow Agreements, the Intercept Agreements, and such other documents and certificates as may be required by the Purchaser or bond counsel.

Section 7. Compliance with Bond Ordinance. The net effective interest rate on the Bonds is less than twelve percent (12%) as required by the applicable State law. The terms established for the Bonds are within the limitations for such terms set forth in the Bond Ordinance.

Section 8. Form of Bonds.

A. The Senior Lien Bonds, Series 2016A-B shall be in the following form:

UNITED STATES OF AMERICA
COUNTY OF SANTA FE
STATE OF NEW MEXICO

No. R-1

\$ _____

CITY OF SANTA FE
SENIOR LIEN GROSS RECEIPTS TAX
REFUNDING REVENUE BONDS
SERIES 2016

<u>INTEREST RATE</u>	<u>MATURITY DATE</u>	<u>SERIES DATE</u>
____ % per annum	June 1, 20__	July 13, 2016

REGISTERED OWNER: NEW MEXICO FINANCE AUTHORITY

PRINCIPAL AMOUNT:

The City of Santa Fe (herein "City"), in the County of Santa Fe and State of New Mexico, for value received, hereby promises to pay upon presentation and surrender of this bond, solely from the special funds provided therefor as hereinafter set forth, to the registered owner named above, or registered assigns, on the Maturity Date specified above (unless this bond, if subject to prior redemption, shall have been called for prior redemption in which case on such redemption date), upon the presentation and surrender hereof at BOKF, NA, Albuquerque, New Mexico, as paying agent, or its successor (herein the "Paying Agent"), the Principal Amount stated above, in lawful money of the United States of America, and to pay to the registered owner hereof as of the Regular Record Date (being the 15th day of the calendar month whether or not a business day preceding each regularly scheduled interest payment date as defined in Ordinance No. 2016-21, adopted May 25, 2016, as supplemented by Resolution No. _____, adopted June 23, 2016, which authorizes this bond and which is referred to herein as the "Bond Ordinance", by check or draft mailed to such registered owner, on or before each interest payment date as hereinafter provided (or, if such interest payment date is not a business day, on or before the next succeeding business day), at his address as it last

appears on the Regular Record Date on the registration books kept for that purpose by BOKF, NA, Albuquerque, New Mexico, as registrar (i.e., transfer agent) for the bonds, or its successor (herein the "Registrar") or by such other arrangement as may be agreed to by the Paying Agent and the registered owner hereof, interest on such sum in lawful money of the United States of America from the Series Date specified above or the most recent interest payment date to which interest has been fully paid or duly provided for in full (as more fully provided in the Bond Ordinance) until maturity at the per annum Interest Rate specified above, payable on December 1, 2016 and semiannually thereafter on December 1 and June 1 in each year. Any such interest not so timely paid or duly provided for shall cease to be payable to the registered owner as of the Regular Record Date and shall be payable to the registered owner as of a Special Record Date (as defined in the Bond Ordinance), as further provided in the Bond Ordinance. If upon presentation and surrender to the Paying Agent at or after maturity or on a designated prior redemption date on which the City may have exercised its right to prior redeem this bond pursuant to the Bond Ordinance, payment of this bond is not made as herein provided, interest hereon shall continue at the rate herein designated until the principal hereof is paid in full. If the Bonds are issued in book-entry only form, an authorized officer of the City and the applicable securities depository ("Depository") may make other arrangements for the payments on the Bonds.

The bonds of the series of which this bond is a part maturing on and after June 1, 2027, are subject to prior redemption at the City's option in one or more units of principal of \$5,000 on an after June 1, 2026, in whole or in part at any time, in such order of maturities as the City may determine (and by lot if less than all of the Bonds of such maturity is called, such selection by lot to be made by the Registrar in such manner as he shall consider appropriate and fair), at a redemption price equal to the principal amount of the Bonds or the portion thereof to be redeemed plus accrued interest, if any, to the redemption date.

Redemption shall be made upon mailed notice to each registered owner of each bond selected for redemption as shown on the registration books kept by the Registrar in the manner and upon the conditions provided in the Bond Ordinance.

The bonds of the series of which this is one are fully registered (i.e., registered as to payment of both principal and interest), and are issuable in the denomination of \$5,000 or any denomination which is an integral multiple of \$5,000 (provided that no bond may be in a denomination which exceeds the principal coming due on any maturity date and no individual bond will be issued for more than one maturity). Upon surrender of any of such bonds at the Registrar with a written instrument satisfactory to the Registrar duly executed by the registered owner or his duly authorized attorney, such bond may, at the option of the registered owner or his duly authorized attorney, be exchanged for an equal aggregate principal amount of such bonds of the same maturity of other authorized denominations, subject to such terms and conditions as set forth in the Bond Ordinance.

This bond is fully transferable by the registered owner hereof in person or by his duly authorized attorney on the registration books kept by the Registrar upon surrender of

this bond together with a duly executed written instrument of transfer satisfactory to the Registrar. Upon such transfer a new fully registered bond of authorized denomination or denominations of the same aggregate principal amount and maturity will be issued to the transferee in exchange for this bond, subject to such terms and conditions as set forth in the Bond Ordinance. The City and the Registrar and Paying Agent may deem and treat the person in whose name this bond is registered as the absolute owner hereof for the purpose of making payment and for all other purposes.

