



Agenda

REGULAR MEETING OF
THE GOVERNING BODY
MARCH 29, 2017
CITY COUNCIL CHAMBERS

AFTERNOON SESSION – 5:00 P.M.

CITY CLERK'S OFFICE

DATE 3/24/17 TIME 3:10 PM

SERVED BY Melanie Byers

RECEIVED BY SSSSS

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 – March 8, 2017
9. PRESENTATIONS
 - a) Update on 2017 New Mexico State Legislative Session. (Mark Duran)
 - b) National Citizen Survey Results. (Adam Johnson)
10. CONSENT CALENDAR
 - a) Request for Approval of Amendment No. 1 to Professional Services Agreement - Water and Wastewater Service Line Protection Services (RFP #14/12/P); Service Line Warranties of America, Inc. (Nick Schiavo)
 - b) Request for Approval of Bid No. 17/08/B in the Amount of \$75,818.75 - Sewer Line Chemical Root Control Services for Wastewater Division; Dukes Root Control, Inc. (Jerry Tapia)
 - c) Request for Approval of Procurement Under Cooperative Price Agreement and Professional Services Agreement in the Amount of \$256,762.69 - Security System Improvements Project, Phase I for Canyon Road Water Treatment Plant; B & D Industries, Inc. (Alex Gamino)



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- d) Request for Approval of Procurement Under Cooperative Price Agreement in an Amount to Exceed \$50,000 - Medical Supplies for Fire Department. (Greg Cliburn)
 - 1) BoundTree Medical
 - 2) Life Assist, Inc.
- e) Request for Approval of Professional Services Agreements in the Amount of \$76,200.00; Collaborative Arts Marketing Program (RFP #17/21/P). (Debra Garcia y Griego)
 - 1) Institute of American Indian Arts; "Be Here Now: Counterculture in New Mexico" – \$30,000
 - 2) Museum of New Mexico Foundation; "Art of the Draw" – \$30,000
 - 3) WiseFool New Mexico; "ExperienceArt in the Siler Road Area" – \$16,200
- f) Request for Approval of Professional Services Agreement in the Amount of \$52,000 – Consulting Pharmacist Services (RFP #17/29/P) for Fire Department; Gonzales Pharmacy Consultant. (Greg Cliburn)
- g) Request for Approval of Procurement Under Cooperative Price Agreement in an Amount to Exceed \$50,000 - Medical Supplies for Fire Department; Henry Schein, Inc. (Greg Cliburn)
- h) Request for Approval of Master Service Agreement in the Amount of \$100,783 - Pilot Program for Printer Consolidation and Managed Print Services (RFP #17/01/P); Document Solutions, Inc. (David Kulb)
- i) Request for Approval of Amendment No. 1 to Professional Services Agreement in the Amount of \$63,475 - City-Wide Kronos Telestaff Software Implementation Project Management Services (RFP #17/13/P); Berry Dunn McNeil & Parker, LLC. (Renee Martinez)
- j) Request for Approval of FY 2016/2017 Budget by Increasing the Community Services Department Budget by \$70,000 for Law Enforcement Assisted Diversion Program (LEAD). (Chris Sanchez)
- k) Request for Approval of FY 2016/17 Law Enforcement Protection Fund (LEPF) Application in the Amount of \$129,000 for Police Department; State of New Mexico Department of Finance, Local Government Division. (Patrick Gallagher)



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CITY COUNCIL CHAMBERS

- l) Request for Approval of Professional Services Agreement in the Amount of \$43,350 - Assessment of Fair Housing and Associated Research by HUD's Community Development Block Grant Program and New Mexico Mortgage Finance Authority; BBC Research and Consulting. (Margaret Ambrosino)
- m) Request for Approval of Recommendations to Amend Sections Pertaining to the Economic Development Code, Section 11-11 SFCC 1987 as Outlined in the "2017 Economic Development Code Analysis Report" per Directives of Resolution 2016-75. (Fabian Trujillo)
- n) CONSIDERATION OF RESOLUTION NO. 2017-____. (Councilor Ives)
A Resolution Directing the Sustainable Santa Fe Commission to Research and Assess the Creation of a Joint City, Santa Fe County, and State of New Mexico Sustainability Authority for the Purpose of Developing, Implementing and Financing Sustainability-Related Programs in Santa Fe County that Counter the Effects of Climate Change, and Achieve Carbon Neutrality By 2040. (John Alejandro)
- o) CONSIDERATION OF RESOLUTION NO. 2017-____. (Councilor Maestas, Councilor Villarreal, Councilor Ives and Councilor Trujillo)
A Resolution Expressing the City Of Santa Fe's Desires for Redevelopment of the Garrett's Desert Inn Property and Offering to Cooperate with the New Mexico Commissioner of Public Lands in His Office's Review and Ranking of Solicited Land Use/Redevelopment Proposals. (Matthew O'Reilly)
- p) CONSIDERATION OF RESOLUTION NO. 2017-____. (Mayor Gonzales)
A Resolution Sponsoring the Next Generation Water Summit and Waiving all Space Rental Fees for Use of the Santa Fe Community Convention Center. (RandyRandall)
Fiscal Impact - Yes - \$18,900 in waived fees
- q) CONSIDERATION OF RESOLUTION NO. 2017-____. (Councilor Maestas and Councilor Ives)
A Resolution Adding the Water History Park and Museum Phase III Project to the Fiscal Year 2017/18 Capital Improvement Plan (CIP). (David Pfeifer)



