



Agenda

REGULAR MEETING OF
THE GOVERNING BODY
THURSDAY, OCTOBER 13, 2016
CITY COUNCIL CHAMBERS

AFTERNOON SESSION – 5:00 P.M.

CITY CLERK'S OFFICE

DATE 10/17/16 TIME 2:20 P.M.

SERVED BY [Signature]

RECEIVED BY [Signature]

1. CALL TO ORDER
2. PLEDGE OF ALLEGIANCE
3. SALUTE TO THE NEW MEXICO FLAG
4. INVOCATION
5. ROLL CALL
6. APPROVAL OF AGENDA
7. APPROVAL OF CONSENT CALENDAR
8. APPROVAL OF MINUTES: Reg. City Council Meeting – September 28, 2016
9. PRESENTATIONS
10. CONSENT CALENDAR
 - a) Request for Approval of Procurement Under Cooperative and State Price Agreements in the Amount of \$192,874.70 – One (1) Plow/Spreader Box and One (1) Dump Truck for Streets & Drainage Maintenance Division; Summit Truck Group and MCT Industries, Inc. (David Catanach)
 - b) Request for Approval of Statewide Ambulance Tariff Rate Increase Effective October 1, 2016; New Mexico Public Regulation Commission. (Greg Cliburn)
 - c) Request for Approval of Bid No. 17/03/B and Professional Services Agreement in the Amount of \$255,000 – Procurement of Tires, Tire Casings and Tire Repairs for Environmental Services Division; Purcell Tire and Service Center. (Lawrence Garcia)
 - d) Request for Approval of Procurement Under Cooperative Price Agreement in the Amount of \$385,987 – Vactor Jetter Truck for Wastewater Management Division; Cooperative Educational Services/Pete's Equipment Repair, Inc. (Jerry Tapia)



Agenda

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CITY COUNCIL CHAMBERS

- e) Santa Fe Municipal Airport – Request to Ratify: (Cameron Humphres)
 - 1) USDOT AIP Grant Agreement #3-35-0037-043-2016 and Approve the Acceptance of NMDOT Aviation Division Grant Agreement, Project No. SAF-17-02 and Request for Approval of Budget Adjustment in the Amount of \$31,250.
 - 2) USDOT AIP Grant Agreement #3-35-0037-044-2016 and Approve the Acceptance of NMDOT Aviation Division Grant Agreement, Project No. SAF-17-04 and Request for Approval of Budget Adjustment in the Amount of \$5,715.
 - 3) USDOT AIP Grant Agreement #3-35-0037-045-2016 and Approve the Acceptance of NMDOT Aviation Division Grant Agreement, Project No. SAF-17-03 and Request for Approval of Budget Adjustment in the Amount of \$8,765.
 - 4) USDOT AIP Grant Agreement #3-35-0037-046-2016 and Approve the Acceptance of NMDOT Aviation Division Grant Agreement, Project No. SAF-17-05 and Request for Approval of Budget Adjustment in the Amount of \$6,108.
- f) Request for Approval of Procurement Under Cooperative Price Agreement in the Amount of \$183,305 – Replacement of Closed Circuit Television Inspection Unit Van (CC/TV) for Wastewater Management Division; Cooperative Educational Services/Pete's Equipment Repair, Inc. (Jerry Tapia)
- g) Request for Approval of Memorandum of Understanding – City of Santa Fe Wastewater Services to Tessera Subdivision, Phase 2; Santa Fe County. (Stan Holland)
- h) Request for Approval of Procurement Under Federal Price Agreement and Professional Services Agreement in the Amount of \$65,777 – HVAC Equipment Maintenance and On-Call Services at Tourism Santa Fe; Trane U.S. Inc. (Randy Randall)



Agenda

REGULAR MEETING OF
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THURSDAY, OCTOBER 13, 2016
CITY COUNCIL CHAMBERS

- i) Request for Approval of Budget Adjustment to Decrease Revenue in the Amount of \$224,502 and Decrease Operating Budget by \$13,864 for Reallocation of Remaining Balance of \$61,805 from Previously Approved Grant Award in the Amount of \$103,609 for FY 2016/17. (Porfirio Chavarria)
- j) CONSIDERATION OF RESOLUTION NO. 2016-____. (Councilor Rivera, Councilor Ives, Councilor Villarreal and Councilor Trujillo)
A Resolution Directing the City Manager to Work with Santa Fe County and the Santa Fe Soccer Community to Explore the Possibilities of Establishing a Regional Soccer Authority. (Robert Carter and Alexandra Ladd)
- k) Request for Approval of Findings of Fact and Conclusions of Law for Case #2016-91, Appeal by the New Mexico School for the Arts Art Institute (a.k.a., "Sanbusco 2015, LLC") Appeal of the June 28, 2016 Decision of the Historic Districts Review Board in Case #H-16-051A to Maintain the Contributing Status of the Main Sanbusco Market Center and Upgrade the Status of the Parking Sheds to Contributing, Located at 500-550 Montezuma Avenue in the Westside-Guadalupe Historic District. (Kelley Brennan)
- l) Request for Approval of Findings of Fact and Conclusions of Law for Case No. # 2016-64. Las Soleras Amendment to Master Plan – R-6 and R-12 Height and Side Yard Standards. (Zachary Shandler)
- m) Update on Cerrillos Road Construction Project. (David Quintana) **(Informational Only)**
- n) Update on the Management and Oversight of the Santa Fe Film Office. (Randy Randall) **(Informational Only)**
- o) Request for Approval of Internal Audit Department's Annual Report. (Liza Kerr)
- p) Contingency Audit of City Utilities; Troy & Banks Utility and Telecommunication Consultants. (Liza Kerr) **(Informational Only)**
- q) Summary Report on Fraud, Waste and Abuse Hotline. (Liza Kerr and Lynette Trujillo) **(Informational Only)**



Agenda

REGULAR MEETING OF
THE GOVERNING BODY
THURSDAY, OCTOBER 13, 2016
CITY COUNCIL CHAMBERS

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- r) Ratification of Grant Agreements in the Total Amount of \$700,000: (Cameron Humphres) (Postponed on September 28, 2016) **(Postponed to November 9, 2016)**
- 1) Request for Ratification of Small Community Air Service Development Program Grant and Budget Increase in the Amount of \$500,000 – Enhancement of Air Service; U.S. Department of Transportation.
 - 2) Request for Ratification of Air Service Assistance Program Grant and Budget Increase in the Amount of \$200,000 – Marketing Support for Air Service Development; New Mexico Department of Transportation, Aviation Division.
11. CONSIDERATION OF RESOLUTION NO. 2016-____. (Mayor Gonzales)
A Resolution Relating to the People to the Plaza Resolution; Amending Resolution 2014-75 to Extend the Time Period in Which People Can Enjoy the Plaza with Reduced Traffic. (Richard Thompson)
12. Request to Publish Notice of Public Hearing on November 9, 2016:
- a) **Bill No. 2016-40.** An Ordinance Amending Subsection 14-8.10 of the Land Development Code to Permit Placement and Construction of Electronic Reader Board Signs to Facilitate Wayfinding and the Dissemination of Information in Real Time on Local Services, Programs, Activities and Events in Accordance with a City Program; and Establishing Certain Guidelines on Electronic Reader Board Signs. (Mayor Gonzales) (Marcos Martinez) **(Postponed on September 14, 2016)**
 - b) **Bill No. 2016-42.** An Ordinance Amending Subsection 2-1.2 Relating to the Compensation of the Mayor and Establishing an Independent Salary Commission to Set the Mayor's Salary Effective March 19, 2018. (Councilor Ives, Councilor Lindell, Councilor Maestas, Councilor Dominguez, Councilor Villarreal and Councilor Rivera) (Lynette Trujillo)
13. Request for Ratification of Procurement under Negotiated Addendum to GSA Contract #GS-35F-0265X in the Amount of \$522,222 - Time and Attendance Software Subscriptions, Implementation Services and Equipment (RFP #16/22/P); Immix Technology Inc. and Kronos, Inc. (Renee Martinez)
14. MATTERS FROM THE CITY MANAGER



Agenda

REGULAR MEETING OF
THE GOVERNING BODY
THURSDAY, OCTOBER 13, 2016
CITY COUNCIL CHAMBERS

15. MATTERS FROM THE CITY ATTORNEY

Executive Session

In Accordance with the New Mexico Open Meetings Act §§10-15-1(H) (7) and (8) NMSA 1978, Discussion Regarding Threatened or Pending Litigation in Which the City of Santa Fe is a Participant, Including, without Limitation, Discussion Relating to Mediation under the Dispute Resolution Provision of the Agreement Regarding Water, Wastewater and Solid Waste Required by the Settlement Agreement and Mutual Release of Claims between the City of Santa Fe and Santa Fe County; and Discussion of the Purchase, Acquisition or Disposal of Real Property or Water Rights by the City of Santa Fe, Including, without Limitation, Discussion Relating to the Exchange of Certain Real Property to Facilitate Access to ROW. (Kelley Brennan)

16. Action with Respect to Certain Proposed Amendments to the Agreement Regarding Water, Wastewater and Solid Waste Required by the Settlement Agreement and Mutual Release of Claims between the City of Santa Fe and Santa Fe County. (Kelley Brennan)

17. MATTERS FROM THE CITY CLERK

18. COMMUNICATIONS FROM THE GOVERNING BODY

EVENING SESSION – 7:00 P.M.

- A. CALL TO ORDER
- B. PLEDGE OF ALLEGIANCE
- C. SALUTE TO THE NEW MEXICO FLAG
- D. INVOCATION
- E. ROLL CALL
- F. PETITIONS FROM THE FLOOR
- G. APPOINTMENTS



Agenda

REGULAR MEETING OF
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THURSDAY, OCTOBER 13, 2016
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H. PUBLIC HEARINGS:

- 1) CONSIDERATION OF BILL NO. 2016-39: ADOPTION OF ORDINANCE NO. 2016-____. (Councilor Dominguez)
An Ordinance Repealing Ordinance No. 2016-15 Adopting a Municipal Gross Receipts Tax. (Marcos Martinez)
- 2) CONSIDERATION OF BILL NO. 2016-37: ADOPTION OF ORDINANCE NO. 2016-____. (Councilor Ives)
An Ordinance Relating to the City of Santa Fe Telecommunications Facilities in the Public Rights-of-Way Ordinance; Amending Subsection 27-2.1 SFCC 1987 to Establish Legislative Findings; Amending Subsection 27-2.3 SFCC 1987 to Repeal the Definition of "Gross Revenue" and Establish a new Definition for "Gross Charge"; Amending Subsection 27-2.5 to Repeal the Fee Structure and Establish an Infrastructure Maintenance Franchise Fee; and Making Such Other Changes as are Necessary to Carry Out the Intent of this Ordinance. (Marcos Martinez) (**Postponed to October 26, 2016**)

I. ADJOURN

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

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

Persons with disabilities in need of accommodations, contact the City Clerk's office at 955-6521, five (5) working days prior to meeting date.

**SUMMARY INDEX
SANTA FE CITY COUNCIL MEETING
Wednesday, October 13, 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]	2
APPROVAL OF CONSENT CALENDAR	Approved [amended]	3
CONSENT CALENDAR LISTING		3-5
APPROVAL OF MINUTES: REGULAR CITY COUNCIL MEETING – SEPTEMBER 28, 2016	Approved	6
PRESENTATIONS	None	6
<u>CONSENT CALENDAR DISCUSSION</u>		
CONSIDERATION OF RESOLUTION NO. 2016-79. A RESOLUTION DIRECTING THE CITY MANAGER TO WORK WITH SANTA FE COUNTY AND THE SANTA FE SOCCER COMMUNITY TO EXPLORE THE POSSIBILITIES OF ESTABLISHING A REGIONAL SOCCER AUTHORITY	Approved [amended]	6-10
REQUEST FOR APPROVAL OF FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR CASE #2016-64, LAS SOLERAS AMENDMENT TO MASTER PLAN – R-6 AND R-12 HEIGHT AND SIDE YARD STANDARDS	Approved	11-13
UPDATE ON CERRILLOS ROAD CONSTRUCTION PROJECT	Information only	13-14
REQUEST FOR APPROVAL OF INTERNAL AUDIT DEPARTMENT'S ANNUAL REPORT	Approved	13-18