This bond is one of a series of bonds designated "City of Santa Fe Senior Lien Gross Receipts Tax Refunding Revenue Bonds, Series 2016[A][B]," of like tenor and date, except as to interest rate, number and maturity, authorized for the purpose of defraying the cost of refunding certain outstanding obligations of the City as authorized by law and the City's home rule powers, all as set forth in the Bond Ordinance.

This bond is issued pursuant to and in strict compliance with the Constitution and laws of the State of New Mexico.

This bond does not constitute an indebtedness of the City within the meaning of any constitutional or statutory provision or limitation, shall not be considered or be held to be a general obligation of the City, and is payable and collectible solely out of the City's Pledged Gross Receipts Tax Revenues pursuant to the pledge made by and as defined in the Bond Ordinance, which revenues are so pledged; and the holder of this bond may not look to any general or other fund for the payment of the principal and interest on this obligation, except the special funds pledged therefor. Payment of the bonds of the series of which this bond is one and the interest thereon shall be made solely from, and as security for such payment, there are pledged pursuant to the Bond Ordinance special funds identified as the "One-Half Percent Gross Receipts Tax Revenue Fund," the "Infrastructure Gross Receipts Tax Revenue Fund" and the "State-Shared Gross Receipts Tax Revenue Fund" into which the City covenants to pay the Pledged Gross Receipts Tax Revenues, concurrently with debt service payments for outstanding Parity Obligations, sums sufficient to pay when due the principal of and the interest on the bonds of the series of which this bond is one. For a description of the funds, the nature and extent of the security afforded thereby for the payment of the principal of and interest on the bonds and other details concerning the bonds, reference is made to the Bond Ordinance. The bonds of the series of which this bond is one are equally and ratably secured by a first lien on the City's Pledged Gross Receipts Tax Revenues; the Bonds constitute an irrevocable first lien, but not necessarily an exclusive first lien, upon the Pledged Gross Receipts Tax Revenues. Additional bonds and other obligations, in addition to the series of which this bond is one, may be issued and made payable from the City's Pledged Gross Receipts Tax Revenues having a lien thereon inferior and junior to the lien or, subject to designated conditions, having a lien thereon on a parity with the lien of the bonds of the series of which this bond is one, in accordance with the provisions of the Bond Ordinance.

The City covenants and agrees with the registered owner of this bond and with each and every person who may become the registered owner hereof that it will keep and perform all of the covenants of the Bond Ordinance.

This bond is subject to the conditions, and every registered owner hereof by accepting the same agrees with the obligor and every subsequent registered owner hereof that the principal of and the interest on this bond shall be paid, and this bond is transferable, free from, and without regard to any equities between the obligor and the original or any intermediate registered owner hereof for any setoffs or cross-claims.

It is further certified, recited and warranted that all the requirements of law have been fully complied with by the City Council and officers of the City in the issuance of this bond; and that it is issued pursuant to and in strict conformity with the Constitution and laws of the State of New Mexico, and particularly the terms and provisions of Sections 3-31-1 through 3-31-12, NMSA 1978, as amended, and all laws thereunto enabling and supplemental thereto.

This bond shall not be valid or obligatory for any purpose until the Registrar shall have manually signed the certificate of authentication herein.

IN WITNESS WHEREOF, the City of Santa Fe has caused this bond to be signed, subscribed, and executed, and attested with the facsimile signatures of its Mayor and its City Clerk, respectively and has caused the facsimile of its corporate seal to be affixed on this bond, all as of the Series Date.

CITY OF SANTA FE

(SEAL)

By _____
Mayor

ATTEST:

By _____
City Clerk

REGISTRAR'S CERTIFICATE OF AUTHENTICATION

Date of Authentication: July 13, 2016

This is one of the bonds described in the within-mentioned Bond Ordinance, and this bond has been duly registered on the registration books kept by the undersigned as Registrar for such Bonds.

BOKF, NA
Albuquerque, New Mexico, as Registrar

By _____
Cindy Mitchell, Trust Officer

ASSIGNMENT

For value received, _____
hereby sells, assigns and transfers unto _____ the within bond and
hereby irrevocably constitutes and appoints _____ attorney, to transfer
the same on the books of the Registrar, with full power of substitution in the premises.

Signature Guaranteed:

Name and Address of Transferee

Dated: _____

Social Security Number or other
Tax Identification Number

B. The Subordinate Lien Bonds, Series 2016C-D shall be in the following form:

UNITED STATES OF AMERICA
COUNTY OF SANTA FE
STATE OF NEW MEXICO

No. R-1

\$ _____

CITY OF SANTA FE
SUBORDINATE LIEN GROSS RECEIPTS TAX
REFUNDING REVENUE BONDS
SERIES 2016

<u>INTEREST RATE</u>	<u>MATURITY DATE</u>	<u>SERIES DATE</u>
_____% per annum	June 1, 20__	July 13, 2016

REGISTERED OWNER: NEW MEXICO FINANCE AUTHORITY

PRINCIPAL AMOUNT:

The City of Santa Fe (herein "City"), in the County of Santa Fe and State of New Mexico, for value received, hereby promises to pay upon presentation and surrender of this bond, solely from the special funds provided therefor as hereinafter set forth, to the registered owner named above, or registered assigns, on the Maturity Date specified above (unless this bond, if subject to prior redemption, shall have been called for prior redemption in which case on such redemption date), upon the presentation and surrender hereof at BOKF, NA, Albuquerque, New Mexico, as paying agent, or its successor (herein the "Paying Agent"), the Principal Amount stated above, in lawful money of the United States of America, and to pay to the registered owner hereof as of the Regular Record Date (being the 15th day of the calendar month whether or not a business day preceding each regularly scheduled interest payment date as defined in Ordinance No. 2016-21, adopted May 25, 2016, as supplemented by Resolution No. _____, adopted June 23, 2016, which authorizes this bond and which is referred to herein as the "Bond Ordinance", by check or draft mailed to such registered owner, on or before each interest payment date as hereinafter provided (or, if such interest payment date is not a business day, on or before the next succeeding business day), at his address as it last appears on the Regular Record Date on the registration books kept for that purpose by BOKF, NA, Albuquerque, New Mexico, as registrar (i.e., transfer agent) for the bonds, or its successor (herein the "Registrar") or by such other arrangement as may be agreed to by the Paying Agent and the registered owner hereof, interest on such sum in lawful money of the United States of America from the Series Date specified above or the most recent interest payment date to which interest has been fully paid or duly provided for in full (as more fully provided in the Bond Ordinance) until maturity at the per annum Interest Rate specified above, payable on December 1, 2016 and semiannually thereafter on December 1 and June 1 in each year. Any such interest not so timely paid or duly provided for shall cease to be payable to the registered owner as of the Regular Record Date and shall be payable to the registered owner as of a Special Record Date (as defined in the Bond Ordinance), as further provided in the Bond Ordinance. If upon presentation and surrender to the Paying Agent at or after maturity or on a designated prior redemption date on which the City may have exercised its right to prior redeem this bond pursuant to the Bond Ordinance, payment of this bond is not made as herein provided,

interest hereon shall continue at the rate herein designated until the principal hereof is paid in full. If the Bonds are issued in book-entry only form, an authorized officer of the City and the applicable securities depository ("Depository") may make other arrangements for the payments on the Bonds.

The bonds of the series of which this bond is a part maturing on and after June 1, 2027, are subject to prior redemption at the City's option in one or more units of principal of \$5,000 on an after June 1, 2026, in whole or in part at any time, in such order of maturities as the City may determine (and by lot if less than all of the Bonds of such maturity is called, such selection by lot to be made by the Registrar in such manner as he shall consider appropriate and fair), at a redemption price equal to the principal amount of the Bonds or the portion thereof to be redeemed plus accrued interest, if any, to the redemption date.

Redemption shall be made upon mailed notice to each registered owner of each bond selected for redemption as shown on the registration books kept by the Registrar in the manner and upon the conditions provided in the Bond Ordinance.

The bonds of the series of which this is one are fully registered (i.e., registered as to payment of both principal and interest), and are issuable in the denomination of \$5,000 or any denomination which is an integral multiple of \$5,000 (provided that no bond may be in a denomination which exceeds the principal coming due on any maturity date and no individual bond will be issued for more than one maturity). Upon surrender of any of such bonds at the Registrar with a written instrument satisfactory to the Registrar duly executed by the registered owner or his duly authorized attorney, such bond may, at the option of the registered owner or his duly authorized attorney, be exchanged for an equal aggregate principal amount of such bonds of the same maturity of other authorized denominations, subject to such terms and conditions as set forth in the Bond Ordinance.

This bond is fully transferable by the registered owner hereof in person or by his duly authorized attorney on the registration books kept by the Registrar upon surrender of this bond together with a duly executed written instrument of transfer satisfactory to the Registrar. Upon such transfer a new fully registered bond of authorized denomination or denominations of the same aggregate principal amount and maturity will be issued to the transferee in exchange for this bond, subject to such terms and conditions as set forth in the Bond Ordinance. The City and the Registrar and Paying Agent may deem and treat the person in whose name this bond is registered as the absolute owner hereof for the purpose of making payment and for all other purposes.

This bond is one of a series of bonds designated "City of Santa Fe Subordinate Lien Gross Receipts Tax Refunding Revenue Bonds, Series 2016[C][D]," of like tenor and date, except as to interest rate, number and maturity, authorized for the purpose of defraying the cost of refunding certain outstanding obligations of the City as authorized by law and the City's home rule powers, all as set forth in the Bond Ordinance.

This bond is issued pursuant to and in strict compliance with the Constitution and laws of the State of New Mexico.