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CITY COUNCIL CHAMBERS

- r) **CONSIDERATION OF RESOLUTION NO. 2017-__.** (Councilor Dominguez)
A Resolution Authorizing and Approving Submission of a Completed Application for Financial Assistance and Project Approval to the New Mexico Finance Authority to Refund, Refinance and Defease the City's Outstanding Subordinate Lien Gross Receipts Tax Improvement Revenue Bonds, Series 2012C. (Adam Johnson and Bradley Fluetsch)
- s) Request to Publish Notice of Public Hearing on April 26, 2017:
Bill No. 2017-9: An Ordinance Authorizing the Issuance and Sale of the City of Santa Fe, New Mexico Taxable Subordinate Lien Gross Receipts Tax Refunding Revenues Bonds, Series 2017 in an Aggregate Principal Amount of \$4,540,000 for the Purpose of Defraying the Cost of Refunding, Paying and Defeating the Outstanding City of Santa Fe, New Mexico Subordinate Lien Gross Receipts Tax Improvement Revenue Bonds, Series 2012C; Providing That the Bonds Will be Payable and Collectible From Certain Gross Receipts Tax Revenues Distributed to the City; Establishing the Principal Amounts, Interest Rates and Other Details of the Bonds; Approving the Execution and Delivery of a Bond Purchase Agreement for the Sale of the Bonds; Providing for Redemption of the Refunded Bonds; Providing for the Collection of Certain Gross Receipts Tax Revenues; Approving Certain Other Agreements and Documents in Connection With the Refunded Bonds; Ratifying Action Previously Taken in Connection With the Bonds; Repealing All Ordinances in Conflict Herewith; and Related Matters. (Councilor Dominguez) (Adam Johnson)
- t) Request for Approval of RFP for Fiscal Agent Services. (Robert Rodarte and Christina Keyes)
- u) Pursuant to Resolution No. 2016-90, Report on the Feasibility of Creating a Dump Station to Provide Local Residents and Travelers an Environmentally Safe Means of Eliminating Solid Waste from Their Recreational Vehicles. (Shannon Jones) **(Informational Only)**
- v) **Resolution No. 2017-__:** A Resolution Authorizing the Sale and Consumption of Alcohol at Fort Marcy Park for the Santa Fe Wine and Chile Fiesta on an Annual Basis. (Councilor Lindell, Councilor Ives and Councilor Maestas) (Alfred Walker) **(Withdrawn)**
- w) **Bill No. 2017-6:** An Ordinance Amending Subsection 23-6.2 SFCC 1987 to Permit the Sale and Consumption of Alcohol at Fort Marcy Park for the Wine and Chile Fiesta. (Councilor Lindell, Councilor Ives and Councilor Maestas) (Alfred Walker) **(Withdrawn)**



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CITY COUNCIL CHAMBERS

11. **Case No. 2017-015.** Request for Approval of the Recommendation of the City Attorney, Pursuant to Santa Fe City Code Section 14-3.17(D)(6) that the Governing Body Dismiss the Appeal of Richard Folks, Fred Rowe, Greater Callecita Neighborhood Association and the Neighborhood Network from the February 2, 2017, Decision of the Planning Commission to Approve the Haciendas del Mirasol's Request for a Final Subdivision Plat at 700 Hyde Park Road. (Zachary Shandler)
12. MATTERS FROM THE CITY MANAGER
13. MATTERS FROM THE CITY ATTORNEY
Executive Session

In Accordance With the New Mexico Open Meetings Act NMSA 1978, §10-15-1(H)(7) and (8), Discussions Subject to the Attorney-Client Privilege Pertaining to Threatened or Pending Litigation in which the City of Santa Fe is or May Become a Participant including without limitation Case No. 1:17-cv-00355, *CNSP D/B/A/ NMSURF v. The City of Santa Fe*; and Discussion of the Purchase, Acquisition, or Disposal of Real Property or Water Rights by the City of Santa Fe. (Kelley Brennan)
14. MATTERS FROM THE CITY CLERK
15. 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
THE GOVERNING BODY
MARCH 29, 2017
CITY COUNCIL CHAMBERS

H. PUBLIC HEARINGS:

- 1) Request from Manitou Galleries for a Waiver of the 300 Foot Location Restriction and Approval to Allow the Dispensing/Consumption of Wine at Manitou Galleries, 225 Canyon Road, Suite 11, Which is Within 300 Feet of the Cathedral Basilica of St. Francis of Assisi, 131 Cathedral Place and the New Mexico School for the Arts, 275 East Alameda Street. The Request is for the Following Events, with Alcohol Service Times Noted: (Yolanda Y. Vigil)
 - April 21, 2017 (5:00 p.m. to 7:00 p.m.) – Collectors' VIP Reception
 - May 26, 2017 (5:00 p.m. to 7:00 p.m.) – Robert Highsmith Exhibition
 - June 24, 2017 (5:30 pm. to 7:30 p.m.) – Private Reception
 - June 30, 2017 (5:00 p.m. to 7:00p.m.) – Don Bracket and P.J. Garoutte Exhibition
 - July 21, 2017 (5:00 p.m. to 7:00 p.m.) – Gail Gash-Taylor & Skyhorse Exhibition
 - August 17 & 18, 2017 (5:00 p.m. to 7:00 p.m.) – Aagard & Rhymer Exhibition
 - September 15, 2017 (5:00 p.m. to 7:00 p.m.) – Jeff Cochran Exhibition
- 2) CONSIDERATION OF BILL NO. 2017-5: ADOPTION OF ORDINANCE NO. 2017-____. (Councilor Rivera)

An Ordinance Authorizing the Execution and Delivery of a Loan Agreement by and Between the City of Santa Fe, New Mexico (the "Governmental Unit") and the New Mexico Finance Authority, Evidencing a Special, Limited Obligation of the Governmental Unit to Pay a Principal Amount of \$1,300,582 for the Purpose of Acquiring Equipment for its Environmental Services Department and Paying a Loan Processing Fee; Providing for the Pledge and Payment of the Principal and Interest Due Under the Loan Agreement Solely From the Net Revenues of the City's Environmental Services Enterprise Fund; Approving the Form and Terms of, and Other Details Concerning the Loan Agreement; Setting the Interest Rate on the Loan; Ratifying Actions Heretofore Taken; Repealing all Action Inconsistent with this Ordinance; Declaring the Official Intent of the Governmental Unit to Reimburse Itself with the Proceeds of the Loan Agreement for Capital Expenditures Paid for the Project Prior to the Closing of the Loan; Identifying the Capital Expenditures and the Funds to be Used for Such Payment; and Authorizing the Taking of other Actions in Connection with the Execution and Delivery of the Loan Agreement. (Shirlene Sitton)



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REGULAR MEETING OF
THE GOVERNING BODY
MARCH 29, 2017
CITY COUNCIL CHAMBERS

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- 3) **Bill No. 2017-4:** An Ordinance Amending Subsection 23-6.2 SFCC 1987 to Permit the Sale and Consumption of Alcohol at the Railyard Park for the Bike and Brew Event. (Councilor Lindell, Councilor Villarreal and Councilor Ives) (Alfred Walker) **(Withdrawn)**

I. ADJOURN

Pursuant to the Governing Body Procedural Rules, in the event any agenda items have not been considered prior to 11:30 p.m. such items shall be postponed to a subsequent meeting, provided that the date, time and place of such meeting is specified at the time of postponement.

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.

**MEETING OF THE GOVERNING BODY
EXECUTIVE SESSION
MARCH 29, 2017**

The Governing Body of the City of Santa Fe met in an executive session duly called on March 29, 2017, beginning at approximately 7:30 p.m.

The following was discussed:

In Accordance With the New Mexico Open Meetings Act NMSA 1978, §10-15-1(H)(7) and (8), Discussions Subject to the Attorney-Client Privilege Pertaining to Threatened or Pending Litigation in which the City of Santa Fe is or May Become a Participant including without limitation Case No. 1:17-cv-00355, *CNSP D/B/A/ NMSURF v. The City of Santa Fe*; and Discussion of the Purchase, Acquisition, or Disposal of Real Property or Water Rights by the City of Santa Fe.