END OF CONSENT CALENDAR DISCUSSION		

<u>ITEM</u>	<u>ACTION</u>	<u>PAGE</u>
CONSIDERATION OF RESOLUTION NO. 2016-80. A RESOLUTION RELATING TO THE PEOPLE TO THE PLAZA RESOLUTION; AMENDING RESOLUTION 2014-75 TO EXTEND THE TIME PERIOD IN WHICH PEOPLE CAN ENJOY THE PLAZA WITH REDUCED TRAFFIC	Approved	18-20
<u>REQUEST TO PUBLISH NOTICE OF PUBLIC HEARING ON NOVEMBER 9, 2016:</u>		
BILL NO. 2016-40. AN ORDINANCE AMENDING SUBSECTION 14-8.10 OF THE LAND DEVELOPMENT CODE TO PERMIT PLACEMENT AND CONSTRUCTION OF ELECTRONIC READER BOARD SIGNS TO FACILITATE WAYFINDING AND THE DISSEMINATION OF INFORMATION IN REAL TIME ON LOCAL SERVICES, PROGRAMS, ACTIVITIES AND EVENTS IN ACCORDANCE WITH A CITY PROGRAM; AND ESTABLISHING CERTAIN GUIDELINES ON ELECTRONIC READER BOARD SIGNS	Postponed to 10/26/13	20
BILL NO. 2016-42. AN ORDINANCE AMENDING SUBSECTION 2-1.2 RELATING TO THE COMPENSATION OF THE MAYOR AND ESTABLISHING AN INDEPENDENT SALARY COMMISSION TO SET THE MAYOR'S SALARY EFFECTIVE MARCH 19, 2018	Approved	20-21
REQUEST FOR RATIFICATION OF PROCUREMENT UNDER NEGOTIATED ADDENDUM TO GSA CONTRACT #GS-35F-0625 IN THE AMOUNT OF \$522,222 – TIME AND ATTENDANCE SOFTWARE SUBSCRIPTIONS, IMPLEMENTATION SERVICES AND EQUIPMENT (RFP #16/22/P); IMMIX TECHNOLOGY, INC., AND KRONOS, INC.	Approved	21-22
MATTERS FROM THE CITY MANAGER	None	22
MATTERS FROM THE CITY CLERK	None	22
COMMUNICATIONS FROM THE GOVERNING BODY	Information/discussion	23-26

<u>ITEM</u>	<u>ACTION</u>	<u>PAGE</u>
<u>MATTERS FROM THE CITY ATTORNEY</u>		
EXECUTIVE SESSION	Approved	26
MOTION TO COME OUT OF EXECUTIVE SESSION	Approved	26-27
ACTION WITH RESPECT TO CERTAIN PROPOSED AMENDMENTS TO THE AGREEMENT REGARDING WATER, WASTEWATER AND SOLID WASTE REQUIRED BY THE SETTLEMENT AGREEMENT AND MUTUAL RELEASE OF CLAIMS BETWEEN THE CITY OF SANTA FE AND SANTA FE COUNTY	Approved	27
<u>EVENING SESSION</u>		
CALL TO ORDER AND ROLL CALL	Quorum	28
PETITIONS FROM THE FLOOR		28-29
APPOINTMENTS	None	29
<u>PUBLIC HEARINGS</u> 29		
CONSIDERATION OF BILL NO. 2016-39; ADOPTION OF ORDINANCE NO. 2016-37. AN ORDINANCE REPEALING ORDINANCE NO. 2016-15, ADOPTING A MUNICIPAL GROSS RECEIPTS TAX	Approved	29
CONSIDERATION OF BILL NO. 2015-37: ADOPTION OF ORDINANCE NO. 2016- ____ . AN ORDINANCE RELATING TO THE CITY OF SANTA FE TELECOMMUNICATIONS FACILITIES IN THE PUBLIC RIGHTS-OF-WAY ORDINANCE; AMENDING SUBSECTION 27-2.1 SFCC 1987, TO ESTABLISH LEGISLATIVE FINDINGS; AMENDING SUBSECTION 27-2.3 SFCC 1987 TO REPEAL THE DEFINITION OF "GROSS REVENUE" AND ESTABLISH A NEW DEFINITION FOR "GROSS CHARGE;" AMENDING SUBSECTION 27-2.5 TO REPEAL THE FEE STRUCTURE AND ESTABLISH AN INFRASTRUCTURE MAINTENANCE FRANCHISE FEE; AND MAKING SUCH OTHER CHANGES AS ARE NECESSARY TO CARRY OUT THE INTENT OF THIS ORDINANCE	Postponed to 11/09/16	30
ADJOURN		30

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

AFTERNOON SESSION

1. CALL TO ORDER AND ROLL CALL

A regular meeting of the Governing Body of the City of Santa Fe, New Mexico, was called to order by Mayor Javier M. Gonzales, on Thursday, October 13, 2016, at approximately 5:00 p.m., in the City Hall Council Chambers. Following the Pledge of Allegiance, Salute to the New Mexico flag, and the Invocation, roll call indicated the presence of a quorum, as follows:

Members Present

Mayor Javier M. Gonzales
Councilor Mike Harris
Councilor Peter N. Ives
Councilor Joseph M. Maestas
Councilor Ronald S. Trujillo
Councilor Renee D. Villarreal

Members Excused

Councilor Signe I. Lindell, Mayor Pro-Tem
Councilor Carmichael A. Dominguez
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 consideration of the Request to Publish Item #12(a) to the Council meeting of October 26, 2016, noting it should have been noticed that way. He said it is going through the RFP process and Council Consideration process, and it will make its way through the Council process before we would hear the request to publish an ordinance amendment. He would like to postpone Item H(2) from the evening session to November 9, 2016.

Mr. Snyder said Item #11 was supposed to have been heard at Public Works earlier this week, but there was not a quorum. He said per the Governing Body Rules and Regulations, a separate motion is needed if the Governing Body wants to consider this item tonight, and 5 votes in favor of the item are needed for passage of the Resolution since it hasn't been heard at a Committee meeting.

Mayor Gonzales asked if this happens now or when we get to Item #11.

Mr. Snyder said under this item, there could be a motion/second to hear it tonight, and if approved, it would be considered tonight, and 5 votes would be needed to pass it.

Mayor Gonzales said we could agree to hear it and when we get to Item #11, 5 votes would be needed to adopt it.

Mr. Snyder said that can be now or later.

Councilor Maestas asked what is the appropriate motion for this extenuating circumstance.

Ms. Brennan said, "The Rules provide that a vote of 5 members of the Council can allow an item to be heard if it hasn't been to a committee, so it's consistent with the rules. The Rule also provides that if this an uncommon circumstance that is due to the lack of a quorum, and there is a time factor, you can also put something on the Agenda."

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

DISCUSSION: Mayor Gonzales said, "Councilor Maestas, as amended, I guess I was a little confused on maybe a little bit what Brian was saying. But what I might have heard, your choice, as the maker of the motion could be either to approve Item #11, or would we still hear it. Okay, then I'm clear Councilor Maestas."

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

7. APPROVAL OF CONSENT CALENDAR

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

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

For: Mayor Gonzales, Councilor Harris, Councilor Ives, Councilor Maestas, Councilor Trujillo and Councilor Villarreal.

Against: None.

10. CONSENT CALENDAR

- a) **REQUEST FOR APPROVAL OF PROCUREMENT UNDER COOPERATIVE AND STATE PRICE AGREEMENTS IN THE AMOUNT OF \$192,874.70 – ONE (1) PLOW/ SPREADER BOX AND ONE (1) DUMP TRUCK FOR STREETS & DRAINAGE MAINTENANCE DIVISION; SUMMIT TRUCK GROUP AND MCT INDUSTRIES, INC. (DAVID CATANACH)**
- b) **REQUEST FOR APPROVAL OF STATEWIDE AMBULANCE TARIFF RATE INCREASE, EFFECTIVE OCTOBER 1, 2016; NEW MEXICO PUBLIC REGULATION COMMISSION. (GREG CLIBURN)**
- c) **REQUEST FOR APPROVAL OF BID NO. 17/03/B AND PROFESSIONAL SERVICES AGREEMENT IN THE AMOUNT OF \$255,000 – PROCUREMENT OF TIRES, TIRE CASINGS AND TIRE REPAIRS FOR ENVIRONMENTAL SERVICES DIVISION; PURCELL TIRE AND SERVICE CENTER. (LAWRENCE GARCIA)**
- d) **REQUEST FOR APPROVAL OF PROCUREMENT UNDER COOPERATIVE PRICE AGREEMENT IN THE AMOUNT OF \$385,987 – VACTOR JETTER TRUCK FOR WASTEWATER MANAGEMENT DIVISION; COOPERATIVE EDUCATIONAL SERVICES/PETE’S EQUIPMENT REPAIR, INC. (JERRY TAPIA)**

- e) **SANTA FE MUNICIPAL AIRPORT – REQUEST TO RATIFY: (CAMERON HUMPHRES)**
- 1) **USDOT AIP GRANT AGREEMENT #3-35-0037-043-2016 AND APPROVE THE ACCEPTANCE OF NMDOT AVIATION DIVISION GRANT AGREEMENT, PROJECT NO. SAF-17-02 AND REQUEST FOR APPROVAL OF BUDGET ADJUSTMENT IN THE AMOUNT OF \$31,250.**
 - 2) **USDOT AIP GRANT AGREEMENT #3-35-0037-044-2016 AND APPROVE THE ACCEPTANCE OF NMDOT AVIATION DIVISION GRANT AGREEMENT, PROJECT NO. SAF-17-04 AND REQUEST FOR APPROVAL OF BUDGET ADJUSTMENT IN THE AMOUNT OF \$5,715.**
 - 3) **USDOT AIP GRANT AGREEMENT #3-35-0037-045-2016 AND APPROVE THE ACCEPTANCE OF NMDOT AVIATION DIVISION GRANT AGREEMENT, PROJECT NO. SAF-17-03 AND REQUEST FOR APPROVAL OF BUDGET ADJUSTMENT IN THE AMOUNT OF \$8,765.**
 - 4) **USDOT AIP GRANT AGREEMENT #3-35-0037-046-2016 AND APPROVE THE ACCEPTANCE OF NMDOT AVIATION DIVISION GRANT AGREEMENT, PROJECT NO. SAF-17-05 AND REQUEST FOR APPROVAL OF BUDGET ADJUSTMENT IN THE AMOUNT OF \$6,108.**
- f) **REQUEST FOR APPROVAL OF PROCUREMENT UNDER COOPERATIVE PRICE AGREEMENT IN THE AMOUNT OF \$183,305 – REPLACEMENT OF CLOSED CIRCUIT TELEVISION INSPECTION UNIT VAN (CC/TV) FOR WASTEWATER MANAGEMENT DIVISION; COOPERATIVE EDUCATIONAL SERVICES/PETE'S EQUIPMENT REPAIR, INC. (JERRY TAPIA)**
- g) **REQUEST FOR APPROVAL OF MEMORANDUM OF UNDERSTANDING – CITY OF SANTA FE WASTEWATER SERVICES TO TESSERA SUBDIVISION, PHASE 2; SANTA FE COUNTY. (STAN HOLLAND)**
- h) **REQUEST FOR APPROVAL OF PROCUREMENT UNDER FEDERAL PRICE AGREEMENT AND PROFESSIONAL SERVICES AGREEMENT IN THE AMOUNT OF \$65,777 – HVAC EQUIPMENT MAINTENANCE AND ON-CALL SERVICES AT TOURISM SANTA FE; TRANE U.S., INC. (RANDY RANDALL)**
- i) **REQUEST FOR APPROVAL OF BUDGET ADJUSTMENT TO DECREASE REVENUE IN THE AMOUNT OF \$224,502 AND DECREASE OPERATING BUDGET BY \$13,864 FOR REALLOCATION OF REMAINING BALANCE OF \$61,805 FROM PREVIOUSLY APPROVED GRANT AWARD IN THE AMOUNT OF \$103,609 FOR FY 2016/17. (PORFIRIO CHAVARRIA)**

- j) *[Removed for discussion by Councilor Maestas]*
- k) REQUEST FOR APPROVAL OF FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR CASE #2016-91, APPEAL BY THE NEW MEXICO SCHOOL FOR THE ARTS ART INSTITUTE (A/K/A "SANBUSCO 2015, LLC"0, APPEAL OF THE JUNE 28, 2016 DECISION OF THE HISTORIC DISTRICTS REVIEW BOARD IN CASE #H-16-051A TO MAINTAIN THE CONTRIBUTING STATUS OF THE MAIN SANBUSCO MARKET CENTER AND UPGRADE THE STATUS OF THE PARKING SHEDS TO CONTRIBUTING, LOCATED AT 500-550 MONTEZUMA AVENUE IN THE WESTSIDE-GUADALUPE HISTORIC DISTRICT. (KELLEY BRENNAN)
- l) *[Removed for discussion by Councilor Harris]*
- m) *[Removed for discussion by Councilor Harris]*
- n) UPDATE ON THE MANAGEMENT AND OVERSIGHT OF THE SANTA FE FILM OFFICE. (RANDY RANDALL) (INFORMATIONAL ONLY)
- o) *[Removed for discussion by Councilor Maestas]*
- p) CONTINGENCY AUDIT OF CITY UTILITIES; TROY & BANKS UTILITY AND TELECOMMUNICATION CONSULTANTS. (LIZA KERR) (INFORMATIONAL ONLY)
- q) SUMMARY REPORT ON FRAUD, WASTE AND ABUSE HOTLINE. (LIZA KERR AND LYNETTE TRUJILLO) (INFORMATIONAL ONLY)
- r) RATIFICATION OF GRANT AGREEMENTS IN THE TOTAL AMOUNT OF \$700,000. (CAMERON HUMPHRES). (Postponed on September 28, 2016) (Postponed to November 9, 2016)
 - 1) REQUEST FOR RATIFICATION OF SMALL COMMUNITY AIR SERVICE DEVELOPMENT PROGRAM GRANT AND BUDGET INCREASE IN THE AMOUNT OF \$500,000 – ENHANCEMENT OF AIR SERVICE; U.S. DEPARTMENT OF TRANSPORTATION.
 - 2) REQUEST FOR RATIFICATION OF AIR SERVICE ASSISTANCE PROGRAM GRANT AND BUDGET INCREASE IN THE AMOUNT OF \$200,000 – MARKETING SUPPORT FOR AIR SERVICE DEVELOPMENT; NEW MEXICO DEPARTMENT OF TRANSPORTATION, AVIATION DIVISION.