This bond does not constitute an indebtedness of the City within the meaning of any constitutional or statutory provision or limitation, shall not be considered or be held to be a general obligation of the City, and is payable and collectible solely out of the City's Pledged Gross Receipts Tax Revenues pursuant to the pledge made by and as defined in the Bond Ordinance, which revenues are so pledged; and the holder of this bond may not look to any general or other fund for the payment of the principal and interest on this obligation, except the special funds pledged therefor. Payment of the bonds of the series of which this bond is one and the interest thereon shall be made solely from, and as security for such payment, there are pledged pursuant to the Bond Ordinance special funds identified as the "One-Half Percent Gross Receipts Tax Revenue Fund," the "Infrastructure Gross Receipts Tax Revenue Fund" and the "State-Shared Gross Receipts Tax Revenue Fund" into which the City covenants to pay the Pledged Gross Receipts Tax Revenues, concurrently with debt service payments for outstanding Subordinate Obligations, sums sufficient to pay when due the principal of and the interest on the bonds of the series of which this bond is one. For a description of the funds, the nature and extent of the security afforded thereby for the payment of the principal of and interest on the bonds and other details concerning the bonds, reference is made to the Bond Ordinance. The bonds of the series of which this bond is one are equally and ratably secured by a subordinate lien on the City's Pledged Gross Receipts Tax Revenues; the Bonds constitute an irrevocable subordinate lien, but not necessarily an exclusive subordinate lien, upon the Pledged Gross Receipts Tax Revenues. Additional bonds and other obligations, in addition to the series of which this bond is one, may be issued and made payable from the City's Pledged Gross Receipts Tax Revenues having a lien thereon inferior and junior to the lien or, subject to designated conditions, having a lien thereon on a parity with, or superior to the lien of the bonds of the series of which this bond is one, in accordance with the provisions of the Bond Ordinance.

The City covenants and agrees with the registered owner of this bond and with each and every person who may become the registered owner hereof that it will keep and perform all of the covenants of the Bond Ordinance.

This bond is subject to the conditions, and every registered owner hereof by accepting the same agrees with the obligor and every subsequent registered owner hereof that the principal of and the interest on this bond shall be paid, and this bond is transferable, free from, and without regard to any equities between the obligor and the original or any intermediate registered owner hereof for any setoffs or cross-claims.

It is further certified, recited and warranted that all the requirements of law have been fully complied with by the City Council and officers of the City in the issuance of this bond; and that it is issued pursuant to and in strict conformity with the Constitution and laws of the State of New Mexico, and particularly the terms and provisions of Sections 3-31-1 through 3-31-12, NMSA 1978, as amended, and all laws thereunto enabling and supplemental thereto.

This bond shall not be valid or obligatory for any purpose until the Registrar shall have manually signed the certificate of authentication herein.

IN WITNESS WHEREOF, the City of Santa Fe has caused this bond to be signed, subscribed, and executed, and attested with the facsimile signatures of its Mayor and its City Clerk, respectively and has caused the facsimile of its corporate seal to be affixed on this bond, all as of the Series Date.

CITY OF SANTA FE

(SEAL)

By _____
Mayor

ATTEST:

By _____
City Clerk

REGISTRAR'S CERTIFICATE OF AUTHENTICATION

Date of Authentication: July 13, 2016

This is one of the bonds described in the within-mentioned Bond Ordinance, and this bond has been duly registered on the registration books kept by the undersigned as Registrar for such Bonds.

BOKF, NA
Albuquerque, New Mexico, as Registrar

By _____
Cindy Mitchell, Trust Officer

ASSIGNMENT

For value received, _____
hereby sells, assigns and transfers unto _____ the within bond and
hereby irrevocably constitutes and appoints _____ attorney, to transfer
the same on the books of the Registrar, with full power of substitution in the premises.

Signature Guaranteed:

Name and Address of Transferee

Dated: _____

Social Security Number or other
Tax Identification Number

Section 9. Findings. It is hereby found and determined that the above terms established for the Bonds are within the limitations for such terms established by the Bond Resolution and it is advisable to sell the Bonds to the New Mexico Finance Authority.

Section 10. Repealer. All bylaws and resolutions, or parts thereof, inconsistent herewith are hereby repealed to the extent of such inconsistency. This repealer shall not be construed as reviving any bylaw or resolution, or part thereof, heretofore repealed.

Section 11. Severability. If any section, paragraph, clause or provision hereof shall be held to be invalid or unenforceable, the invalidity or unenforceability of such section, paragraph, clause or provision shall not affect any of the remaining provisions of this Sale Resolution.

Section 12. Amendment. This Sale Resolution may be amended only on the same terms and conditions and in accordance with the same procedures as set forth in the Bond Resolution for amendment of the Bond Resolution.

Section 13. Publication. A title and general summary of the subject matter contained in this Sale Resolution shall be published in substantially the following form after adoption of this Sale Resolution:

(Form of Summary of Sale Resolution for Publication)

City of Santa Fe, New Mexico

Notice of Adoption of Sale Resolution

Notice is hereby given of the title and of a general summary of the subject matter contained in a Sale Resolution duly adopted and approved by the Governing Body of the City of Santa Fe on June 23, 2016 relating to the details of the City's Gross Receipts Tax Refunding Revenue Bonds, Series 2016 (the "Bonds") as authorized pursuant to its Bond Ordinance duly adopted by the Governing Body on May 25, 2016. Complete copies of the Sale Resolution are available for public inspection during the normal and regular business hours of the City Clerk in the office of the City Clerk, City Hall, 200 Lincoln Avenue, Santa Fe, New Mexico.