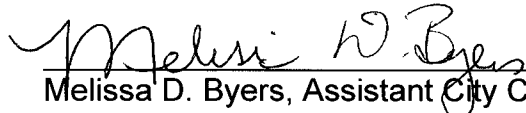
PRESENT

Mayor Gonzales
Councilor Dominguez
Councilor Harris
Councilor Ives
Councilor Lindell
Councilor Maestas
Councilor Trujillo
Councilor Villarreal

STAFF PRESENT

Brian K. Snyder, City Manager
Kelley A. Brennan, City Attorney
Melissa D. Byers, Assistant City Clerk
Matthew O'Reilly, Asset Management Director
Matt Ross, Public Information Officer

There being no further business to discuss, the executive session adjourned at approximately 8:00 p.m.


Melissa D. Byers, Assistant City Clerk

**SUMMARY INDEX
SANTA FE CITY COUNCIL MEETING
March 29, 2017**

<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]	2
CONSENT CALENDAR LISTING		2-5
APPROVAL OF MINUTES: REGULAR CITY COUNCIL MEETING – MARCH 8, 2017	Approved	6
<u>PRESENTATIONS</u>		
UPDATE ON 2017 NEW MEXICO STATE LEGISLATIVE SESSION	Removed from Agenda	6
NATIONAL CITIZEN SURVEY RESULTS	Information/discussion	6-13
<u>CONSENT CALENDAR DISCUSSION</u>		
REQUEST FOR APPROVAL OF PROFESSIONAL SERVICES AGREEMENTS IN THE AMOUNT OF \$76,200; COLLABORATIVE ARTS MARKETING PROGRAM (RFP#17/21/P)		
INSTITUTE OF AMERICAN INDIAN ARTS; “BE HERE NOW: COUNTERCULTURE IN NEW MEXICO” – \$30,000	Approved	13-14
MUSEUM OF NEW MEXICO FOUNDATION “ART OF THE DRAW” – \$30,000	Approved	13-14
WISEFOOL NEW MEXICO; “EXPERIENCEART IN THE SILER ROAD AREA – \$16,200	Approved	13-14

<u>ITEM</u>	<u>ACTION</u>	<u>PAGE #</u>
REQUEST FOR APPROVAL OF RECOMMENDATIONS TO AMEND SECTIONS PERTAINING TO THE ECONOMIC DEVELOPMENT CODE, SECTION 11-11 SFCC 1987 AS OUTLINED IN THE "2017 ECONOMIC DEVELOPMENT CODE ANALYSIS REPORT," PER DIRECTIVES OF RESOLUTION 2016-75	Approved	14-17
REQUEST FOR APPROVAL OF RFP FOR FISCAL AGENT SERVICES	Approved [amended]	17-24
***** END OF CONSENT CALENDAR DISCUSSION *****		
CASE NO. 2017-015. REQUEST FOR APPROVAL OF THE RECOMMENDATION OF THE CITY ATTORNEY, PURSUANT TO SANTA FE CITY CODE SECTION 14-3.17(D)(6), THAT THE GOVERNING BODY DISMISS THE APPEAL OF RICHARD FOLKS, FRED ROWE, GREATER CALLECITA NEIGHBORHOOD ASSOCIATION AND THE NEIGHBORHOOD NETWORK, FROM THE FEBRUARY 2, 2017 DECISION OF THE PLANNING COMMISSION TO APPROVE THE HACIENDAS DEL MIRASOL'S REQUEST FOR A FINAL SUBDIVISION PLAT AT 700 HYDE PARK ROAD	Approved	24
<u>EVENING SESSION</u>		
CALL TO ORDER AND ROLL CALL	Quorum	26
PETITIONS FROM THE FLOOR		26-27
APPOINTMENTS	None	27

ITEM

ACTION

PAGE #

PUBLIC HEARINGS

REQUEST FROM MANITOU GALLERIES FOR A
WAIVER OF THE 300 FOOT LOCATION RESTRICTION
AND APPROVAL TO ALLOW THE DISPENSING/
CONSUMPTION OF WINE AT MANITOU GALLERIES,
225 CANYON ROAD, SUITE 11, WHICH IS WITHIN 300
FEET OF THE CATHEDRAL BASILICA OF ST. FRANCIS
OF ASSISI, 131 CATHEDRAL PLACE AND THE NEW
MEXICO SCHOOL FOR THE ARTS, 275 EAST ALAMEDA
STREET. THE REQUEST IS FOR THE FOLLOWING EVENTS,
WITH ALCOHOL SERVICE TIMES NOTED:

- APRIL 21, 2017 (5:00 P.M. TO 7:00 P.M.) -
COLLECTORS VIP RECEPTION;
- MAY 26, 2017 (5:00 P.M. TO 7:00 P.M.) -
ROBERT HIGHSMITH EXHIBITION;
- JUNE 24, 2017 (5:30 P.M. TO 7:30 P.M.) -
PRIVATE RECEPTION;
- JUNE 30, 2017 (5:00 P.M. TO 7:00 P.M.) - DON
BRACKET AND P.J. GAROUTTE EXHIBITION;
- JULY 21, 2017 (5:00 P.M. TO 7:00 P.M.) - GAIL
GASH-TAYLOR & SKYHORSE EXHIBITION;
- AUGUST 17 & 18, 2017 (5:00 P.M. TO 7:00 P.M.)
- AAGARD & RHYMER EXHIBITION; AND
- SEPTEMBER 15, 2017 (5:00 P.M. TO 7:00 P.M.) -
JEFF COCHRAN EXHIBITION
(YOLANDA Y. VIGIL)

Approved

27-28

ITEM

ACTION

PAGE #

CONSIDERATION OF BILL NO. 2017-5: ADOPTION OF ORDINANCE NO. 2017-5. AN ORDINANCE AUTHORIZING THE EXECUTION AND DELIVERY OF A LOAN AGREEMENT BY AND BETWEEN THE CITY OF SANTA FE, NEW MEXICO (THE "GOVERNMENTAL UNIT"), AND THE NEW MEXICO FINANCE AUTHORITY, EVIDENCING A SPECIAL, LIMITED OBLIGATION OF THE GOVERNMENTAL UNIT TO PAY A PRINCIPAL AMOUNT OF \$1,300,582 FOR THE PURPOSE OF ACQUIRING EQUIPMENT OR ITS ENVIRONMENTAL SERVICES DEPARTMENT AND PAYING A LOAN PROCESSING FEE; PROVIDING FOR THE PLEDGE AND PAYMENT OF THE PRINCIPAL AND INTEREST DUE UNDER THE LOAN AGREEMENT SOLELY FROM THE NET REVENUES OF THE CITY'S ENVIRONMENTAL SERVICES ENTERPRISE FUND; APPROVING THE FORM AND TERMS OF, AND OTHER DETAILS CONCERNING THE LOAN AGREEMENT; SETTING THE INTEREST RATE ON THE LOAN; RATIFYING ACTIONS HERETOFORE TAKEN; REPEALING ALL ACTION INCONSISTENT WITH THIS ORDINANCE; DECLARING THE OFFICIAL INTENT OF THE GOVERNMENTAL UNIT TO REIMBURSE ITSELF WITH THE PROCEEDS OF THE LOAN AGREEMENT FOR CAPITAL EXPENDITURES PAID FOR THE PROJECT PRIOR TO THE CLOSING OF THE LOAN; IDENTIFYING THE CAPITAL EXPENDITURES AND THE FUNDS TO BE USED FOR SUCH PAYMENT; AND AUTHORIZING THE TAKING OF OTHER ACTIONS IN CONNECTION WITH THE EXECUTION AND DELIVERY OF THE LOAN AGREEMENT