END OF CONSENT CALENDAR

8. APPROVAL OF MINUTES: REGULAR CITY COUNCIL MEETING – SEPTEMBER 28, 2016

MOTION: Councilor Ives moved, seconded by Councilor Villarreal, to approve the minutes of the Regular Meeting of September 28, 2016, as presented.

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

9. PRESENTATIONS

There were no presentations.

CONSENT CALENDAR DISCUSSION

- 10(j) CONSIDERATION OF RESOLUTION NO. 2016-79 (COUNCILOR RIVERA, COUNCILOR IVES, COUNCILOR VILLARREAL AND COUNCILOR TRUJILLO). A RESOLUTION DIRECTING THE CITY MANAGER TO WORK WITH SANTA FE COUNTY AND THE SANTA FE SOCCER COMMUNITY TO EXPLORE THE POSSIBILITIES OF ESTABLISHING A REGIONAL SOCCER AUTHORITY. (ROBERT CARTER AND ALEXANDRA LADD)**

A copy of *Talking Points, Regional Soccer Authority, City Council, October 13, 2016, with attachments*, entered for the record by Pilar Faulkner, Santa Fe Soccer Complex, is incorporated herewith to these minutes as Exhibit "1."

Councilor Maestas proposed corrections and amendments to the proposed Resolution as follows:

1. Councilor Maestas said there is a typo on page 1, line 18 of the Resolution – change "Ria Arriba" to "Rio Arriba."
2. Maestas said on page 2, line 5, of the Resolution, there is a statement, "*WHEREAS, the MRC Soccer Valley facilities are in desperate need of renovation and expansion...*" He said we have already appropriated \$800,000 to do renovations. He would like to reflect that in the Resolution, and include a new Whereas as follows: "*WHEREAS the Governing Body has appropriated \$800,000 for select renovations.*"

Councilor Maestas suggested perhaps adding another Whereas as follows: WHEREAS, more resources are needed.

Richard Thompson, Director, Parks and Recreation Department, said part of that money was used to develop the Master Plan for the Soccer Valley, and the remaining funds will be used for renovation of the irrigation and field renovations in the early Spring. He said that can be added, but those funds had already been allocated.

Councilor Maestas said some of the funds will go into renovation.

Mr. Thompson said yes, noting there is \$400,000 left from the original master plan which will be used for work needed to the irrigation system, and for top dressing and turf repair.

Maestas suggested we add a preceding Whereas, *"WHEREAS, the Governing Body has allocated approximately \$400,000 to the renovation of the existing facilities..."* And amend the following Whereas, as follows, *"WHEREAS, the MRC Soccer Valley facilities are in desperate need of additional renovation and expansion...."* He said he wants to acknowledge the \$400,000 allocation. Mr. Thompson said that is a good change.

3. Councilor Maestas said on page 2, line 9, of the Resolution, it says, *"WHEREAS, a single youth tournament can have a direct and indirect economic benefit of up to \$1,000,000 for the host city and region..."* He said he made a suggestion to the advocates, and the sponsor, Councilor Rivera, has accepted an amendment to at least cite some existing case studies where they have realized that economic benefit. He offered the following language, *"WHEREAS, the economic development outcomes expressed in this Resolution are made on National standards and benefits realized in cities of similar demographics (Durango, Colorado; Asheville, North Carolina; and Rapid City, South Dakota)..."* He said this language would lend credence to this effort. He said we can make all the claims we want, but if there are successful case studies, then it is a good thing and help.

Mr. Thompson said that makes good sense.

4. Councilor Maestas said there is an underlying objective, and maybe it's implied that right now the MRC is bleeding money, and it's not a self-sufficient enterprise. He said if we are going to investigate having another entity, other than City government, to manage the complex, we want to make sure it is self-sufficient. He said that may not include the entire MRC and it's just the soccer facility. However, he has no language, but he wants to make sure the intent here is to consider the serious side of making it a self-sufficient enterprise and not reliant on any kind of government subsidies.

Mr. Thompson said this can be brought up as they put this group together and share that we don't want to have a lot of cost coming back if we set up an MOU or an agreement with the soccer organizations to help maintain it. He thinks this that would take care of that issue.

5. Councilor Maestas said on page 3, line 22, of the Resolution, it says, "*BE IT FURTHER RESOLVED that staff shall collaborate with departments to answer the following questions..*" He said what follows are not all questions.

Councilor Villarreal said, "On that point, I actually made amendments so they would read correctly, so if you look at my amendments, it says, '*To clarify the following points.*' The amendment would change the language so it would be more bullet points, like "*Determining if the facilities, grounds and programs management agreement is needed; identifying, clarifying, exploring and thoroughly understanding...*" So my amendment adjusts that. Those are my amendments on page 3."

Councilor Maestas said, "Okay. All right. That's all I had."

The Committee commented and asked questions as follows:

Mayor Gonzales said he has questions for the Resolution sponsors and to Mr. Thompson. He said he was looking at the THEREFORE and a couple of things seem to be missing that are important, noting Councilor Maestas touched on it in discussing the need to examine some of the successful models out there. He said he would be interested in it, not as an excuse to spend money on consultants, but as a way to bring a little more objectivity to the business decisions by the Council, if we were to go this regional path, and that is the issue of looking to a third party to validate and assess the feasibility of some of the representations it made, particularly since they could save the City as much as \$85,000 to \$100,000. He asked, "Was that a suggestion by the sponsors, or Mr. Thompson – who came up with that idea – not that we have to deal with it now, but if a third party is already in play assessing it, that seems to be good for us to have a broader basis of information. "

Mayor Gonzales continued, saying his question is to the Resolution sponsors or the City Manager, given where we are with the Parks & Recreation budget and the need to catch up with an already deficit budget to handle all things out there. He asked if there has been consideration or contemplation of requiring an offset to other Parks and Recreation expenditures to fund any cost that may come as a result of this. He feels this is an important and great opportunity for both the City and the County to partner on the delivery of the service that is critical to the development of our youth.

Mayor Gonzales continued, saying said we don't have the luxury we once had, to just bring on another program that expands City revenues and resources. He said he thinks the prudent thing to do right now, is to make sure there is outside validation of the business model we will rely on, and secondly, to ensure that the Resolution calls for the Council to create an offset to an existing program so we don't find our way back in this path of continuous program expansion. He thinks this is more a question to the City Council sponsors tonight if you have concerns about including those two requirements at this time in the Resolution. He is glad you continue to push this, commenting this is critical. However, we have to make sure when we consider new programs, that we are willing to offset existing programs to cover any future costs.

Councilor Ives said calling for an analysis of the fiscal aspects of this is prudent. He had presumed as part of exploring this option and reporting back, that would be part of the information. He said members of the soccer community have been involved, and understand that the *pro forma* is here in terms of operation of the complex as a regional entity. He is happy to add that language in the Resolution, as a stated request that this be included in any report.

Mayor Gonzales said the second part was a willingness, from the start to state that the Council would offset an existing program in Parks & Recreation to cover any costs to support the regional soccer partnership. He said it may come back that there is compelling evidence that it will be very beneficial to youth development, which is good, but there will be a cost. It's important we don't create reliance for the community if we say yes this evening, that we will create this regional authority at whatever cost might be coming to the Council. He doesn't want to get in the position in 2-3 years of looking at a level of expenditure that is an expansion program. We have to be willing to reduce costs in existing areas, so there is predictability as we do our 1-3 out-year budgeting, to cover costs.

Councilor Ives said he has no hesitancy in saying that this action shouldn't be interpreted that the City will put any money toward this, commenting that issue will come later in the future. He said the City's role would be what we are currently providing to Soccer Valley, which is water to keep the fields green. He is unsure if there is an anticipation of any further financial obligation by the City. He doesn't mind directing staff to evaluate in the context of the finances brought forward. He said we will have more tough decisions regarding finances in the next budget than we ever had before. He said he is unsure an amendment is necessary, but just direction to staff to consider whether or not an offset will be necessary, based on what the City's ongoing contribution may or may not be. He said this is a Resolution designed to explore possibilities and not to fund future amounts in our budget.

Mayor Gonzales said he agrees, but doesn't think we're exploring this without a serious intent to pursue it. He said the last figures he saw indicated the cost of the complex would be \$10-11 million. He said we won't see that in the Capital budget, although we may be able to go out for a G.O. bond for the infrastructure, pointing out there will be ongoing maintenance costs as well. He said he would like to move the Resolution forward if there is a mechanism for a third party to validate, and offsets for program costs. He pointed out there would be a ramp-up period with associated costs. He said this is the opportunity to set some ground rules for funding any new programs by reducing costs in other areas to fund a program, and it is not an effort to stifle the program.

Councilor Maestas agreed, saying we have to temper expectations from the very beginning. He said language on page 2, line 3 of the Resolution, provides, "*WHEREAS, the only dedicated soccer facilities in the Santa Fe area are at the MRC Soccer Valley...*" He said the old Downs at Santa Fe argues for soccer and it's owned by a Tribal Government, so he doesn't necessarily agree with this, because the Downs is being used for soccer as well. He wants to make sure we don't create a situation where we are in competition with the Tribal government for soccer. He said in terms of direction to staff, a position today could be very different tomorrow for a Tribal government. However, we need to get a handle on potential future competition if there is an intention to continue using the grounds for soccer. He thinks that could be problematic to the model as the only facility, and wants to be sure we consider The Downs going forward.

Mayor Gonzales said he thinks with a third party assessment, we could direct addressing the issue of competition, because it isn't just the Downs. It's the governments in Albuquerque that continue to further expand recreation centers with which we would compete, which is fine. However, we have to understand what that impact would be.

Councilor Villarreal said, "On that point, acknowledge that Pueblo of Pojoaque does run the facilities for soccer tournaments, however, that is not their priority and there are times that soccer tournaments and other practices are bumped because there are other events they want to do, that is their priority. So I wouldn't actually include them as a dedicated soccer facility, because of the fact that it is kind of hit or miss with those ones, and they actually bump-out people that are trying to do consistent tournaments. So that's just a point. I don't know if there another place. Is there another place, Rob, that we would consider a dedicated soccer facility."

Mr. Thompson said, "No. And to answer your question, the Pueblo owns The Downs. They allow soccer to happen there, but anytime, the Pueblo could decide just to pull it. So there is no real guarantee for them year-to-year. So we really can't figure that in as another entity in this area."

Mayor Gonzales said we don't necessarily have to create the dedication, but again, in the third party feasibility study they can map out any competition by setting the market where our kids are going and what opportunities exist out there.

Councilor Ives said he is pleased to include two other BE IT RESOLVED that address the issues raised by the Mayor.

MOTION: Councilor Ives moved, seconded by Councilor Villarreal, to adopt Resolution No. 2016-79, "with the following modifications on page 4 of the measure, presumably at line 5, to include, '*BE IT FURTHER RESOLVED, that a third party evaluation of the business model and financial assumptions of the Regional Authority shall be conducted as part of this exploration,*' and followed by '*BE IT FURTHER RESOLVED, that the exploration will consider offsets to the Parks and Recreation Department in the event the Authority would require any dedication of additional funds from the General Fund.*'"

FRIENDLY AMENDMENT: Councilor Villarreal said, "I might point out that there are amendments that Councilor Maestas might want to include. Can you repeat the ones you said. What I recall, including the amount of funding appropriated for the Soccer Fields at the MRC, change page 2 on line 5, that would say the MRC Soccer Fields are in additional need of renovation and expansion." **Ms. Vigil** said, there is also the correction of the spelling of Rio Arriba County on page1, line 18 of the Resolution; the amendment on page 2 line 9 of the Resolution and the amendments proposed by Councilor Villarreal. **THE AMENDMENTS WERE FRIENDLY TO THE MAKER AND SECOND, AND THERE WERE NO OBJECTIONS BY THE OTHER MEMBERS OF THE GOVERNING BODY.**

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

For: Mayor Gonzales, Councilor Harris, Councilor Ives, Councilor Maestas, Councilor Trujillo and Councilor Villarreal.

Against: None.

10 (I) REQUEST FOR APPROVAL OF FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR CASE #2016-64. LAS SOLERAS AMENDMENT TO MASTER PLAN – R-6 AND R-12 HEIGHT AND SIDE YARD STANDARDS. (ZACHARY SHANDLER)

Councilor Harris apologized for not reviewing this with Ms. Martinez beforehand. He spoke with Noah Burke a couple days before and there seemed to be a lack of clarity as to the conditions that were applied to the park in this case. One that seemed to create a little uncertainty had to do with the Charrette, how that will be handled and the direction of the Council that evening. He would like to have a brief conversation while we are considering the Findings of Fact and Conclusions of Law, to hear what Land Use staff thinks in regard to the direction you received as staff regarding the Charrette. He said he expressed concern about lighting in the parking lot and the bathrooms, and Councilor Trujillo was concerned about the possibility of a basketball court. He said he felt that 4 benches for a 28 acre park wasn't even close to meeting the needs. He asked Ms. Martinez her understanding, and if further direction is needed from the Council.