The title of the Sale Resolution is:

A RESOLUTION RELATING TO THE CITY OF SANTA FE, NEW MEXICO SENIOR LIEN GROSS RECEIPTS TAX REFUNDING REVENUE BONDS, AND THE CITY OF SANTA FE, NEW MEXICO SUBORDINATE LIEN GROSS RECEIPTS TAX REFUNDING REVENUE BONDS, IN ACCORDANCE WITH CITY ORDINANCE NO. 2016-21 ADOPTED ON MAY 25, 2016; APPROVING THE SALE OF THE BONDS TO THE NEW MEXICO FINANCE AUTHORITY; ESTABLISHING CERTAIN DETAILS OF THE BONDS; PROVIDING FOR THE PAYMENT OF THE COSTS OF ISSUANCE OF THE BONDS; APPROVING OTHER DOCUMENTS RELATING TO THE BONDS; AND RATIFYING ACTION PREVIOUSLY TAKEN IN CONNECTION THEREWITH.

A general summary of the subject matter contained in the Resolution appears in its title.

WITNESS my hand and the seal of the City on June 23, 2016.

CITY OF SANTA FE

(SEAL)

Yolanda Y. Vigil, City Clerk

(Form of Summary of Sale Resolution for Publication)

Section 14. Effective Date. This Sale Resolution shall become effective immediately upon its passage and adoption by the Governing Body.

PASSED, APPROVED and ADOPTED this 23rd day of June, 2016.

GOVERNING BODY OF THE
CITY OF SANTA FE

(SEAL)

JAVIER M. GONZALES, MAYOR

ATTEST:

YOLANDA Y. VIGIL, CITY CLERK

APPROVED AS TO FORM:

KELLEY A. BRENNAN, CITY ATTORNEY

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CITY COUNCIL MEETING OF
June 23, 2016
BILLS AND RESOLUTIONS SCHEDULED FOR INTRODUCTION
BY MEMBERS OF THE GOVERNING BODY

Mayor Javier Gonzales		
Co-Sponsors	Title	Tentative Committee Schedule
	AN ORDINANCE AUTHORIZING THE SALE OF 7,146.1 SQUARE FEET OF REAL PROPERTY LOCATED ADJACENT TO 308 MADRID LANE AND DESCRIBED AS "PORTION OF MADRID LANE" AS SHOWN AND DELINEATED ON A SURVEY ENTITLED, "LEGAL DESCRIPTION PORTION OF MADRID LANE" PREPARED BY DEL RIO SURVEYS, INC., PHILIP B. WEIGEL, N.M.P.S. NO. 9758, DATED JUNE 1, 2016, LYING AND BEING SITUATE WITHIN THE CITY AND COUNTY OF SANTA FE, NEW MEXICO.	City Council (request to publish) - 6/29/16 City Council (public hearing) - 7/27/16
	AN ORDINANCE AUTHORIZING THE SALE OF 1,996.9 SQUARE FEET OF REAL PROPERTY LOCATED ADJACENT TO 424 ARROYO TENORIO STREET AND DESCRIBED AS "PORTION OF TRACT A TO BE CONSOLIDATED" AS SHOWN AND DELINEATED ON A PLAT OF SURVEY ENTITLED, "PLAT OF LOT CONSOLIDATION SURVEY FOR GARY SWANSON & JANE SWANSON" PREPARED BY DEL RIO SURVEYS, INC., PHILIP B. WEIGEL, N.M.P.S. NO. 9758, DATED JANUARY 20, 2016, LYING AND BEING SITUATE WITHIN THE SANTA FE GRANT, NE ¼ OF SECTION 25, T17N, R9E, N.M.P.M., IN THE CITY AND COUNTY OF SANTA FE, NEW MEXICO.	City Council (request to publish) - 6/29/16 City Council (public hearing) - 7/27/16
Councilor Carmichael Dominguez		
Co-Sponsors	Title	Tentative Committee Schedule
	AN ORDINANCE ADOPTING A MUNICIPAL GROSS RECEIPTS TAX.	City Council (request to publish) - 6/29/16 Finance Committee - 6/18/16 City Council (public hearing) - 7/27/16
Councilor Mike Harris		
Co-Sponsors	Title	Tentative Committee Schedule

Exhibit "b"

Councilor Peter Ives		
Co-Sponsors	Title	Tentative Committee Schedule
Councilor Signe Lindell		
Co-Sponsors	Title	Tentative Committee Schedule
Councilor Joseph Maestas		
Co-Sponsors	Title	Tentative Committee Schedule
	A RESOLUTION AUTHORIZING THE CITY OF SANTA FE TRANSIT DIVISION TO PROVIDE FREE TRANSIT SERVICES TO "MUSIC ON THE HILL" DURING THE 2016 SUMMER SEASON.	Public Works Committee - 6/27/16 Finance Committee - 7/5/16 City Council - 7/13/16
Councilor Chris Rivera		
Co-Sponsors	Title	Tentative Committee Schedule
	A RESOLUTION PROCLAIMING SEVERE OR EXTREME DROUGHT CONDITIONS MAY EXIST IN THE CITY OF SANTA FE; IMPOSING FIRE RESTRICTIONS; RESTRICTING THE SALE OR USE OF FIREWORKS WITHIN THE CITY OF SANTA FE AND PROHIBITING OTHER FIRE HAZARD ACTIVITIES.	Public Works Committee - 7/11/13 Finance Committee - 7/18/16 Public Safety Committee - 7/19/16 City Council - 7/27/16
Councilor Ron Trujillo		
Co-Sponsors	Title	Tentative Committee Schedule
Councilor Renee Villarreal		
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