Approved

28-29

BILL NO. 2017-4: AN ORDINANCE AMENDING SUBSECTION 23-6.2 SFCC 1987, TO PERMIT THE SALE AND CONSUMPTION OF ALCOHOL AT THE RAILYARD PARK FOR THE BIKE AND BREW EVENT

Withdrawn

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END OF PUBLIC HEARINGS

<u>ITEM</u>	<u>ACTION</u>	<u>PAGE #</u>
MATTERS FROM THE CITY MANAGER	None	29
MATTERS FROM THE CITY CLERK	Information/discussion	30
COMMUNICATIONS FROM THE GOVERNING BODY	Information/discussion	30-32
<u>MATTERS FROM THE CITY ATTORNEY</u>		
EXECUTIVE SESSION		
MOTION TO COME OUT OF EXECUTIVE SESSION	Approved	32-33
ADJOURN		34

**MINUTES OF THE
REGULAR MEETING OF THE
GOVERNING BODY
Santa Fe, New Mexico
March 29, 2017**

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 Wednesday, March 29, 2017, 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 Signe I. Lindell, Mayor Pro-Tem
Councilor Carmichael A. Dominguez
Councilor Mike Harris
Councilor Peter N. Ives
Councilor Joseph M. Maestas
Councilor Christopher M. Rivera
Councilor Ronald S. Trujillo
Councilor Renee D. Villarreal

Others Attending

Brian K. Snyder, City Manager
Kelley Brennan, City Attorney
Melissa Byers, Assistant City Clerk
Melessia Helberg, Council Stenographer

Councilor Rivera said today would have been his father's birthday, and he will be leaving after the Afternoon Session to spend time with his family.

6. APPROVAL OF AGENDA

Brian Snyder, City Manager asked to pull 9(a) on the Afternoon Agenda. He said Mark Duran had an emergency, noting he sent an email to the Governing Body. He said Mr. Duran felt very satisfied where the City ended up, commenting we will wait to see what is signed by the Governor, noting there will be a Special Session. He said Governing Body members who have question can reach out to Mr. Duran directly, or through his office, or at an upcoming meeting. He expects if there was a Special Session, we would have Mr. Duran to come back for a special presentation.

Mr. Snyder said, per the sponsor's request, he would like to remove Item 10(n) and postpone it to the May 31, 2017 meeting.

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

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

7. APPROVAL OF CONSENT CALENDAR

Councilor Lindell asked to be added as a sponsor to Item 10(o).

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

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

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

Against: None.

10. CONSENT CALENDAR

- a) **REQUEST FOR APPROVAL OF AMENDMENT NO. 1 TO PROFESSIONAL SERVICES AGREEMENT – WATER AND WASTEWATER SERVICE LINE PROTECTION SERVICES (RFP #14/12/P); SERVICE LINE WARRANTIES OF AMERICA, INC. (NICK SCHIAVO)**
- b) **REQUEST FOR APPROVAL OF BID NO. 17/08/B IN THE AMOUNT OF \$75,818.75 – SEWER LINE CHEMICAL ROOT CONTROL SERVICES FOR WASTEWATER DIVISION; DUKES ROOT CONTROL, INC. (JERRY TAPIA)**

- c) REQUEST FOR APPROVAL OF PROCUREMENT UNDER COOPERATIVE PRICE AGREEMENT AND PROFESSIONAL SERVICES AGREEMENT IN THE AMOUNT OF \$256,762.69 – SECURITY SYSTEM IMPROVEMENTS PROJECT, PHASE I FOR CANYON ROAD WATER TREATMENT PLANT; B & D INDUSTRIES, INC. (ALEX GAMINO)
- d) REQUEST FOR APPROVAL OF PROCUREMENT UNDER COOPERATIVE PRICE AGREEMENT IN AN AMOUNT TO EXCEED \$50,000 – MEDICAL SUPPLIES FOR FIRE DEPARTMENT. (GREG CLIBURN)
 - 1) BOUND TREE MEDICAL
 - 2) LIFE ASSIST, INC.
- e) *[Removed for discussion by Councilor Ives]*
- f) REQUEST FOR APPROVAL OF PROFESSIONAL SERVICES AGREEMENT IN THE AMOUNT OF \$52,000 – CONSULTING PHARMACIST SERVICES (RFP #17/29/P) FOR FIRE DEPARTMENT; GONZALES PHARMACY CONSULTANT. (GREG CLIBURN)
- g) REQUEST FOR APPROVAL OF PROCUREMENT UNDER COOPERATIVE PRICE AGREEMENT IN AN AMOUNT TO EXCEED \$50,000 – MEDICAL SUPPLIES FOR FIRE DEPARTMENT; HENRY SCHEIN, INC. (GREG CLIBURN)
- h) REQUEST FOR APPROVAL OF MASTER SERVICE AGREEMENT IN THE AMOUNT OF \$100,783 – PILOT PROGRAM FOR PRINTER CONSOLIDATION AND MANAGED PRINT SERVICES (RFP #17/01/P); DOCUMENT SOLUTIONS, INC. (DAVID KULB)
- i) REQUEST FOR APPROVAL OF AMENDMENT NO. 1 TO PROFESSIONAL SERVICES AGREEMENT IN THE AMOUNT OF \$63,475 – CITY-WIDE KRONOS TELESTAFF SOFTWARE IMPLEMENTATION PROJECT MANAGEMENT SERVICES (RFP #17/13/P); BERRY DUNN McNEIL & PARKER, LLC. (RENEE MARTINEZ)
- j) REQUEST FOR APPROVAL OF FY 2016/2017 BUDGET BY INCREASING THE COMMUNITY SERVICES DEPARTMENT BUDGET BY \$70,000 FOR LAW ENFORCEMENT ASSISTED DIVERSION PROGRAM (LEAD). (CHRIS SANCHEZ)
- k) REQUEST FOR APPROVAL OF FY 2016/17 LAW ENFORCEMENT PROTECTION FUND (LEPF) APPLICATION IN THE AMOUNT OF \$129,000 FOR POLICE DEPARTMENT; STATE OF NEW MEXICO, DEPARTMENT OF FINANCE, LOCAL GOVERNMENT DIVISION. (PATRICK GALLAGHER)