Ms. Martinez said, "I apologize that I was not at the City Council meeting when the discussion took place about the Charrette, but I have listened to part of the hearing. And I wanted to mention that when we started the process of talking about the Regional Park, my initial suggestion was to start with the Design Charettes. And basically what that means is you gather all the interested stakeholders and you sit down and talk about the possibilities of what this park could be. We ended up doing that in a form by working with City staff, bringing in the Las Soleras partners with Pulte and all the parties that were involved from that end. We did that in conjunction with doing surveys. We took a survey and Jim Siebert and his group did a survey as well, to find out what neighboring communities would be interested in, as far as the park goes. So that has been the way in which the process started. And as we move forward and we plan for the Charettes, I think that would probably be the best way to do it. Bring in those outside parties to talk through some of the ideas that we've already brought forward, and then determine which would be the most vulnerable and which ones can fit into a budget, if you will."

Councilor Harris said that is correct and he thinks that make sense. However, what he heard from Mr. Berke is that there seemed to be a little lack of clarity. What was presented wasn't created in a vacuum, and a lot of work happened prior to our consideration. He said there is a schedule attached to the development of the park and "in a certain sense may represent a little bit of a delay." He asked if the Charrette has been scheduled, and if all parties understand what is to come.

Ms. Martinez said from one of the emails she received from Mr. Siebert, she understands he wants to comply with the requirements approved by the Council including the timeline and schedule. So her understanding is the first phase of the park would require submitting plans to her office by the 15th, which is right around the corner. She said getting all the parties together to schedule a Design Charrette will take 2-3 weeks. She said they would look at it as a strategic planning session for a day or two, and focus just on developing the plan and the concepts and the amenities you want to be included. So once they get started, she thinks they can do it relatively quickly, but then they have to tie the design ideas into the budget and the monies that are available, and prioritize the phases all over again.

Ms. Martinez reiterated all of this will take a little bit of work and asked if there are specific components on which the Council agreed, in terms of specific amenities they want and don't want. She said it would be helpful to know that as they move forward.

Councilor Harris said in that case, he thinks we will just need to review the record, noting different people mentioned different things. And rather than trying to bundle it all in one condition, Councilor Lindell suggested the Charette as a condition of approval in order to be able to sort some of these things out and reprioritize. He said, for example, lighting for the parking lot and bathrooms are part of Phase 1, and he felt strongly that lighting needed to be included. He also felt in a 28 acre park to have one group of bathrooms only one end would be problematic as well.

Councilor Harris suggested that "we should let them submit on October 15th, that is around the corner, Saturday." He said then as staff reviews, he thinks Ms. Martinez will need to contact members of the Governing Body and whoever else seems appropriate to review what is being presented. He said the Governing Body was not willing to fully accept the solution that was presented to us, and that's really the sum of it.

Ms. Martinez said their process for what was proposed to you eventually, was to try to look at economies of scale and what would be the appropriate planning and construction phasing for how things were being proposed. She said at one point, in looking the soccer fields, they were thinking of having them at opposite ends of the 28 acres. She explained that didn't make a lot of sense in terms of construction phasing because they would have to be hauling equipment from one side to the other. It didn't make sense in terms about you would deal with the immediate areas without disrupting the pieces already constructed. She said they tried to think very consciously about what was going to make sense. So, thinking of the two soccer fields, they felt if grading could be done simultaneously with some of the work that was happening on the Presbyterian Hospital site, we would assume that dirt could be brought from one parcel to another to help level things out which would save money overall to the cost of the regional park.

Ms. Martinez continued, saying, so part of the thinking behind what was proposed was how to use the economies of scale and use the resources we had in the best way possible, which was ideal in terms of the number of parking shade structures we would want, in terms of the number of restrooms we would want, and where we would not. However, she said they were working with limited funds and not knowing how much funding would be available in the future made it tough to really provide the amenities we felt the park needed. So they tried to work within the constraints of what they had, and she thinks the budget is the toughest part of moving this forward, because we don't know how the funding sources will come forward in the future.

Councilor Harris said this is his point, and he wants to make sure that we could have some sort of dialogue and allow other Council members to have an understanding of what is to come, commenting it sounds as if you will have something in your office, if not tomorrow, then Monday.

Ms. Martinez said, "Yes."

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

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

For: Mayor Gonzales, Councilor Harris, Councilor Ives, Councilor Maestas, Councilor Trujillo and Councilor Villarreal.

Against: None.

**10(m) UPDATE ON CERRILLOS ROAD CONSTRUCTION PROJECT. (DAVID QUINTANA)
(INFORMATIONAL ONLY)**

Councilor Harris said he and Mr. Quintana have had 2 email exchanges over the past two days which have been satisfying to him, noting he had questions and Mr. Quintana answered those questions in a timely and specific way. He thought it would be good to review some of the questions and answers specific to this Cerrillos Road stretch. He said his response to Mr. Quintana was, "I think it would be beneficial for the other Councilors as well as members of the public/press to hear this information as part of your update."

Councilor Harris continued, noting an editorial in today's *The Santa Fe New Mexican*, regarding the Cerrillos Road project, which he didn't consider negative, but it spoke to a business owner, Ron Whitmore his friend and business associate whose business, Artesian Supply, is a half block from his office and in commercial space they own. He said he has been in the middle of this project for some time, and considers it a successful project which now is in the home stretch. He pointed out to Mr. Quintana in writing that the September update identified a work in place of \$5.4 million, with a total amount of \$9.8 million. The current statement said work in place is \$5.7 million, with a total of \$9.7 million, commenting the numbers didn't jive. He asked Mr. Quintana to explain his answer.

David Quintana, Director, Roadway & Drainage Section, said the previous Memo indicated payment to the contractor was through July, but he inadvertently may have said August. He said the \$5.4 million was through July, and at the time the contract was at \$9.8 million, with current change orders. He said through August we have paid about \$5.7 million and are in the process of getting a change order where they are reducing an item in the contract for unstable sub-grade stabilization, which amounted to a \$103,000 savings, which is the difference between the \$9.8 million and the \$9.7 million.

Councilor Harris asked if initially there were claims associated with weather delays or subsurface conditions, and if these claims run to the City or the NM DOT.

Mr. Quintana said there would be no additional claims beyond what they are asking which is traffic control management for the additional days at a pro-rated cost. He said the NM DOT has agreed to those additional days so those costs are eligible for reimbursement.

Councilor Harris said Mr. Quintana had noted that water delays are to be determined for the additional water lines.

Mr. Quintana said that is correct. The additional water lines they had change ordered into the project, noting the time associated with that is 20 days, and he is waiting for additional documentation from the contractor to justify that, so he can go ahead and begin the process of getting prior approval from the DOT to get those days reimbursed as well.

Councilor Harris said, "My last group of questions were as follows. What was the original amount the City was responsible for; what was the amount of the water line increase; and are there other claims/change orders that affect the City's financial position for the project."

Mr. Quintana said he applied the original amount for which the City was responsible, which was approximately \$764,000 for sewer and water, \$93,000 for sewer and \$670,000 for water. There also is City funding for contingencies for quantity overruns and/or any non-participation from FHWA and NMDOT for non-participation change orders. He said the additional water line came to an increase of \$267,000, and a new total for now for City water and sewer of about \$937,650.

Councilor Harris thanked Mr. Quintana, commenting this has been a successful project which is not done, but given its complexity and exposure to the City, and the time extension, he thinks it's well within reason. He wished Mr. Quintana good luck on a successful closeout of this project.

10(o) REQUEST FOR APPROVAL OF INTERNAL AUDIT DEPARTMENT'S ANNUAL REPORT. (LIZA KERR)

Councilor Maestas thanked the Finance Committee for forwarding this report to the full Council saying he thinks its full of high profile type audits, one of which is the 2008 Park Bond Audit follow through. He said when he saw we still had outstanding findings it piqued his interest. He said it is in the Summary Table of Open Findings on packet page 4, which says, in Item A, 2008 Park Bond Audit there was an entity audited with 6 findings, and there are open findings, but below it, it had the 2008 Park Bond Audit (SAO). He asked what is SAO.

Ms. Kerr said that is the State Auditor's Office. She said two different audits were done on the 2008 Park Bonds, one by the firm hired by the City and the second was the special audit requested by the State Auditor's Office.

Councilor Maestas said, in general, in looking at Management's Remediation Plan, it seemed all the target deadlines have come and gone, but yet the findings are still open, and asked Ms. Kerr to comment on what is an open finding, and the reason.

Ms. Kerr said the external auditors working on the CAFR right now, have been tasked with creating those findings. She hasn't received the final report from them that all findings are cleared, although they have told her informally that they have been. She said until she receives the final report, she will continue

to show them in the data base as an open finding. This is a way for her and the Audit Committee to track the different findings throughout the City. She said since she knows that is happening, she isn't worried about it, and that report will be forthcoming in the next month or so.

Councilor Maestas asked Ms. Kerr if she would say that everything outlined in the 2008 Park Bond Audit by the State Auditors Office, and every single commitment in the Remediation Plan have been implemented.

Ms. Kerr said she isn't doing the audit, so she can't answer that question until she gets the final report from the auditors. She said her understanding is most, if not all the findings have been remediated. She said she will be able to answer that more directly or completely once the external auditors have finished with their report.

Councilor Maestas said on packet page 17, page 7 of Attachment A, of the Park Bond Audit it says, *"In order to continue to assure full adoption of stated policies, the internal auditor for the City shall add to her risk profile plans to review the documented reports that are required by the new policy. Compliance can be tested individually by function or by project during the year."* He asked if she is tracking the deliverables that were promised in the policies.

Ms. Kerr said she hasn't been able to do that at this point, noting she is buried in the other audits she's working on and waiting to see what happens with the external auditors. She said having talked with them, she feels they are on track with clearing all the findings, but she will be getting back to the Governing Body as soon as she hears from them as to where they are with clearing the findings. And if they are unable to do it, then she will continue working on that.

Councilor Maestas said he thinks the compelling reason for him pulling this is that we should be on a path to regaining the public trust, commenting he feels we sustained a black eye in the way we managed the Park Bond Funds, and we made a lot of commitments based on the State Auditor's audit recommendation. He said he thought the Remediation Plan was robust, but he is losing confidence in our complete follow-through. He said he thinks we're transparent and pro-active in responding to the initial audit findings when there was a lot of attention. He said the hard part is following through and ensuring we implement everything that we promised in the Remediation Plan and he is unsure "we are there right now."

Councilor Maestas continued, saying an example is on packet page 14, page 4 of Attachment A, where it says, *"Effective July 1, 2015, the City promulgated a new management policy requiring detailed time account for projects including specific work done by each individual. Along with this new requirement, the new policy also requires a standard record-keeping system for each project and a quarterly status report that would be presented to the Governing Body and posted on the City's website. To further ensure compliance, Finance staff will periodically provide training to project managers and audit their files. Any findings of non-compliance with this new policy, will be reported to the City Manager."* He asked if there has been any non-compliance on this.

Mr. Snyder said there has been no non-compliance, and as far as he knows, the new timekeeping processes are in place, and have been in place since July 2015, as well as some of the other items he read, commenting that the recordkeeping and the training have taken effect.

Councilor Maestas said on packet page 15, under the Management's Remediation Plan, it says, *"New Project Management policy now in place both mandated the discontinuation and made obsolete the use of suspense accounts. Projects costs are now recorded in real time and a control point is the budget formally appropriate for each project, not an overall budget by the Governing Body, is part of the annual capital budget. The new policy directs that deviations from the budget are addressed. The City will establish a new policy in supporting procedures to account for legitimate, indirect costs associated with capital projects."* He asked if we are doing this, and if our project management policy is fully implemented.

Mr. Snyder said yes, and we are handling each project a lot differently than in the past, and as you read, I believe we are meeting the intent of that.

Councilor Maestas said he has no further comment on the other audit work. He thinks the follow through on the State Auditor's audit of the 2008 Park Bonds still requires our sustained attention, focus and transparency. He would like to see this posted at the website and the public should know we're not quite there in fully addressing these findings. He reiterated he wants to do his part in regaining the public trust at least with respect to the fallout from the 2008 Park Bond implementation. He said Ms. Kerr is doing her job and reports to the Governing Body through Finance, "but I have to really insist that we get periodic reports directly, at least on the 2008 Park Bond Audit, maybe monthly." He asked Mr. Snyder if he has comments on that, noting he thought we all agreed on the Remediation Plan. He wants to make sure everything is in place and we're confident this can't happen again. He is familiar with a lot of what we're doing through Public Works, but 9 of the 9 findings are still open, which raises a red flag for him.

Mr. Snyder said he wants to make sure he is clear on his understanding. He understands staff has implemented what we said we told Council we were implementing, and they have followed through on it as identified in the management's responses. He also understands from what Ms. Kerr just said, that it is her understanding from the auditor, off record, that we are in compliance. We are required to have a third party auditor, the one currently doing the review, to submit a report to Ms. Kerr. He said he understands that as being the only outstanding item, and "myself and staff believe that we are in full compliance, and if the audit proves something differently, then we will address it. But, we believe that we have put forward a good faith effort to address the items that came up in the State Auditor's audit, and have moved forward with implementing new processes, new trainings, new approaches to time management, new approaches to work force management, and have met the intent of all the findings. And we're just waiting for the third party to agree with us. Hopefully, they will agree with us, and if they don't we will report back to the Council and let you know how we will remedy the situation, but we believe we are in compliance."