BILL NO. 2016-__

INTRODUCED BY:

Mayor Javier M. Gonzales

AN ORDINANCE

AUTHORIZING THE SALE OF 1,996.9 SQUARE FEET OF REAL PROPERTY LOCATED ADJACENT TO 424 ARROYO TENORIO STREET AND DESCRIBED AS "PORTION OF TRACT A TO BE CONSOLIDATED" AS SHOWN AND DELINEATED ON A PLAT OF SURVEY ENTITLED, "PLAT OF LOT CONSOLIDATION SURVEY FOR GARY SWANSON & JANE SWANSON" PREPARED BY DEL RIO SURVEYS, INC., PHILIP B. WEIGEL, N.M.P.S. NO. 9758, DATED JANUARY 20, 2016, LYING AND BEING SITUATE WITHIN THE SANTA FE GRANT, NE ¼ OF SECTION 25, T17N, R9E, N.M.P.M., IN THE CITY AND COUNTY OF SANTA FE, NEW MEXICO.

BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF SANTA FE:

Section 1. The attached Exhibit A, Quitclaim Deed between the City of Santa Fe (Grantor) and The Swanson Family Trust of 2007 (Grantee) for real property lying and being situated within the City and County of Santa Fe, New Mexico, is approved subject to the conditions set forth in Section 2 below. The real property is located adjacent to the property at 424 Arroyo Tenorio Street and is more particularly described as follows:

1 "PORTION OF TRACT A TO BE CONSOLIDATED" AS SHOWN AND DELINEATED
2 ON A PLAT OF SURVEY ENTITLED, "PLAT OF LOT CONSOLIDATION SURVEY FOR
3 GARY SWANSON & JANE SWANSON" PREPARED BY DEL RIO SURVEYS, INC., PHILIP B.
4 WEIGEL, N.M.P.S. NO. 9758, DATED JANUARY 20, 2016, LYING AND BEING SITUATE
5 WITHIN THE SANTA FE GRANT, NE ¼ OF SECTION 25, T17N, R9E, N.M.P.M., IN THE CITY
6 AND COUNTY OF SANTA FE, NEW MEXICO."

7 **Section 2.** The sale of the real property is approved subject to the terms herein and the
8 following easements and restrictions:

9 1. The property shall not be considered a separate legal lot of record for any purpose,
10 but rather shall be consolidated with the adjoining lands commonly known as 424 Arroyo Tenorio
11 Street by the Grantee.

12 2. The property shall be subject to easements for existing utilities and rights thereto.

13 **Section 3.** The appraised value of the real property is \$37,941.10.

14 **Section 4.** The manner of payment to Grantor shall be cash. The time of payment shall
15 be as soon as practicable after the effective date of this ordinance.

16 **Section 5.** The sale price of the real property is \$37,941.10.

17 **Section 6.** The purchaser of the real property is The Swanson Family Trust of 2007.

18 **Section 7.** The purpose of the sale of the real property by the municipality is the
19 disposal of surplus real property and the generation of revenue for the municipality.

20 **Section 8.** This ordinance shall become effective forty-five (45) days after its adoption,
21 unless a referendum election is held pursuant to Article 3-54-1 NMSA 1978.

22 APPROVED AS TO FORM:

23
24
25 _____
KELLEY A. BRENNAN, CITY ATTORNEY

M/Legislation/Bills 2016/Real Prop. Sale 424 Arroyo Tenorio

1 CITY OF SANTA FE, NEW MEXICO

2 BILL NO. 2016-__

3 INTRODUCED BY:

4
5 Mayor Javier M. Gonzales
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7
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9

10 AN ORDINANCE

11 AUTHORIZING THE SALE OF 7,146.1 SQUARE FEET OF REAL PROPERTY LOCATED
12 ADJACENT TO 308 MADRID LANE AND DESCRIBED AS "PORTION OF MADRID
13 LANE" AS SHOWN AND DELINEATED ON A SURVEY ENTITLED, "LEGAL
14 DESCRIPTION PORTION OF MADRID LANE" PREPARED BY DEL RIO SURVEYS,
15 INC., PHILIP B. WEIGEL, N.M.P.S. NO. 9758, DATED JUNE 1, 2016, LYING AND BEING
16 SITUATE WITHIN THE CITY AND COUNTY OF SANTA FE, NEW MEXICO.
17

18 BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF SANTA FE:

19 Section 1. The attached Exhibit A, Quitclaim Deed between the City of Santa Fe
20 (Grantor) and Barbara Kitchen (Grantee) for real property lying and being situated within the City
21 and County of Santa Fe, New Mexico, is approved subject to the conditions set forth in Section 2
22 below. The real property is located adjacent to the property at 308 Madrid Lane and is more
23 particularly described as follows:

24 "A PORTION OF MADRID LANE DEPICTED ON PLAT BOOK 2 AT PAGE 291,
25 RECORDS OF SANTA FE COUNTY, NM AND BEING MORE PARTICULARLY DESCRIBED