- l) REQUEST FOR APPROVAL OF PROFESSIONAL SERVICES AGREEMENT IN THE AMOUNT OF \$43,350 – ASSESSMENT OF FAIR HOUSING AND ASSOCIATED RESEARCH BY HUD’S COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM AND NEW MEXICO MORTGAGE FINANCE AUTHORITY; BBC RESEARCH AND CONSULTING. (MARGARET AMBROSINO)**
- m) *[Removed for discussion by Councilor Rivera]***
- n) CONSIDERATION OF RESOLUTION NO. 2017- ____ (COUNCILOR IVES). A RESOLUTION DIRECTING THE SUSTAINABLE SANTA FE COMMISSION TO RESEARCH AND ASSESS THE CREATION OF A JOINT CITY, SANTA FE COUNTY AND STATE OF NEW MEXICO SUSTAINABILITY AUTHORITY FOR THE PURPOSE OF DEVELOPING, IMPLEMENTING AND FINANCING SUSTAINABILITY-RELATED PROGRAMS IN SANTA FE COUNTY THAT COUNTER THE EFFECTS OF CLIMATE CHANGE AND ACHIEVE CARBON NEUTRALITY BY 2040. (JOHN ALEJANDRO). This item was removed from the Agenda and postponed to the meeting of May 31, 2017.**
- o) CONSIDERATION OF RESOLUTION NO. 2017-26 (COUNCILOR MAESTAS, COUNCILOR VILLARREAL, COUNCILOR IVES, ~~AND~~ COUNCILOR TRUJILLO AND COUNCILOR LINDELL. A RESOLUTION EXPRESSING THE CITY OF SANTA FE’S DESIRES FOR REDEVELOPMENT OF THE GARRETT’S DESERT INN PROPERTY AND OFFERING TO COOPERATE WITH THE NEW MEXICO COMMISSIONER OF PUBLIC LANDS IN HIS OFFICE’S REVIEW AND RANKING OF SOLICITED LAND USE/REDEVELOPMENT PROPOSALS. (MATTHEW O’REILLY)**
- p) CONSIDERATION OF RESOLUTION NO. 2017-27 (MAYOR GONZALES). A RESOLUTION SPONSORING THE NEXT GENERATION WATER SUMMIT AND WAIVING ALL SPACE RENTAL FEES FOR USE OF THE SANTA FE COMMUNITY CONVENTION CENTER. (RANDY RANDALL). Fiscal Impact - Yes. \$18,900 in waived fees.**
- q) CONSIDERATION OF RESOLUTION NO. 2017-28 (COUNCILOR MAESTAS AND COUNCILOR IVES). A RESOLUTION ADDING THE WATER HISTORY PARK AND MUSEUM PHASE III PROJECT TO THE FISCAL YEAR 2017/18 CAPITAL IMPROVEMENT PLAN (CIP). (DAVID PFEIFER)**
- r) CONSIDERATION OF RESOLUTION NO. 2017-29 (COUNCILOR DOMINGUEZ AND COUNCILOR IVES). A RESOLUTION AUTHORIZING AND APPROVING SUBMISSION OF A COMPLETED APPLICATION FOR FINANCIAL ASSISTANCE AND PROJECT APPROVAL TO THE NEW MEXICO FINANCE AUTHORITY TO REFUND, REFINANCE AND DEFEASE THE CITY’S OUTSTANDING SUBORDINATE LIEN GROSS RECEIPTS TAX IMPROVEMENT REVENUE BONDS, SERIES 2012C. (ADAM JOHNSON AND BRADLEY FLUETSCH)**

- s) REQUEST TO PUBLISH NOTICE OF PUBLIC HEARING ON APRIL 26, 2017:
AN ORDINANCE AUTHORIZING THE ISSUANCE AND SALE OF THE CITY OF SANTA FE, NEW MEXICO TAXABLE SUBORDINATE LIEN GROSS RECEIPTS TAX REFUNDING REVENUE BONDS, SERIES 2017 IN AN AGGREGATE PRINCIPAL AMOUNT OF \$4,540,000 FOR THE PURPOSE OF DEFRAYING THE COST OF REFUNDING, PAYING AND DEFEASING THE OUTSTANDING CITY OF SANTA FE, NEW MEXICO SUBORDINATE LIEN GROSS RECEIPTS TAX IMPROVEMENT REVENUE BONDS, SERIES 2012C; PROVIDING THAT THE BONDS WILL BE PAYABLE AND COLLECTIBLE FROM CERTAIN GROSS RECEIPTS TAX REVENUES DISTRIBUTED TO THE CITY; ESTABLISHING THE PRINCIPAL AMOUNTS, INTEREST RATES AND OTHER DETAILS OF THE BONDS; APPROVING THE EXECUTION AND DELIVERY OF A BOND PURCHASE AGREEMENT FOR THE SALE OF THE BONDS; PROVIDING FOR REDEMPTION OF THE REFUNDED BONDS; PROVIDING FOR THE COLLECTION OF CERTAIN GROSS RECEIPTS TAX REVENUES; APPROVING CERTAIN OTHER AGREEMENTS AND DOCUMENTS IN CONNECTION WITH THE REFUNDED BONDS; RATIFYING ACTION PREVIOUSLY TAKEN IN CONNECTION WITH THE BONDS; REPEALING ALL ORDINANCES IN CONFLICT HERewith; AND RELATED MATTERS (COUNCILOR DOMINGUEZ AND COUNCILOR IVES). (ADAM JOHNSON)
- t) *[Removed for discussion by Councilor Rivera]*
- u) PURSUANT TO RESOLUTION NO. 2016 -90, REPORT ON THE FEASIBILITY OF CREATING A DUMP STATION TO PROVIDE LOCAL RESIDENTS AND TRAVELERS AN ENVIRONMENTALLY SAFE MEANS OF ELIMINATING SOLID WASTE FROM THEIR RECREATIONAL VEHICLES. (SHANNON JONES) (Informational Only)
- v) RESOLUTION NO. 2017- ____: A RESOLUTION AUTHORIZING THE SALE AND CONSUMPTION OF ALCOHOL AT FORT MARCY PARK FOR THE SANTA FE WINE AND CHILE FIESTA ON AN ANNUAL BASIS (COUNCILOR LINDELL, COUNCILOR IVES AND COUNCILOR MAESTAS). (ALFRED WALKER) (Withdrawn)
- w) BILL NO. 2017-6: AN ORDINANCE AMENDING SUBSECTION 23-6.2 SFCC 1987, TO PERMIT THE SALE AND CONSUMPTION OF ALCOHOL AT FORT MARCY PARK FOR THE WINE AND CHILE FIESTA. (COUNCILOR LINDELL, COUNCILOR IVES AND COUNCILOR MAESTAS). (ALFRED WALKER) (Withdrawn)

END OF CONSENT CALENDAR

8. APPROVAL OF MINUTES: REGULAR CITY COUNCIL MEETING – MARCH 8, 2017

MOTION: Councilor Dominguez moved, seconded by Councilor Ives, to approve the minutes of the Regular Meeting of March 8, 2017, as presented.