Councilor Maestas, referring to the recommendation that was made, commented he is unsure if we accepted that in our Remediation Plan, but, on packet page 17, at the bottom in the middle column, it's the one where it says, *"...to assure full adoption of stated policies, they are recommending that Ms. Kerr be the point and that should add to a risk profile, plans to review the documented reports that are required by the new policy. Compliance can be tested individually by function, or by project during the coming year..."* He

said it's in that report and Mr. Snyder can list the reports required by the policies. And then, maybe if he could assist Ms. Kerr in serving in that capacity to ensure that the policies are being implemented by virtue of the reports being generated as required by the policies.

Ms. Kerr said what she would say in regard to that, is she is unsure she can add information to the external auditor's report, but she can issue a separate report, commenting she has no influence over how the external auditors do their reports.

Councilor Maestas asked when we will have full closure – be in full compliance, findings are closed.

Ms. Kerr said, "Until I get their assessment, I really can't answer that question. I need to see it in writing and see what is still open, and what their concerns are. They are working on this right now. The CAFR is due December 15th and they're working very hard on that. And as part of that, they have been tasked with curing these findings as well."

Councilor Maestas asked if there were deadlines in the contract for them to oversee our ability to address and implement our Remediation Plan, or will they get to it as they see fit.

Ms. Kerr said the deadline, again, to issue the CAFR is December 15th, so their deadline for issuing that report to the City is probably December 1st, and so go back from there, commenting they are in the middle of it right now.

Councilor Maestas said the CAFR will address other issues besides the Park Bond Audit, and Ms. Kerr said that is correct.

Councilor Maestas said, "There's got to be some deadline prior to that December 1st."

Ms. Kerr said she is unsure it will be a separate report, and it might all be included in the same report, but she will find out and get back to him.

Mr. Snyder said it was his understanding from the kick-off meeting they had with the auditors, is that it is to be a combined CAFR, which we will get in mid-December.

Councilor Harris asked about the Lodgers' Tax audit and the findings. He said there were 3 recommendations specific to the Lodgers' Tax from the Committee, and listed those. He asked what has happened since the August meeting of the Audit Committee.

Ms. Kerr said she met with Kelley Brennan in regard to the legal action and ratifications have been made to the Ordinance since that meeting, so that has moved forward, but she is unsure of the status of the revised Ordinance or changes. Regarding the reconciliations, they have talked to the new Cash Manager, Christina Keyes, and Adam Johnson, Interim Finance Director, regarding our concerns about the recommendations being done in the Lodgers' Tax area. They see this as a repeat finding, and it comes up every year, and every year Finance says it has completed reconciliation, and yet when the auditors review

it, they come up with the finding that the reconciliations are incomplete. She said, "We think there is a miscommunication between what the auditors were expecting and what Finance is delivering. Adam and Christina said they would look into this issue." She noted Christina is now the manager over that area, so she expects results.

Councilor Harris asked when is the next scheduled audit of the Lodgers' Tax.

Ms. Kerr said currently they are going out for RFP to find a new auditor, so it can be started at any time. It's not late at this point and typically the Lodgers' Tax audit doesn't start until January because the City is producing financial statements and working with the external auditors addressing that question so they can get the CAFR out on time. She spoke with Christina yesterday and Christina told her she has drafted the RFP, and will sent it to her so she can see if we want to add anything else in light of the problems we've had in the past.

Councilor Harris said then it seems like between the Committee, yourself and other staff members, you are addressing it. He said the RFP will address the period ending June 30, 2016, and Ms. Kerr said yes.

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

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

For: Mayor Gonzales, Councilor Harris, Councilor Ives, Councilor Maestas, Councilor Trujillo and Councilor Villarreal.

Against: None.

END OF CONSENT CALENDAR DISCUSSION

11. CONSIDERATION OF RESOLUTION NO. 2016-80 (MAYOR GONZALES). A RESOLUTION RELATING TO THE PEOPLE TO THE PLAZA RESOLUTION; AMENDING RESOLUTION 2014-75 TO EXTEND THE TIME PERIOD IN WHICH PEOPLE CAN ENJOY THE PLAZA WITH REDUCED TRAFFIC. (RICHARD THOMPSON)

Mayor Gonzales said he sent an email to the Councilors two weeks ago advising them a request had come in to extend the time period through the end of October, and that this kind of Resolution needed flexibility, because the intent in closing the Plaza was to create an inviting space where people could gather while the days were nice outside. He anticipates we will continue with a beautiful October, so this Resolution asks to keep out the tables just a few days longer. He said we need a broader Resolution, an assessment of how the program has worked, noting we set Memorial Day to Labor Day, without really studying the issue, as the start/finish times. He said events have expanded into October. He said he has asked Barbara Lopez to spend time with the merchants to see if there was concern. He said Ms. Lopez

reported back to him that the merchants were supportive of it staying in place. He is hopeful the next Resolution will give staff greater flexibility to keep this programming in place as long as the days are nice.

Councilor Ives said the preliminary matter is to move for consideration of this matter by the Governing Body this evening, since it hadn't been approved by one of the major committees.

Ms. Brennan said, "The rules say no item shall be placed on the agenda, unless it has gone through the Committee review process and been recommended for approval by at least one City Committee, unless otherwise approved by a majority vote of the entire Governing Body, or in accordance with the Rule below. I would say that you could vote on a motion to approve or not, without having a separate motion."

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

DISCUSSION: Councilor Trujillo said he isn't opposed to this, but is worried about the timing. He said, "You don't change the rules at the end or middle of the game." He said previously he had a request to serve wine at the Fuego games, which he could have brought forward during the season, but didn't feel it was right. He said when we passed the Resolution, we made a commitment that it would be open from a certain date to a certain date. He said he has no problem if the Mayor brings this Resolution back next year, which would allow Brian Snyder to make these decisions. He said we stated the Plaza would be open the weekend after Balloon Fiesta, which was a commitment we made to the Community when we passed it last year, and this is where he stands on it right now.

Mayor Gonzales said he understands his point and "respects your decision for sure." He said this request came from a Plaza vendor he thought was reasonable, and it clearly is a determination to be made by the Council to decide whether to extend the deadline. He said there are no worries or hard feelings as to which way it goes. The days are nice and enjoyable, but he understands Councilor Trujillo's concerns about rules and requirements and he certainly appreciates that point. He said we need to discuss how much flexibility to allow staff so we don't have to deal with these timelines.

Councilor Trujillo he would have no problem with a Resolution going forward, but reiterated that this Governing Body made a commitment when we voted on it last year, and that is where he stands on his vote.

Mayor Gonzales said it will require 5 votes to move it forward.

Councilor Maestas asked if there is an administrative procedure for guiding the Legislative Liaison to make appropriate referrals depending on the Legislation. He wants us to be nimble, depending on the issue, noting this Resolution had only one Committee referral prior to Council, which is okay. Conversely, he has seen legislation referred to too many committees.

Ms. Brennan said, "I would say our guidance is usually common sense and the wishes of the sponsors.

For some resolutions and ordinances it may be wise to have as much exposure and opportunities for as many people to hear something as possible. For another, like this one, one Committee was scheduled. Timing obviously is important. If we put it through the whole Committee process, given the timing, it wouldn't have reached this Council until after the end date. So I think the goal was to put it through at least one committee with purview over the matter. And unfortunately, there was a lack of a quorum and so it couldn't be heard. But I think there is a common sense approach. Very often sponsors have strong feelings about where it should be heard, and there is practice. I'm not sure we could reduce it to an administrative policy that we wouldn't always be modifying."

Councilor Maestas said this isn't a significant matter, but he wants to make sure that we don't get into a habit where we circumvent a lot of appropriate committees to get things through. And that we don't make it a habit to deviate from established policy without going through the formal process. He doesn't want this to be a trend. He had issues with changing some of the parking rates outside the policy process. This is totally understandable, reiterating that we should honor the processes we have.

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

For: Mayor Gonzales, Councilor Harris, Councilor Ives, Councilor Maestas, and Councilor Villarreal.

Against: Councilor Trujillo.

12. REQUEST TO PUBLISH NOTICE OF PUBLIC HEARING ON NOVEMBER 9, 2016:

- a) **BILL NO. 2016-40. AN ORDINANCE AMENDING SUBSECTION 14-8.10 OF THE LAND DEVELOPMENT CODE TO PERMIT PLACEMENT AND CONSTRUCTION OF ELECTRONIC READER BOARD SIGNS TO FACILITATE WAYFINDING AND THE DISSEMINATION OF INFORMATION IN REAL TIME ON LOCAL SERVICES, PROGRAMS, ACTIVITIES AND EVENTS IN ACCORDANCE WITH A CITY PROGRAM; AND ESTABLISHING CERTAIN GUIDELINES ON ELECTRONIC READER BOARD SIGNS (MAYOR GONZALES). (MARCOS MARTINEZ) (Postponed on September 14, 2016) Postponed to the October 26, 2016 Council Meeting.**
- B) **BILL NO. 2016-42. AN ORDINANCE AMENDING SUBSECTION 2-1.2 RELATING TO THE COMPENSATION OF THE MAYOR AND ESTABLISHING AN INDEPENDENT SALARY COMMISSION TO SET THE MAYOR'S SALARY EFFECTIVE MARCH 19, 2018 (COUNCILOR IVES, COUNCILOR LINDELL, COUNCILOR MAESTAS, COUNCILOR DOMINGUEZ, COUNCILOR VILLARREAL AND COUNCILOR RIVERA, AND COUNCILOR TRUJILLO). (LYNETTE TRUJILLO)**

Councilor Ives said this is a process which was defined in the Charter during the election, which amended the Charter, making the Mayor a full time position and to set compensation. He said this is the first step in that process, defining the Commission and allowing it to move forward well in advance of the

next Mayoral election cycle. He said hopefully we will have a full Governing Body in attendance when it is considered for approval or not.

MOTION: Councilor Ives moved, seconded by Councilor Trujillo, to approve Item 12(b) as presented.

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

For: Mayor Gonzales, Councilor Harris, Councilor Ives, Councilor Maestas, Councilor Trujillo and Councilor Villarreal.

Against: None.

Councilor Trujillo asked to be added as a cosponsor.

Mayor Gonzales departed the meeting to present the Sustainability Awards and asked Councilor Trujillo to preside in his absence.

13. REQUEST FOR RATIFICATION OF PROCUREMENT UNDER NEGOTIATED ADDENDUM TO GSA CONTRACT #GS-35F-0625 IN THE AMOUNT OF \$522,222 – TIME AND ATTENDANCE SOFTWARE SUBSCRIPTIONS, IMPLEMENTATION SERVICES AND EQUIPMENT (RFP #16/22/P); IMMIX TECHNOLOGY, INC., AND KRONOS, INC. (RENEE MARTINEZ)

Renee Martinez, Director, ITT Department, presented information from her Memorandum of September 30, 2016, regarding this request. Please see this Memorandum for specifics of this presentation. Ms. Martinez noted the purpose of this request is to correct the record and to ask the Governing Body to ratify the agreement with IMMIX Technology.

Councilor Ives thanked Ms. Martinez for looking for the best deal for the City and bringing it back to correct an oversight at a prior meeting. He said nothing behind this changes the significant need for it. He said he is not unfamiliar with the increasing challenges of the federal regulation of information technologies and cyber security that these people have down pat, "and God bless them."

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

DISCUSSION: Councilor Martinez said we still have a lot of needs in IT, but he couldn't help but notice some of the pending findings, especially with regard to the data center. He presumes this is a priority over the data center.

Ms. Martinez said, "I want to be real clear, that it is just as high of a priority. In fact, when Liza was speaking, I did notice that we have the 9 open audit items from the data center, and those are not going to go away until we actually move to a more suitable data center. You actually will see the first request to approve the data center modernization project coming in your next meeting. You are going to see 3

recommendations or requests. The first is to purchase hardware, and that is going to IMMIX as approved by the Finance Committee. And then there's going to be a request to actually move the data center to a suitable facility, and if that request is granted, we need to establish a disaster recovery site as well. So those are coming through in the next couple of months, and I'll be very happy and agreeable to say those 9 findings, or now 8, because we do have an information security policy, so that closes one of them, will then be closed."

Councilor Maestas said he just wanted to get a sense of the priorities. He said then the idea of going to the Cloud, as opposed to having a physical data center, has been ruled out.

Ms. Martinez said, "They are dual solutions, so we aren't going to be moving every one of our applications to the Cloud at one single time. It's going to be a transition over time. There will be some systems that will still be on premise. Over time, you will see that more and more we will be going to the Cloud as we find suitable solutions and putting infrastructure for it to perform will be on the Cloud. We still have quite a few applications that [inaudible] in our [inaudible] data center. The transition will happen over the next 5-7 years."

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

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

Against: None.

Absent for the vote: Mayor Gonzales.

14. MATTERS FROM THE CITY MANAGER

There were no matters from the City Manager.

MOTION: Councilor Ives moved, seconded by Councilor Villarreal, to reconsider the previous approval of the Agenda to hear Items #17 and #18 next on the agenda, and then return to Items #15 and #16, and to approve the Agenda as further amended.

VOTE: The motion was approved on a voice vote with Councilors Harris, Ives, Maestas, Trujillo and Villarreal voting in favor of the motion, none voting against, and Mayor Gonzales absent for the vote.

17. MATTERS FROM THE CITY CLERK

There were no matters from the City Clerk.