Exhibit B

1 AS FOLLOWS, TO WIT: BEGINNING AT THE SOUTHEAST CORNER OF THE ABOVE
2 MENTIONED TRACT, BEING THE NORTHEAST CORNER OF LOT 7 OF THE ABOVE
3 MENTIONED PLAT, THENCE FROM SAID POINT OF BEGINNING, ALONG THE NORTH
4 BOUNDARY OF SAID LOT 7, S 89°57'00" W, 144.55 FEET; THENCE LEAVING SAID
5 BOUNDARY, N 02°56'02" E, 50.07 FEET TO THE SOUTH BOUNDARY OF LOT 5 OF THE
6 ABOVE MENTIONED PLAT; THENCE, ALONG SAID BOUNDARY, N 89°57'00" E, 142.39
7 FEET; THENCE, LEAVING SAID BOUNDARY, S 0°47'00" E, 50.00 FEET TO THE POINT
8 AND PLACE OF BEGINNING OF THIS TRACT, CONTAINING 7,146.1 SQUARE FEET."

9 **Section 2.** The sale of the real property is approved subject to the terms herein and the
10 following easements and restrictions:

11 1. The property shall not be considered a separate legal lot of record for any purpose,
12 but rather shall be consolidated with the adjoining lands commonly known as 308 Madrid Lane by the
13 Grantee.

14 2. The property shall be subject to easements for existing utilities and rights thereto.

15 3. The property shall not be transferred to the purchaser until and unless the
16 purchaser becomes the owner of the adjoining lands commonly known as 308 Madrid Lane on or
17 before ten (10) days after the effective date of this ordinance.

18 **Section 3.** The appraised value of the real property is \$48,236.17.

19 **Section 4.** The manner of payment to Grantor shall be cash. The time of payment shall
20 be as soon as practicable after the effective date of this ordinance.

21 **Section 5.** The sale price of the real property is \$48,236.17.

22 **Section 6.** The purchaser of the real property is Barbara Kitchen.

23 **Section 7.** The purpose of the sale of the real property by the municipality is the
24 disposal of surplus real property and the generation of revenue for the municipality.

25 **Section 8.** This ordinance shall become effective forty-five (45) days after its adoption,

1 unless a referendum election is held pursuant to Article 3-54-1 NMSA 1978.

2

3 APPROVED AS TO FORM:

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6 _____
KELLEY A. BRENNAN, CITY ATTORNEY

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25 *M/Legislation/Bills 2016/Real Property Sale – 308 Madrid Lane*

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1 accommodate visitors and residents alike to attend the Music on the Hill event for 2016.

2 **BE IT FURTHER RESOLVED** that the effective date is immediately upon approval of this
3 resolution.

4 PASSED, APPROVED, and ADOPTED this _____ day of _____, 2016.

6 _____
7 JAVIER M. GONZALES, MAYOR

8 ATTEST:

9 _____
10
11 YOLANDA Y. VIGIL, CITY CLERK

12 APPROVED AS TO FORM:

13 _____
14
15 KELLEY A. BRENNAN, CITY ATTORNEY

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25 *M/Legislation/Resolutions 2016/Transit (free) for Music on the Hill*

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1 presently extremely high in the city of Santa Fe; and

2 **WHEREAS**, in recent months, the city of Santa Fe fire department has responded to
3 wildland fires which have threatened structures and homes in the city of Santa Fe, and

4 **WHEREAS**, if the city experiences a fire that burns out of control in the watershed, 40%
5 of the city's water resources are at serious risk of complete loss or substantially reduced capacity;
6 and

7 **WHEREAS**, if the city experiences a fire that burns out of control in populated areas, it
8 may be necessary to evacuate and relocate affected residents; and

9 **WHEREAS**, pursuant to N.M. Stat. Ann. Section 60-2C-8.1, the governing body of a
10 municipality is authorized to restrict the sale or use of fireworks within the boundaries of the
11 municipality if severe or extreme drought conditions exist.

12 **NOW THEREFORE BE IT PROCLAIMED BY THE GOVERNING BODY OF**
13 **THE CITY OF SANTA FE:**

14 **Section 1.** This resolution shall be deemed a proclamation within the meaning of
15 Section 60-2C-8.1 NMSA 1978 and Section 12-3.9 SFCC 1987.

16 **Section 2.** As per Section 60-2C-8.1 NMSA 1978, the governing body anticipates
17 severe or extreme drought conditions may exist within the boundaries of the city of Santa Fe
18 based upon current drought indices published by the national weather service and other relevant
19 information supplied by the United States forest service.

20 **Section 3.** The governing body restricts the sale or use of fireworks to the maximum
21 extent possible permitted in Section 60-2C-8.1 NMSA 1978.

22 A. The sale or use of the following fireworks is specifically prohibited
23 within the city limits:

24 (1) aerial devices:

25 (a) aerial spinners;

- (b) helicopters;
- (c) mines;
- (d) missile-type rockets;
- (e) roman candles;
- (f) shells; and
- (g) stick-type rockets;
- (2) ground audible devices:
 - (a) chasers; and
 - (b) firecrackers.