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

9. PRESENTATIONS

a) UPDATE ON 2017 NEW MEXICO STATE LEGISLATIVE SESSION. (MARK DURAN)

This item was withdrawn from the Agenda because Mr. Duran was unable to be in attendance because of an emergency.

b) NATIONAL CITIZEN SURVEY RESULTS. (ADAM JOHNSON)

Adam Johnson, Director, Finance Director, introduced Jade Arocha, Project Manager and Presenter, National Research Center, who reviewed *National Citizen Survey Results*, which is in the Council packet. Please see this document for specifics of this presentation.

The Governing Body asked commented and asked questions as follows:

- ◆ Councilor Ives said he is looking at the Facets of Community Livability, commenting Ms. Arocha's company has been engaged in these kinds of inquiries all across the country. The City recently has begun a process of Results Based Accountability based on the work of Mark Freedman who has used that system over the past few decades around the world. And we have identified population accountability goals, noting there are 7. He asked Mr Johnson if he has any sense, having done the survey and know these are categories against which there is a developed capacity to measure, if we were refocusing our population accountability goals to account for these, or if that would be a worthwhile exercise.

Mr. Johnson said it is a worthwhile exercise. They did approve using the structure on many of the questions from the survey to develop our population indicators going forth to develop common language. He said now that we have the results we will come back through that and make sure we can use them on the indicators as well as in the description of the quality of life ambitions, and in doing so go from 7 to 8.

- ◆ Councilor Ives said it seemed a logical thing to do.

- ◆ Councilor Ives said he has questions on “this” sheet where she indicates a $\pm 4\%$ margin of error, and asked if that means we have a 96% confidence level in the responses and the survey.
- ◆ Ms. Arocha said there is a $\pm 95\%$ level of confidence and for any rating it would be within 4 points. So if it is a 70% rating it is between 66 and 74% at the 95% confidence level.
- ◆ Councilor Ives asked about the 23% response rate on the scientific sample of 3,000, and if that is typical among our cohort cities against which we are doing custom benchmarking.

Ms. Arocha said it's slightly better than the typical we see for a larger community. She said, in general, they see better response rates among small to medium sized communities – the larger the community the lower the response. She said they usually see between 20 and 30%, so 23% for a larger community like Santa Fe is what she calls a good response rate.

- ◆ Councilor Ives said in terms of the geographic comparisons between the four districts in the City, he understands a more complete copy of the report was emailed to us today. However, he didn't have the time to look at it before the meeting, so he has a few questions which he is sure he can answer once he reads through all of that, but Ms. Arocha is here now.
- ◆ Councilor Ives said the custom benchmarks are the comparisons against the cohort cities, and asked how many there were.

Ms. Arocha said there were 42 communities in that subset in Arizona, New Mexico, Colorado, Texas, and Oklahoma with similar population ranges and incomes.

- ◆ Councilor Ives said if you total the numbers there were 160, and asked if Santa Fe was compared against 160 other randomly selected cities around the country.

Ms. Arocha said there were 160 questions on the survey for which they could provide benchmark comparisons. The exact number of communities in each comparison varies because they only provided a benchmark comparison if the exact same question was asked. She said you can see exactly how many communities it is being compared to in the tables in the appendices.

Responding to Councilor Ives, Ms. Arocha said there are fewer communities in that subset, so not all of them asked the same questions, or some of them might have only asked a few of the questions on the survey. So, generally, the fewer communities in the custom set of communities, the fewer comparisons they can make. There were well over 100 items for which they provided comparisons.

- ◆ Councilor Rivera said the 3,000 households sampled were split between the 4 Districts.

Ms. Arocha said yes, proportionately to the population of Santa Fe.

- ◆ Councilor Rivera asked if the returned surveys were received equally by District.

Ms. Arocha said the response by District varied from 11 to 30%.

- ◆ Councilor Rivera asked if the responses by District are broken-down on a slide.

Ms. Arocha said no, it is in the appendices of the Report.

- ◆ Councilor Rivera said he would like that information at some point.

- ◆ Councilor Dominguez said in Santa Fe, each Council District has approximately the same population by District. He asked the reason some Districts had different numbers than others.

Ms. Arocha said the mail is based on the numbers of households, instead of population size. So they order a list of all addresses within the City, and GIS data so they can ensure all households are within the City limits, and then draw random samples proportionally from there and in the proportions on which they appear on the lists. One survey per household. She said the instructions with the survey materials were that the survey was to be completed by the resident that most recently had a birthday who is an adult, which is a part of the random selection process. They don't necessarily want to sample the household member who always open the mail. It is one part of the many efforts they make to get a random sample of residents.

- ◆ Councilor Dominguez said there was a lengthy discussion yesterday at the Budget Hearing, and the Governing Body had committed to start working toward a budget that is consistent with the community's priorities. He said yesterday he recognized that there are lots of different sample sources from lots of different organizations in the community. He would hope this isn't just a one-time exercise and we continue to refine the survey and get better and more data. He asked how we correlate it with the other pieces of data existing in the community, such as the Santa Fe Public Schools, Santa Fe County. He is unsure whether it is appropriate to give the City Manager direction to get someone from staff to do a 30,000 foot analysis of what is out there and how it is relative to this so we can start getting a better picture of what we want.

Ms. Arocha said they can get a better picture by asking the right questions, and making that a part of their analysis, so the data has been weighted by the demographic characteristics of the residents as well by the Council District in which they live.

- ◆ Councilor Dominguez said the Governing Body needs to continue the conversation so we have the pieces of information we need to move to the performance based budgeting system.
- ◆ Mayor Gonzales asked Councilors to keep questions to the sampling part of the presentation, allow Ms. Arocha to finish her presentation, and for everyone to hold their questions to the end of her presentation.

- ◆ Mayor Gonzales said Mr. Johnson indicated that the tabs and cross-tabs from the surveys would be posted on line, and asked if that has been done.

Mr. Johnson said it has not yet been posted on line, but it has been provided to all senior staff, department and division directors and City Councilors today, but it will be on line eventually.