18. COMMUNICATIONS FROM THE GOVERNING BODY

A copy of "Bills and Resolutions scheduled for introduction by members of the Governing Body," for the Council meeting of October 13, 2016, is incorporated herewith to these minutes as Exhibit "2."

Councilor Ives

Councilor Ives introduced the following Resolutions on behalf of the Mayor:

1. A Resolution requesting the City Manager to direct staff to determine the feasibility of an Art Exhibit of a curated exhibit of reproductions of some of the finest art of the Museo del Prado from Madrid. A copy of the Resolution is incorporated herewith to these minutes as Exhibit "3."
2. A Resolution in support of the Guns to Gardens project sponsored by New Mexicans to Prevent Gun Violence. A copy of the Resolution is incorporated herewith to these minutes as Exhibit "4."
3. A Resolution directing the City Manager to explore active ways of reducing sugar intake among Santa Fe's residents, and the benefits that would result; and calling on the New Mexico Legislature to enact legislation in the upcoming Fifty-Third Legislature, first session addressing the impact of excess sugar consumption among New Mexico residents; and calling on the United States Food and Drug Administration to remove fructose from the generally regarded as Safe (GRAS) List.

Councilor Ives asked to join as a cosponsor of the Mayor's 3 Resolutions and Councilor Maestas' Resolution.

Councilor Villarreal

Councilor Villarreal had no communications.

Councilor Harris

Councilor Harris said in the recent Municipal Judge's Report, he was struck by cases in terms of Code Enforcement cases, noting there is practically zero activity, and none in September. He asked what Code enforcement is occurring in Municipal Court.

Mr. Snyder said elevation to the Court level doesn't start with the first Code violation, noting there is a 3-strike rule and with the 3rd violation, you go to Court. He said similarly in other places in Ordinance, if there are Code violations, they are given the opportunity to correct it, and if not, they eventually will get to

Court. He said they try to eliminate the concern at the lower level, working with the property owner and the complainant to keep it out of the Courts and avoid tying up the Court docket.

Councilor Harris said either the process is working very well, or we aren't very rigorous on Code enforcement. He asked if Building Code issues fall under this or what categories fall under Code Enforcement.

Mr. Snyder said any Code enforcement category is captured there. He said it is important to keep in mind, from a staffing standpoint, we are not able to do proactive Code enforcement or to go looking for Code violations. He said much of the Code enforcement is reactionary due to staffing levels. So when we get a complaint on a Code violation, then Code Enforcement gets involved, noting they constantly are interacting with the public in that manner.

Councilor Harris said he will try to educate himself on this, and dig a little deeper.

Councilor Harris said he received an email from a resident of Nava Adé about some issues at the park. The HOA addressed the issues, and Gary Varela and his staff in Parks will follow up. The question they raised had to do with community service, and they believe direction should be provided to these individuals as to where to do community service. He said doesn't need an answer tonight, and he will dig deeper and find out how that process works, and if it needs to be revisited and/or improved.

Councilor Trujillo said he believes Ms. Brennan received a call from Judge Vigil in this regard.

Ms. Brennan said, "I actually believe I received a call, but I can't retrieve them on my cell phone."

Councilor Trujillo said he contacted Judge Vigil yesterday to ask her the process, and how we would get community service for pulling weeds and such. He said Judge Vigil and Ms. Brennan will have that conversation for a clarification on how it can work.

Councilor Harris thanked Councilor Trujillo for following-up on that issue.

Councilor Harris said last week he attended the Pushback Ceremony at Fire Station #8. He said it was a lot of fun, and it is worth attending.

Councilor Maestas

Councilor Maestas said he would like a periodic summary of open complaints by District, and asked if that can be done through the CRM, so he can track what is happening and what is pending.

Mr. Snyder said he understands we can do that, commenting there is a lot of data, but they can hone into as much or as little as he wants to see.

Councilor Maestas asked if Councilors have read only access to the system.

Mr. Snyder said he understands that Mr. Gurule, Alicia or Teresa can help him with that and pull a report for him.

Councilor Maestas asked the status of hiring the additional Code Enforcement person for Short Term Rentals.

Mr. Snyder said he met today with Lisa Martinez, Adam Johnson and Randy Randall on this topic and others. He said currently we are in the process of procuring the software, so they can "scrape" the internet to be sure what we have, noting according to the latest numbers, there have been an additional 150 permits over the 350 previously, for a total of 500 which are compliant. He said we had estimated 1,000, which is the limit, so there still is a large number of people who are non-compliant. He said it is important, first and foremost, to get the software as well the additional Code Enforcement person. He asked staff today to move forward. However, it was not budgeted because no BAR was brought through, so you will be seeing the BAR for the software and staff at an upcoming Council meeting, noting this is a new process he has instituted.

Councilor Maestas asked if it wouldn't it be better to get someone in there first to address some of the non-compliant people, and then get the software.

Mr. Snyder said we had addressed those of which we are aware, but we need the software to help us parse out the non-compliant short term rentals, and then we will work on those to make sure they get into compliance.

Councilor Maestas said there are a lot of rumors about the mini cell towers and the antenna system that will go throughout the City. He and Councilor Ives have received a lot of emails from people who thought we were voting on a policy to allow the proliferation of antennas and cell towers throughout our public rights of way. He asked if a press release could be issued, or some communication could be made with the public to "tamp down those rumors."

Ms. Brennan said, "There is a bill that will come forward. It was postponed to November 9th tonight. It is to replace the fee provision of the Ordinance. The fee provision was struck by the Court along with some definitions. Many people apparently believe that this is restarting something that has already been decided. In fact, the provisions of the Ordinance, most of them, were upheld by the Court, are in place and nothing is changing in terms of what is or is not allowed in the rights-of-way by this coming forward. But it seems to have created a lot of agita, and I assume we could issue a press release. I'm not sure that it would dispel those rumors. And there are always a lot of rumors."

Councilor Maestas introduced a Resolution authorizing and supporting the submittal of the City's project application to the Santa Fe Metropolitan Planning Organization for funding under the fiscal year 2018/2019 NMDOT administered funds from the Transportation Alternatives Program. A copy of the Resolution is incorporated herewith to these minutes as Exhibit "5."

Councilor Trujillo

Councilor Trujillo had no communications.

15. MATTERS FROM THE CITY ATTORNEY.

EXECUTIVE SESSION

IN ACCORDANCE WITH THE NEW MEXICO OPEN MEETINGS ACT §§10-15-1(H)(7) AND (8) NMSA 1978, DISCUSSION THREATENED OR PENDING LITIGATION IN WHICH THE CITY OF SANTA FE IS A PARTICIPANT, INCLUDING, WITHOUT LIMITATION, DISCUSSION RELATING TO MEDIATION UNDER THE DISPUTE RESOLUTION PROVISION OF THE AGREEMENT REGARDING WATER, WASTEWATER AND SOLID WASTE REQUIRED BY THE SETTLEMENT AGREEMENT AND MUTUAL RELEASE OF CLAIMS BETWEEN THE CITY OF SANTA FE AND SANTA FE COUNTY; AND DISCUSSION OF THE PURCHASE, ACQUISITION OR DISPOSAL OF REAL PROPERTY OR WATER RIGHTS BY THE CITY OF SANTA FE, INCLUDING, WITHOUT LIMITATION, DISCUSSION RELATING TO THE EXCHANGE OF CERTAIN REAL PROPERTY TO FACILITATE ACCESS TO ROW. (KELLEY BRENNAN)

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

Against: None.

Absent for the vote: Mayor Gonzales

The Council went into Executive Session at 6:50 p.m.

MOTION TO COME OUT OF EXECUTIVE SESSION

MOTION: At 7:25 p.m., Councilor Ives moved, seconded by Councilor Villarreal, that the Governing Body 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 Gonzales, Councilor Harris, Councilor Ives, Councilor Maestas, Councilor Trujillo and Councilor Villarreal.

Against: None.

16. ACTION WITH RESPECT TO CERTAIN PROPOSED AMENDMENTS TO THE AGREEMENT REGARDING WATER, WASTEWATER AND SOLID WASTE REQUIRED BY THE SETTLEMENT AGREEMENT AND MUTUAL RELEASE OF CLAIMS BETWEEN THE CITY OF SANTA FE AND SANTA FE COUNTY. (KELLEY BRENNAN)

MOTION: Councilor Ives moved, seconded by Councilor Villarreal, to direct the City Manager and the City Attorney to take such actions as are necessary to prepare an agreement pursuant to the agreement regarding water, wastewater and solid waste, consistent with the discussion on the principles of agreement in Executive Session.

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

For: Mayor Gonzales, Councilor Harris, Councilor Ives, Councilor Maestas, Councilor Trujillo and Councilor Villarreal.

Against: None.

Councilor Ives departed the meeting

END OF AFTERNOON SESSION AT APPROXIMATELY 7:26 P.M.

EVENING SESSION

A. CALL TO ORDER AND ROLL CALL

The Evening Session was called to order by Mayor Javier M. Gonzales, at approximately 7:26 p.m. There was the presence of a quorum as follows:

Members Present

Mayor Javier M. Gonzales
Councilor Mike Harris
Councilor Joseph M. Maestas
Councilor Ronald S. Trujillo
Councilor Renee Villarreal

Members Excused

Councilor Signe I. Lindell, Mayor Pro-Tem
Councilor Peter N. Ives
Councilor Carmichael A. Dominguez
Councilor Christopher M. Rivera

Others Attending

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

F. PETITIONS FROM THE FLOOR

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

Richard Polese said he served on the Santa Fe School Board, worked at City Hall years ago and was one of the first members of the Sustainable Santa Fe Commission. He serves on the Board of Warehouse 21 Board as well. He said he is here to propose that you establish "Take Your Kids For A Walk Day." He said kids don't get out of the house much these days with all of the digital distractions. He said any walking is good exercise and for young people to discover their hometown and see the beauties of nature that are all around us. He said it is easy to do help to do this, by establishing a "Take Your Kids For A Walk Day." He introduced Elaine Pinkerton, the author of the brand new edition of *Santa Fe on Foot* which would help parents and their children as well as well as anyone wanting to explore the City. He said Ms. Pinkerton has provided each member of the Governing Body a copy of her book. He said there are several walking areas in the book, the Botanical Gardens, the Labyrinth downtown, a wonderful walk to Two Mile Pond and these are easy comfortable walks. He said the action requested is a Resolution naming one day during the year as "Take Your Kids For A Walk Day," to encourage parents and caretakers to teach safe walking.

Elaine Pinkerton said the new edition of her book is about getting around Santa Fe by running, biking or walking. It includes museums, art, theater, culture, and the walks she and Richard have imagined taking kids for fun and adventure walks, and to explore Santa Fe. She said she came to Santa Fe in 1967, and didn't think she would still be here in Santa Fe and doing the things she does because of living in Santa Fe. She said she does the Sun Mountain 3-5 times some weeks 3-5 times. She said there are many safety tips in the book. She said walking is fun and adventurous. She said "Take Your Kids for A Walk Day," would be a day focusing on just walking for the sake of walking. She said she and Mr. Polese talked about a day in November for the Walk Day.

Mr. Polese said there will be a book signing at Collective Books on December 23, 2016, at 3:00 p.m.

Mayor Gonzales thanked Ms. Pinkerton and Mr. Polese, and said he looks forward to getting the day established.

G. APPOINTMENTS

There were no appointments.

H. PUBLIC HEARINGS

- 1) **CONSIDERATION OF BILL NO. 2016-39; ADOPTION OF ORDINANCE NO. 2016-37 (COUNCILOR DOMINGUEZ). AN ORDINANCE REPEALING ORDINANCE NO. 2016-15, ADOPTING A MUNICIPAL GROSS RECEIPTS TAX. (MARCOS MARTINEZ)**

Public Hearing

There was no one speaking to this request.

The Public Hearing was closed

MOTION: Councilor Trujillo moved, seconded by Councilor Harris, to adopt Ordinance No. 2016-37, as presented.

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

For: Mayor Gonzales, Councilor Harris, Councilor Maestas, Councilor Trujillo and Councilor Villarreal.

Against: None.

- 2) CONSIDERATION OF BILL NO. 2015-37: ADOPTION OF ORDINANCE NO. 2016- ____ (COUNCILOR IVE) AN ORDINANCE RELATING TO THE CITY OF SANTA FE TELECOMMUNICATIONS FACILITIES IN THE PUBLIC RIGHTS-OF-WAY ORDINANCE; AMENDING SUBSECTION 27-2.1 SFCC 1987, TO ESTABLISH LEGISLATIVE FINDINGS; AMENDING SUBSECTION 27-2.3 SFCC 1987 TO REPEAL THE DEFINITION OF "GROSS REVENUE" AND ESTABLISH A NEW DEFINITION FOR "GROSS CHARGE;" AMENDING SUBSECTION 27-2.5 TO REPEAL THE FEE STRUCTURE AND ESTABLISH AN INFRASTRUCTURE MAINTENANCE FRANCHISE FEE; AND MAKING SUCH OTHER CHANGES AS ARE NECESSARY TO CARRY OUT THE INTENT OF THIS ORDINANCE. (MARCOS MARTINEZ) (Postponed to October 26, 2016.) This item is postponed to 11/09/16.

This item is postponed to the Governing Body meeting of November 9, 2016.