B. All fireworks within any lands covered wholly or in part by timber, brush or native grass are prohibited.

Section 4. An exception to the above restrictions are public displays of fireworks in strict conformance with the requirements and conditions set forth in Section 12-3.3 SFCC 1987 and as approved by the city of Santa Fe fire chief.

Section 5. Pursuant to Section 12-3.9 SFCC 1987:

A. Any individual, firm, partnership or other entity found in violation of the above restrictions shall be deemed guilty of a misdemeanor and shall be punished by imprisonment for up to ninety (90) days or a fine not to exceed five hundred dollars (\$500), or both.

B. Each and every occasion on which this section is violated shall be considered a separate offense.

BE IT FURTHER RESOLVED that:

Section 1. Due to severe or extreme drought conditions and wildland fire conditions, the Governing Body hereby prohibits the following activities, in accordance with the International Fire Code® as adopted by §12-2.1 SFCC 1987:

- 1 A. Open burning, including campfires, bonfires, pit barbecues;
2 B. Burning of weeds, trash, or other vegetation;
3 C. Using charcoal barbecue grills in public parks and recreation areas;
4 D. Smoking in public parks, recreation areas, or on any public trail; and
5 E. Using any motorized all terrain vehicle or motorcycles on city owned
6 open space, parks, trails, or other recreational areas, except for the Motocross Track
7 located off of the 599 Relief Route.

8 Charcoal barbecuing at a residential structure is permitted if the fire is closely monitored and fire-
9 extinguishing equipment, such as a garden hose or fire extinguisher, is readily available.

10 **Section 2.** Pursuant to Section 1-3.1 SFCC 1987:

11 A. Any individual, firm, partnership or other entity found in violation of the
12 above restrictions shall be deemed guilty of a misdemeanor and shall be punished by
13 imprisonment for up to ninety (90) days or a fine not to exceed five hundred dollars
14 (\$500), or both.

15 B. Each and every occasion on which this section is violated shall be
16 considered a separate offense.

17 **BE IT FURTHER RESOLVED** that the Governing Body recognizes that Section 60-
18 2C-8.1 NMSA 1978 only allows municipalities to adopt fire restrictions for 30 days at a time and
19 no less than 20 days prior to a holiday for which fireworks may be sold. Therefore, to ensure that
20 there will be no lapse in the fire restrictions imposed by this resolution, the Governing Body may
21 impose these fire restrictions at any subsequent meeting date hereafter to ensure that such fire
22 restrictions are in place during extreme or severe drought conditions and wildland fire conditions.

23 PASSED, APPROVED AND ADOPTED this _____ day of _____, 2016.
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JAVIER M. GONZALES, MAYOR

ATTEST:

YOLANDA Y. VIGIL, CITY CLERK

APPROVED AS TO FORM:

KELLEY A. BRENNAN, CITY ATTORNEY

1 CITY OF SANTA FE, NEW MEXICO

2 BILL NO. 2016-__

3 INTRODUCED BY:

4
5 Councilor Carmichael A. Dominguez

6
7
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9
10 AN ORDINANCE

11 ADOPTING A MUNICIPAL GROSS RECEIPTS TAX.

12
13 BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF SANTA FE:

14 Section 1. Imposition of Tax. There is imposed on any person engaging in business
15 in this municipality for the privileges of engaging in business in this municipality an excise tax
16 equal to one-fourth of one percent (.25%) of the gross receipts reported or required to be
17 reported by the person pursuant to the New Mexico Gross Receipts and Compensating Tax Act as
18 it now exists or as it may be amended. The tax imposed under this ordinance is pursuant to the
19 Municipal Local Option Gross Receipts Taxes Act as it now exists or as it may be amended and
20 shall be known as the "municipal gross receipts tax."

21 Section 2. General Provisions. This ordinance hereby adopts by reference all
22 definitions, exemptions and deductions contained in the Gross Receipts and Compensating Tax
23 Act as it now exists or as it may be amended.

24 Section 3. Specific Exemptions. No municipal gross receipts tax shall be imposed
25 on the gross receipts arising from:

Enacted "11"

1 A. transporting persons or property for hire by railroad, motor vehicle, air
2 transportation or any other means from one point within the municipality to another point outside
3 the municipality;

4 B. a business located outside the boundaries of a municipality on land owned by that
5 municipality for which a state gross receipts tax distribution is made pursuant to Subsection C of
6 Section 7-1-6.4 NMSA 1978; or

7 C. direct broadcast satellite services.

8 **Section 4. Effective Date.** The effective date of the municipal gross receipts tax
9 shall be either January 1, or July 1, whichever date occurs first after the expiration of three
10 months from the date this ordinance is adopted, unless an election is held on the question of
11 approving the ordinance, in which case the effective date shall be either January 1 or July 1,
12 whichever date occurs first after the expiration of three months from the date when the results of
13 the election are certified to be in favor of the ordinance's adoption and the adopted ordinance is
14 delivered or mailed to the taxation and revenue department.

15
16 APPROVED AS TO FORM:

17
18 _____
19 KELLEY A. BRENNAN, CITY ATTORNEY

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25 *M/Legislation/Bills 2016/Municipal GRT Adoption*