- ◆ Mayor Gonzales asked if more detail was sent to the Governing Body than on the slide presentation.

Mr. Johnson said that is correct.

Responding to Councilor Harris, Ms. Arocha said typically, in these kinds of presentations, they don't go into the details of the cross tabulation because it has a very high level of detail, but she is happy to take questions about those as well.

- ◆ Councilor Maestas said when we do something like this, it raises expectations in the community, and Ms. Arocha has said she is willing to help us with the next steps. We need to formalize our strategy in terms of how to implement this in decision-making, and he hopes we do that sooner or later. His hope is we will begin to refer to it during the budget hearings when we talk about taxes and such. He is anxious to see the strategies for using the information. He doesn't want to raise expectations unnecessarily and we don't do anything with it. He wants to make sure that doesn't happen.
- ◆ Councilor Maestas said he is concerned that the quality of public information wasn't rated very high. He said it seems more a voluntary question, like how do you get your information, instead of how does the City do when it initiates an action, such as a proposed development, or something initiate by the City. He noted that community engagement is a priority, and we're evolving and how to become much more active and engaging the public. His hope is, going forward, that we do get recommendations of what we can do. He would like, in future surveys, to start asking more pointed questions about civic engagement. This is a good base survey to begin.

Ms. Arocha said there is a change in the way residents get information about the community. She has seen that change in communities with which she works, noting this is by no means unique to Santa Fe. She said this is a trend they have noticed. She is glad to work with the City to craft different custom questions. In some communities, they will do a shorter, more policy focused survey as well to dig deeper into some of these topics.

- ◆ Councilor Maestas agreed, reiterating his concerns about public information, and a wide range of perceptions in making a conclusion about quality of information.

Ms. Arocha said they do highlight that this is a resident perception survey.

- ◆ Councilor Harris said the survey has started to answer questions for him.

- ◆ Councilor Harris asked if 90% of the people do vote in a local election.

Ms. Arocha said people do usually tend to over-report how often they vote, which they see fairly frequently.

- ◆ Councilor Harris said this information was sent to Division Directors or Department Directors. He said they have the same information we do, and he thinks it would be helpful for them to tell you what it tells them, and then for you to pass it on to us.
- ◆ Councilor Lindell asked if we have questions to which we get answers that we know aren't truthful. We know 90% of the people don't vote. She asked if we have built-in validity questions in these surveys. She said we talked about the open ended questions yesterday, with the most impact on your everyday quality of life, and Utilities rated #4. She doesn't agree, and believes it is ahead of Parks, Paths and trails.

Ms. Arocha said the short answer is that the voting question is where we tend to see an over-representation. She said people tend to be honest, especially in a anonymous mail survey about the ratings they're giving things. It is important to look at the evaluative items differently than the participation items and demographic questions. They do check to make sure that the numbers are what they would expect to see. She said it is important to realize the qualitative nature of an open-ended question, and what someone thinks about what impacts their everyday quality of life. We can't know what drives them to answer that question. It may be as simple as that they weren't thinking about the impact of shutting off the water, but they are thinking about the pothole on their street.

- ◆ Councilor Villarreal said most of her questions were answered yesterday, but it did help to have the detail of the cross-tabs. She thanked Mr. Johnson for sending that information. She said it is fascinating information, especially the noticeable differences that are outlined which she read through some of them. She said, "The one thing I did want to ask, because the demographics specifically was what I asking about yesterday, and the way it is separated is by questions, and how certain people from different race, ethnic group, sex or age responded. She would like to have a chart of respondents and the demographic makeup.

Ms. Arocha said those are located in Appendix A of the Technical Appendices, where you can see full responses to all survey questions. She said some questions have a "don't know," and the responses are reported separately. Because for some items, we would want to look only at the respondents who had an opinion about a particular item. That way it is easy to compare and to take out the "don't know." So for every single demographic question, there is a table outlining how many folks responded and how they responded to those questions.

- ◆ Councilor Villarreal said out of 3,000 households, the total response was 24%, or 629.

Ms. Arocha said in addition, the opt-in survey data was another 720 some responses, so they looking at the difference in opinions side by side for every single question. This is an emerging

method of comparing the validity of the community-wide survey to the mail based sample. She said they aren't able to do this in all communities, and in some communities those responses are for different. She said for Santa Fe, those responses were actually quite similar. So they were happy to be able to combine responses from both survey methodologies, and that is what you see in most of the reporting. She said it is important to note that is not the case for the geographic reports, so it is the opt-in folks that didn't have a reliable way to track the Council District they lived in, so we could not include those response in the geographic cross-tabulations.

- ◆ Councilor Ives said that was his first question, and he is understanding her to say that this survey includes all of them, and Ms. Arocha said that is correct.
- ◆ Councilor Ives asked if there is a comparison of the randomized sample versus the community-wide.

Ms. Arocha said they don't provide a side-by-side comparison. Their methodology typically is either we do combine or we don't. And if we don't we actually provide a separate report with unrated survey data from the community-wide survey. She and Mr. Johnson and staff had a long conversation about this, and it is important to have transparency.

- ◆ Councilor Ives said it sounds as if you have generated reports that show side-by-side, and asked if that can be shared.

Ms. Arocha said yes, but she doesn't have it immediately available, but they can do that and provide it to the Governing Body.

- ◆ Councilor Ives would like to see that to understand that aspect a little better, commenting he believes it potentially, significantly plays into decisions we are looking to making subsequently.
- ◆ Councilor Ives asked, in term of the random sample at 629 and the other at 700 plus, if you look at each sample individually, what kind of confidence level are you generating with those numbers.

Ms. Arocha said it is something less than a four-point something margin of error, but would lower it to three-point something, but would round it to 4% for reporting purposes. It is difficult to get the margin of error much lower than 3% unless you many thousands of respondents.

- ◆ Councilor Ives said he was just trying to make sure between the random sample versus the community sample, we still had a high confidence level overall as well as in the margin of error. It sounds as if we do based on those numbers.

Ms. Arocha said it was one of the main drivers for sending an expanded sample size, and they typically only extend to 1,500, but for Santa Fe decided to send on 3,000, based on the fact that we needed the larger sample to make comparisons. They also look at this very closely in their comparative analysis on whether or not to combine those. The importance can't stressed enough that it is very imperative to mail to have that random sample as a baseline for comparison. Without

having that, and knowing for sure that the community-wide results were similar in nature, we would not be able to see the high level validity of this data quite as much.

- ◆ Councilor Ives said we have used “mobility,” and identified that as an issue and used the term “built environment,” and identified that as an issue. What do those two terms mean when we say they are issues.