END OF PUBLIC HEARINGS

I. ADJOURN

There was no further business to come before the Governing Body, and upon completion of the Agenda, the meeting was adjourned at approximately 7:35 p.m.

Approved by:



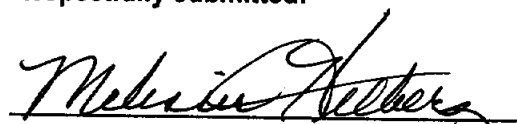
Mayor Javier M. Gonzales

ATTESTED TO:



Yolanda Y. Vigil, City Clerk

Respectfully submitted:



Melessia Helberg, Council Stenographer

Talking Points
Regional Soccer Authority
City Council October 13, 2016

- 1- The intent of the resolution is to pursue the creation of a regional soccer authority. At this juncture there are still many unanswered questions related to stake holders, financial responsibilities, facility and resource management etc. The goal is to design a private/public relationship between the City of Santa Fe, County of Santa Fe and Santa Fe Soccer Complex.
- 2- County Involvement
 - \$500,000 commitment in budget
 - County has drafted similar Soccer Authority resolution and will hear said resolution at first hearing in November (Sponsors Commissioners Holian and Roybal)
 - Project has met with incoming Commissioners who are supportive
- 3- Business Plan: there is a conceptual draft business plan regarding the maintenance of the facility (Santa Fe Soccer Complex), however until the authority is established and the roles of each entity clearly identified some components of the business plan will remain unfinished.
- 4- Economic Development: The economic development outcomes expressed in this resolution are based on national standards and benefit realized in cities of similar demographics. (Durango CO, Ashville NC, Rapid City SD)
- 5- The creation of a soccer authority could save the City of Santa Fe as much as \$85,000 to \$100,000 per FY, in maintenance and program management

Exhibit "1"

Proposed Tournaments for Santa Fe

**Casa Grande Tournament, letter to City Council
and Tournament demographics**

From: Alex Trettin <Alex@TRAVELCENTER4U.com>
To: Mc Smith
Cc:
Subject: Santa Fe fields for tournament

Sent: Mon 7/21/2014 11:54 AM

Hi Nic,

I just wanted to reach out and say thank you so much for showing me around Santa Fe last month. This was my first trip to New Mexico. It was awesome. I really loved Santa Fe and would be interested in moving our October event from Arizona to Santa Fe in the future. Adult soccer is a booming business. This year we are on track to have 60 teams and more than 1500 people from all over the US and Canada attend the Columbus Cup Soccer tournament in Casa Grande Arizona. This is our 5th year there and we continue to grow the event every year.

The major draw for people to come to a back-water like Casa Grande is their superb soccer fields. I had hoped to find some similar quality pitches in New Mexico, but wasn't able to find the quality of venue that these teams have come to demand. Much to my wife's chagrin with such middling facilities, the draw of Santa Fe would not be enough to compel the teams to attend an event there. I don't think the infrastructure could handle the demands of our event. I understand that there may be a renovation pending for the Municipal Recreation complex or the Downs. If either of those renovations occur please keep me informed so I can reexamine the idea of moving our event to Santa Fe.

Thank you again for your hospitality. It was awesome to get an insider's perspective on your great city. Personally, I look forward to my next trip. I know that if you had a first class facility you could draw 3 or 4 large tournaments a year. And as you know youth tournaments easily quadruple our size drawing 6,000 to 8,000 attendees per event. I hope to see you in Arizona so we can catch up and I can fill you in on my trip to Brazil. Talk with you soon. Sincerely,

Alex Trettin
Tournament Director
Soccer in Sun Tournaments "Keeping the dream alive!"
1142 Broadway Suite 100
Tacoma WA 98402
(P) 253-383-8000 (F) 253-564-5020
alex@travelcenter4u.com
www.soccerinsun.com

Find us on



Facebook

From: Alex Trettin <alex@TRAVELCENTER4U.COM>
To: MayorGonzales@SantaFeNm.gov
Cc: info@travelcenter4u.com; alex@travelcenter4u.com
Subject: Santa Fe Soccer complex

Sent: Mon 7/6/2015 12:31 PM

Dear Mayor Gonzales and Santa Fe City Councilors

My name is Alex Trettin and I run adult soccer tournaments in various locations around the country drawing in thousands of tourists/players from around the world at each event. Nic Smith, from the Santa Fe Soccer Complex organization, invited me out to look at Santa Fe as a potential tournament site. While we loved the location, the availability of hotels, restaurants and shopping (an important aspect for wives of soccer players) which make Santa Fe such an attractive venue, sadly, the fields at the MRC were not up to the standard that our teams expect so we had to forgo those plans.

Now I have come to understand that there is a Master Plan and proposal to undertake renovations and enhancements that would make the Santa Fe MRC a world class complex and viable venue for us. I know that if you had a first class facility you could draw 3 or 4 large tournaments a year. We draw in over 200 teams to our events equating to more than 6500 guests and as you know youth tournaments easily double or triple our size. Youth tournament draw 400 to 600 teams per event bringing 10,000 to 15,000 attendees/spectators per event.

Soccer is the most popular sport in the world and is growing in popularity exponentially across the US. I would urge the Santa Fe City Council to support this proposal. With good quality fields and lighting that allows us to maximize playing time after dark, and Santa Fe's amenities, your city will be a very attractive destination soccer venue for us. It will benefit the local soccer community in Santa Fe and bringing in soccer tournaments like ours will positively impact the local economy by bringing with us millions of dollars in economic activity.

Thank you for your consideration.

Alex Trettin
Tournament Director
Soccer in Sun Tournaments "Keeping the dream alive!"
1142 Broadway Suite 100
Tacoma WA 98402
(P) 253-383-8000 (F) 253-564-5020
alex@travelcenter4u.com
www.soccerinsun.com



From: **Nicholas Smith** nicsoccersantafe@gmail.com
Subject: Casa Grande Tournament - October 7 - 9, 2016
Date: October 13, 2016 at 2:39 PM
To: Pilar Faulkner pilar@acumenag.com



Pilar

I just got back from Casa Grande and can give you a more detailed breakdown of the teams there - this is the tournament that Alex has written to City about moving to Santa Fe. There were:

- 64 Teams
- 14 from Arizona (@18 players) = 250 locals
- 50 from 2 countries (UK and Canada) and 9 different States (@18 players) is 900 players alone staying for 3 nights (i.e. no wives/girlfriends, etc.)
- States: Washington, California, Utah, NM, Texas, Colorado, Alabama, NY and New Jersey.

I think the City figures of \$265 per day for hotel and meals per person is way too high. I think this is per couple. So to calculate 50 teams x 20 players = 1,000 x \$265 = \$265,000 for 3 nights = total spend of \$795,000

I have the facts on this tournament from the schedule which shows teams and states by division.

Nic Smith
nicsoccersantafe@gmail.com
www.sfsoccercomplex.org
Mobile: 505 930 1956

Examples of other Cities

Durango CO

- **Rapid City SD**
- **Asheville NC**

**ECONOMIC IMPACT
OF
THE DURANGO YOUTH SOCCER ASSOCIATION'S
SHOOTOUT TOURNAMENT
MAY 9-11, 2003**

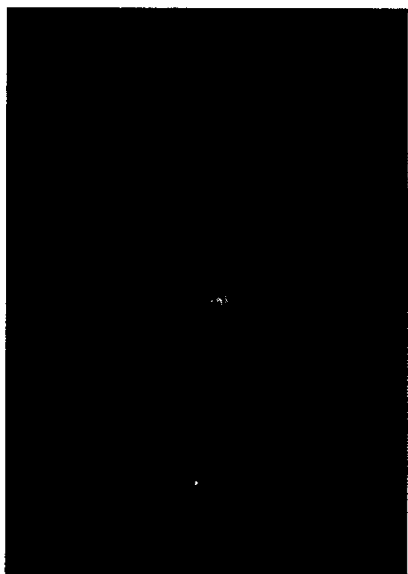
*Prepared by
Clinton Carroll, Senior at Fort Lewis College*

Executive Summary

The economic impact survey for the Durango Youth Soccer Association's Shootout Tournament yielded the following results:

- 132 teams participated
- 116 teams were not from Durango
- 69 teams were surveyed
- The average stay per team was 3 days
- The average amount spent per day/per person was \$43.85
- The average persons per team was 45.75 people (players, coaches, & family)
- The average team spent \$5966.46 during their stay
- There were approximately 5261 people attending the tournament
- 89% of the teams stayed in hotels or motels
- Total amount of revenue brought into the Durango community \$692,108.78
(Durango Soccer Association revenue not included)
- Total amount of revenue for local government \$33,746.04
- 98% of the teams surveyed said that they would return to Durango again

Charity Doyle (Ward 1)



Biography

Charity was elected to the Rapid City Common Council in 2011.

Charity is degreed in Civil & Environmental engineering, and started out as a water resources engineer. Wanting the freedom and flexibility to have both a career and a family on her own terms, she launched a consulting and marketing firm which led into marketing and sales training on both national and international fronts. Soon after she obtained

certification in life and business coaching, and worked with individuals and business owners all over the world for many years. Still, she desired for a slower-paced life which prompted leaving Minneapolis for her home town of Rapid City. Here, Charity began focusing on giving back to the community, starting with utilizing her coaching skills to tutor detainees at Western South Dakota Juvenile Services Center on a volunteer basis in order to help them obtain their GEDs.

Charity currently works as the Executive Director for the Black Hills Rapids, and serves on the Rapid City Common Council striving to make Rapid City an increasingly better place in which to raise her two children. She also serves as Chair of the annual fundraising event for the Black Hills Strings Retreat, providing scholarships for kids to attend the annual orchestra summer camp.

Holds Office of Alderman: Ward 1

Term Expiration: 2017

Contact Information:

From: **Nicholas Smith** ed@northernsc.org
Subject: Re: Soccer Complex in Santa Fe - a quick request.
Date: October 13, 2016 at 3:14 PM
To: nic smith ed@northernsc.org



Nic

We hosted 115 teams in June from 7 different states.

Brought in over 1500 athletes and their families. Based on the multipliers for our local area visitor industry for sports-related events, this would be around \$3M direct economic impact spending. Then another \$4M or so, indirect (although I would not rely on that b/c it is so hard to track). But it is a LOT of money for a weekend. It only takes a few events to recoup the capital investment, economic-impact-speaking.

Cheers~

Charity Doyle

Black Hills Rapids Soccer Club | Executive Director

605-343-1843 | cdoyle@blackhillsrapids.com | blackhillsrapids.com

From: Nicholas Smith
Sent: Wednesday, October 12, 2016 12:26 PM
To: Charity Doyle
Subject: Re: Soccer Complex in Santa Fe - a quick request.

Charity

If you can get data like:

- number of teams that played in your tournament you ran at the complex
- I believe you said teams from 7 states?
- How many teams with roughly how many players
- ball park of what you estimate the spend in the area as a result.

Does not need to be scientific.

I seem to remember that you had this info in the presentation you made in Denver.

Nic Smith
Executive Director,
Rio Rapids Northern Soccer Club

ed@northernsc.org
www.northernsc.org
Tel: 505 982 0878 Ext 3
Mobile: 505 930 1956



ASHEVILLE BUNCOMBE YOUTH SOCCER ASSOCIATION

PO BOX 895 • ASHEVILLE, NC 28802

PHONE (828) 298-7277

FAX (828) 298-0133

INFO@ABYSA.ORG

Contact:

Michael Rottjakob
Executive Director
828-778-9524
miker@abysa.org

For Immediate Release:

October 31, 2015

ABYSA Receives \$1.1 Million TDA Grant for Turf Replacement Project

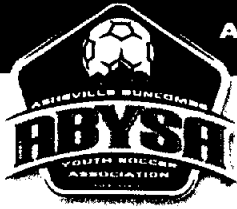
Asheville, North Carolina- The Buncombe County Tourism Development Authority (BCTDA) announced on Thursday that the Asheville Buncombe Youth Soccer Association have been awarded a 1.1 million dollar Tourism Product Development Fund (TPDF) grant to assist with replacement of artificial turf at the John B. Lewis Soccer Complex. The TPDF awarded a total of \$3.9 to six projects that will generate overnight stays at hotel properties in Buncombe County.

The John B Lewis Soccer Complex opened in 2005, and at the time, was the largest artificial turf facility in the Southeastern United States. Owned and operated by the City of Asheville, the park serves over 500,000 park visits and over 7,000 youth and adult soccer players annually. With an expected lifespan of ten years, the artificial turf is worn and in need of replacement this summer in order continues to serve Buncombe County's vibrant soccer community and to remain a preferred sports tourism destination.

In addition to serving as an important quality of life asset to local residents, the soccer complex is also a proven economic asset. The Asheville Buncombe Youth Soccer Association and the Asheville Buncombe Regional Sports Commission will host events at the complex that will utilize over 11,000 room nights this year, a number that has grown every year for seven consecutive years.

"The John B. Lewis Soccer Complex is a great example of a successful public-private partnership generating both outstanding return on investment for the BCTDA and results for the local community" said Michael Rottjakob, Executive Director of ABYSA. "Of course, we are extremely pleased to have put forward a project that provides such a big benefit to the local lodging industry, and the lodging industry, in turn, is providing such meaningful support to our soccer family. It is a win-win in our mind. Its a win for hotel properties and all of the businesses that benefit from sports tourism, a win for the City of Asheville, and a big win for over 7,000 soccer players."

We empower children, strengthen families and enrich our community through soccer, the world's game.

**ASHEVILLE BUNCOMBE YOUTH SOCCER ASSOCIATION**

PO BOX 885 • ASHEVILLE, NC 28802

PHONE (828) 298-7277

FAX (828) 298-0133

INFO@ABYSA.ORG

The turf replacement project, set to begin in May 2016, will cost an estimated \$2.1 million. In addition to the TPDF grant award, support from ABYSA's major corporate partners, and the City of Asheville, has been critical in bringing together the funding needed for such a large project. "We also want to thank Biltmore, Ingles Markets, and Mission Health for their sponsorship support and recognition of how important this facility is to the health and happiness of so many youth and adult athletes and their families" added Rottjakob.

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 AND SUPPORTING THE SUBMITTAL OF THE CITY'S PROJECT APPLICATION TO THE SANTA FE METROPOLITAN PLANNING ORGANIZATION FOR FUNDING UNDER THE FISCAL YEAR 2018/2019 NMDOT ADMINISTERED FUNDS FROM THE TRANSPORTATION ALTERNATIVES PROGRAM.	Bicycle & Trails Advisory Committee – 10/19/16 Public Works Committee – 10/24/16 Finance Committee – 10/31/16 City Council – 11/9/16
Councilor Chris Rivera		
Co-Sponsors	Title	Tentative Committee Schedule
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, jbg Guillen@santafenm.gov or Rebecca Seligman at (505) 955-6501, rxseligman@santafenm.gov.



CITY COUNCIL MEETING OF
October 13, 2016
BILLS AND RESOLUTIONS SCHEDULED FOR INTRODUCTION
BY MEMBERS OF THE GOVERNING BODY

Mayor Javier Gonzales		
Co-Sponsors	Title	Tentative Committee Schedule
	A RESOLUTION REQUESTING THE CITY MANAGER TO DIRECT STAFF TO DETERMINE THE FEASIBILITY OF AN ART EXHIBIT OF A CURATED EXHIBIT OF REPRODUCTIONS OF SOME OF THE FINEST ART OF THE MUSEO DEL PRADO FROM MADRID.	Arts Commission – TBD Finance Committee – 10/31/16 City Council - 11/9/16
	A RESOLUTION IN SUPPORT OF THE GUNS TO GARDENS PROJECT SPONSORED BY NEW MEXICANS TO PREVENT GUN VIOLENCE.	Public Safety Committee - 11/15/16 Finance Committee – 12/5/16 City Council – 12/14/16
	A RESOLUTION DIRECTING THE CITY MANAGER TO EXPLORE ACTIVE WAYS OF REDUCING SUGAR INTAKE AMONG SANTA FE'S RESIDENTS, AND THE BENEFITS THAT WOULD RESULT; AND CALLING ON THE NEW MEXICO LEGISLATURE TO ENACT LEGISLATION IN THE UPCOMING FIFTY-THIRD LEGISLATURE, FIRST SESSION ADDRESSING THE IMPACT OF EXCESS SUGAR CONSUMPTION AMONG NEW MEXICO RESIDENTS; AND CALLING ON THE UNITED STATES FOOD AND DRUG ADMINISTRATION TO REMOVE FRUCTOSE FROM THE GENERALLY REGARDED AS SAFE (GRAS) LIST.	Children and Youth Commission – TBD City Business and Quality of Life Committee – 11/9/16 Finance Committee 11/14/16 City Council – 12/14/16
Councilor Carmichael Dominguez		
Co-Sponsors	Title	Tentative Committee Schedule
Councilor Mike Harris		
Co-Sponsors	Title	Tentative Committee Schedule

1 CITY OF SANTA FE, NEW MEXICO

2 RESOLUTION 2016-__

3 INTRODUCED BY:

4
5 Mayor Javier M. Gonzales

6 Councilor Peter Ives
7
8
9

10 A RESOLUTION

11 REQUESTING THE CITY MANAGER TO DIRECT STAFF TO DETERMINE THE
12 FEASIBILITY OF AN ART EXHIBIT OF A CURATED EXHIBIT OF REPRODUCTIONS
13 OF SOME OF THE FINEST ART OF THE MUSEO DEL PRADO FROM MADRID.
14

15 WHEREAS, the Prado Museum in central Madrid is an internationally acclaimed museum
16 housing the world's finest collections of European art; and

17 WHEREAS, the Prado unquestionably houses the best single collection of Spanish art Spain dating
18 from the 12th century to the early 20th century, based on the former Spanish Royal Collection; and

19 WHEREAS, Santa Fe is an internationally known center for the arts; and

20 WHEREAS, New Mexico has a long standing relationship with Spain, including
21 native son, Ambassador Edward L. Romero who served as Ambassador to Spain from 1998 to 2001;
22 and

23 WHEREAS, Jim Long, the founder of Heritage Hotels, a New Mexico based hotel company
24 with four hotels in Santa Fe, has served on the international board of directors of the Prado as well as
25 the board of Directors for the Spanish Colonial Arts Society; and

1 **WHEREAS**, the Prado has a desire to offer Santa Fe the opportunity for a curated exhibit of
2 reproductions of some of the finest are of the Prado.

3 **NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE**
4 **CITY OF SANTA FE** that the City Manager directs staff to determine the feasibility of the art
5 exhibit in Santa Fe from May through October, 2017.

6 **BE IT FURTHER RESOLVED** that staff takes the following into consideration in the
7 determining the scope of the project:

- 8 1. Location of exhibit
- 9 2. Cost of project;
- 10 3. Funding source;
- 11 4. Execution plan; and

12 **BE IT FURTHER RESOLVED** that staff shall report their findings to the Governing Body
13 sixty (60) days from the passage of this resolution.

14 **PASSED APPROVED** and **ADOPTED** this ____ day of _____, 2016.

15
16 _____
17 **JAVIER M. GONZALES, MAYOR**

18 **ATTEST:**

19
20 _____
21 **YOLANDA Y. VIGIL, CITY CLERK**

22 **APPROVED AS TO FORM:**

23
24 _____
25 **KELLEY A. BRENNAN, CITY ATTORNEY**

M/Legislation/Resolutions 2016/Prado Curated Exhibit

1 **CITY OF SANTA FE, NEW MEXICO**

2 **RESOLUTION NO. 2016-__**

3 **INTRODUCED BY:**

4
5 Mayor Javier M. Gonzales

6 Councilor Peter Ives
7
8
9

10 **A RESOLUTION**

11 **IN SUPPORT OF THE GUNS TO GARDENS PROJECT SPONSORED BY NEW**
12 **MEXICANS TO PREVENT GUN VIOLENCE.**
13

14 **WHEREAS**, the Governing Body adopted Resolution No. 2016-41 on May 25, 2016
15 recognizing and supporting National Gun Violence Awareness Day; and

16 **WHEREAS**, on August 10, 2016, the Governing Body adopted Resolution No. 2016-59
17 requesting the city of Santa Fe Police Department implement a policy of destruction for firearms
18 in possession of the department that are no longer needed for use in obtaining a conviction, or
19 needed for any other public purpose; and

20 **WHEREAS**, on September 14, 2016 the Governing Body adopted Resolution No. 2016-
21 70 that expressed support for the New Mexico Legislature to enact legislation that requires
22 comprehensive background checks for firearm sales, and which strengthens the criminal
23 background check system; and

24 **WHEREAS**, firearms deaths in New Mexico increased 16.4% between 2014 and 2015;
25 and

1 **WHEREAS**, unwanted working guns are often stored carelessly and/or forgotten which
2 creates a dangerous environment in the home; and

3 **WHEREAS**, an unwanted working gun has a better chance of being stolen and then
4 involved in crime; and

5 **WHEREAS**, gun buybacks offer people the opportunity to safely dispose of unwanted
6 guns in order to get them out of homes and off our streets; and

7 **WHEREAS**, according to the Center for Disease Control, New Mexico children die by
8 firearms at a rate 60% higher than the national average; and

9 **WHEREAS**, getting unwanted working firearms out of homes is especially important for
10 safeguarding children; and

11 **WHEREAS**, according to the Department of Public Health, in 2015 New Mexico suicide
12 rates were 50% higher in the U.S. and was the second leading cause of death for New Mexico
13 residents ages 10-39; and

14 **WHEREAS**, from 2010-2014 more than half of suicides in New Mexico were committed
15 with a firearm; and

16 **WHEREAS**, New Mexico is the fourth highest in the country for gun ownership; and

17 **WHEREAS**, according to the Annals of Emergency Medicine, persons residing in
18 households with firearms are nearly twice as likely to be fatally shot and four times as likely to
19 die from suicide.

20 **WHEREAS**, a gun buyback is a useful injury prevention and community tool; and

21 **WHEREAS**, New Mexicans to Prevent Gun Violence (NMPGV) wants to take the
22 thousands of unwanted working guns in New Mexico and turn them into shovels and spades as
23 part of the Guns to Gardens project for community gardens and artworks created by the Santa Fe
24 Community College art students; and

25 **NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE**

1 CITY OF SANTA FE that the Governing Body supports the Guns to Gardens project sponsored
2 by New Mexicans to Prevent Gun Violence

3 PASSED, APPROVED AND ADOPTED this _____ day of _____, 2016.

4
5 _____
6 JAVIER M. GONZALES, MAYOR

7 ATTEST:

8
9 _____
10 YOLANDA Y. VIGIL, CITY CLERK

11 APPROVED AS TO FORM:

12
13 _____
14 KELLEY A. BRENNAN, CITY ATTORNEY

15
16
17
18
19
20
21
22
23
24
25 *M/Legislation/Resolutions 2016/Guns to Gardens*

1 CITY OF SANTA FE, NEW MEXICO

2 RESOLUTION NO. 2016-__

3 INTRODUCED BY:

4
5 Councilor Joseph M. Maestas

6 Councilor Peter Ives

7
8
9
10 A RESOLUTION

11 AUTHORIZING AND SUPPORTING THE SUBMITTAL OF THE CITY'S PROJECT
12 APPLICATION TO THE SANTA FE METROPOLITAN PLANNING ORGANIZATION
13 FOR FUNDING UNDER THE FISCAL YEAR 2018/2019 NMDOT ADMINISTERED FUNDS
14 FROM THE TRANSPORTATION ALTERNATIVES PROGRAM.

15
16 WHEREAS, the City of Santa Fe has the legal authority to apply for, receive and administer
17 federal funds; and

18 WHEREAS, the City of Santa Fe desires to submit an application for Federal Fiscal Year
19 2016/2017 (FFY16/17) for New Mexico Transportation Alternatives Program ("TAP") funds in the
20 amount of \$2,000,000.00, as set forth by the Federal legislation, Fixing America's Surface
21 Transportation Act or "FAST Act" and as outlined in the FFY 18/19 New Mexico TAP Guide; and

22 WHEREAS, the projects named below will be included in the TAP application and are
23 eligible project(s) under New Mexico TAP and FAST Act:

- 24 1. Acequia Trail from Rufina Street to South Meadows - cost \$1,000,000 with match of
25 \$145,600 (See Exhibit A).

- 1 2. Canada Rincon Trail from Viento Drive to Camino de las Crucitas - cost \$1,000,000
2 with match of \$145,600 (See Exhibit B).

3 **WHEREAS**, the City of Santa Fe acknowledges availability of the required local match of
4 14.56% and the availability of funds to pay all upfront costs, since TAP is a cost reimbursement
5 programs; and

6 **WHEREAS**, the City of Santa Fe agrees to pay any costs that exceed the project amount if
7 the applications are selected for funding; and

8 **WHEREAS**, the City of Santa Fe, agrees to maintain all project(s) constructed with TAP
9 funding for the useable life of the project(s).

10 **NOW, THEREFORE BE IT RESOLVED BY THE GOVERNING BODY OF THE**
11 **CITY OF SANTA FE** that the Governing Body:

12 1. Authorizes staff to submit an application for FFY18/19 New Mexico TAP funds in
13 the amount of \$2,000,000 from the New Mexico Department of Transportation (NMDOT) on behalf
14 of the residents of the city of Santa Fe.

15 2. Assures the NMDOT that if TAP funds are awarded, sufficient funding for the local
16 match and for upfront project costs are available, since TAP is a reimbursement program, and that
17 any costs exceeding the award amounts will be paid for by the City of Santa Fe.

18 3. Assures NMDOT that if awarded TAP funds, sufficient funding for the operation and
19 maintenance of the TAP projects will be available for the life of the projects.

20 **BE IT FURTHER RESOLVED** that:

21 1. The City of Santa Fe is authorized to enter into a Cooperative Project Agreement
22 with the NMDOT for construction of TAP projects using these funds as set forth by the FAST Act on
23 behalf of the residents of Santa Fe.

24 2. City staff is also authorized to submit additional information as may be required and
25 act as the official representative of the City of Santa Fe in this and subsequent related activities.

3. The Governing Body assures the NMDOT that the City of Santa Fe is willing and able to administer all activities associated with the proposed projects.

PASSED, APPROVED AND ADOPTED this _____ day of _____, 2016.

JAVIER M. GONZALES, MAYOR

ATTEST:

YOLANDA Y. VIGIL, CITY CLERK

APPROVED AS TO FORM:

KELLEY A. BRENNAN, CITY ATTORNEY