Ms. Arocha said “mobility” in general, and the *[inaudible]* report does a great job in breaking down these items as to exactly what items are included in each of those facets. Mobility generally relates to transportation-related items – traffic flows, street repairs, traffic signal timing and such. “Built environment,” seems to relate to things such as utilities, storm drainage, sewer services, Code enforcement, and such. It is true that residents might be including things that might fall under “mobility,” for our purposes, but they do ask more pointed survey questions, asking about specific items.

- ◆ Councilor Ives thinks, in the context of the survey, it should be explained what those two terms mean and some limitations on interpretation that you’re suggesting exists.

Ms. Arocha said you will see each one of those categorized by the facet within which it falls.

- ◆ Councilor Ives asked, regarding pages 20 and 21 which show support for GRTs and Property Tax, if it would be a true statement to say for purposes of engaging in a poll to test the community’s tolerance of proposing those taxes for improving our streets, that it would be comparable to polling on that specific issue, typically done before you are going out for that type of measure.

Ms. Arocha said it depends on how you are polling. Most communities use this type of question as a first step to gauge the support of the community to go forward with a ballot initiative, for example. She said the level of support they saw for these types of tax increases is higher than what she typically sees. She chose to show the full frequencies on those questions to show how that might play out in an election, for example.

- ◆ Councilor Ives noted he chairs the Public Works Committee, and that suggests to him that looking at a potential bond issue focused on streets might be something that Committee could take up and consider seriously because streets are of significant concern.
- ◆ Councilor Rivera thanked Ms. Arocha for the report. He asked, regarding the open-ended questions, what she would say are the top 3 services provided by the City. He noted #5 Education is not a service primarily provided by the City. He asked if that is because of the public perception, or is it more than just the public school system.

Ms. Arocha said, “That is exactly right, both of those are true.” She said to get a better idea of what that means, it’s usually worthwhile to go through the report and scan the verbatim responses, noting there are hundreds of them. She said the issue of subjectivity comes into play with open-ended questions from the Respondent and the analysis side. They code them under categories

that make sense to them, so education could be schools, but it might have to do more with adult educational opportunities and such.

- ◆ Councilor Rivera said when you compare us with other cities, how does that factor in since it's not a clear question to our respondents.

Ms. Arocha said not all communities ask open-ended questions, so she can't speak to that, commenting most communities ask a different type of open-ended questions. So it's different in all communities. One of the facets of Santa Fe has found most important was education enrichment, which is something she hasn't seen elsewhere and is unique to Santa Fe.

Mayor Gonzales reiterated his appreciation of the tabs we have. He said he would note Councilor Dominguez's words of wisdom that this is our first effort to gather information. He thinks there was a broad effort by participation and some statistical sampling. It is helpful to understand the general thoughts of the community in some of these key areas which we are looking do. He said this probably something we have to do regularly, but recognize it's not the document that should guide or prioritize every resource. He said we need to have that type of iteration so we can better some of the concerns and desires of our community. This is the first of its kind, and appreciate the time you spent learning about Santa Fe and offering this type of information to us.

CONSENT CALENDAR DISCUSSION

10(e) REQUEST FOR APPROVAL OF PROFESSIONAL SERVICES AGREEMENTS IN THE AMOUNT OF \$76,200; COLLABORATIVE ARTS MARKETING PROGRAM (RFP#17/21/P). (DEBRA GARCIA Y GRIEGO)

- 1) INSTITUTE OF AMERICAN INDIAN ARTS; "BE HERE NOW: COUNTERCULTURE IN NEW MEXICO" – \$30,000.**
- 2) MUSEUM OF NEW MEXICO FOUNDATION "ART OF THE DRAW" – \$30,000**
- 3) WISEFOOL NEW MEXICO; "EXPERIENCEART IN THE SILER ROAD AREA – \$16,200.**

Disclosure: Councilor Ives said, "I would simply, consistent with actions as this matter was considered at the Finance Committee, recuse myself from consideration, because this is gathered as a single item, but with regard to Subpart #1, Institute of American Indian Arts, I am a member of the Board of the IAIA Foundation, and my wife is an attorney for the Institute, so I will recuse myself and step outside."

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

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

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

Against: None.

Recused: Councilor Ives.

10(m) REQUEST FOR APPROVAL OF RECOMMENDATIONS TO AMEND SECTIONS PERTAINING TO THE ECONOMIC DEVELOPMENT CODE, SECTION 11-11 SFCC 1987 AS OUTLINED IN THE "2017 ECONOMIC DEVELOPMENT CODE ANALYSIS REPORT," PER DIRECTIVES OF RESOLUTION 2016-75. (FABIAN TRUJILLO)

Councilor Rivera asked Mr. Trujillo the reason this so important for us to be doing now.

Mr. Trujillo said this is basically a recommendation so we can streamline and update the Economic Development Ordinance.

Councilor Rivera asked if this will be the foundation for us moving forward.

Mr. Trujillo said yes, it is a process for economic development projects, economic development services and Industrial Revenue Bonds.

Councilor Rivera said he understands, but he has a hard time supporting this, even though it has gone through the Committee process because we still don't have an Economic Development Director. He asked Mr. Snyder when was the last time we had a full time, true Economic Development Director.

Mr. Snyder said he can't speak to the exact date. He said the job advertisement has closed, we have applications and will be reviewing the applications, and setting up interviews in the next week or so in anticipation of filling that position permanently.

Councilor Rivera said he appreciates that, and hopes we find someone that lasts a year before the next Mayoral election, which may be tough since it is an exempt position. He reiterated that he has a hard time supporting this without having a true Economic Development Director who will set the path and help us, as a City, figure out where we're going to go in the near future and long term future. He would hate to hire someone who comes in and then has a number of different recommendations they feel are important, or take some recommendations out. It has been frustrating not to have that position filled.

Councilor Ives said it seems important, given changes made in the State Statutes relating to LEDA and other provisions, that we actually update our own Ordinance so we are consistent and in sync with State law. This is part of the purpose of the recommended changes.

Mr. Trujillo said that is correct.

Councilor Ives, referring to packet page 6, said it provides, "*Staff recommends that Section B is revised to reflect the process the process for approval of economic development services by the City Manager for PSA's that are under the City Manager's approval authority. Projects that are deemed economic development projects and require a project participation agreement can only be approved by the Governing Body and are required to be approved by a project ordinance....*" He asked if it is necessary to do an Ordinance for each project, or is it by Resolution approving the PSA.

Mr. Trujillo said we're talking about project participation agreements, like Santa Fe Spirits, those would be project ordinances. The bulk of the things are economic development services, programs like the Santa Fe Business Incubator, and those are approved by Resolution or by contract.

Councilor Ives asked if Santa Fe Spirits was approved by Ordinance, and Mr. Trujillo said yes.

Councilor Ives said, "I'm in support and I'm interested in seeing the specific language in those changes to really understand what they are. And I now understand that this is saying please move forward with preparing that as an ordinance for us to look at and consider. I think moving this forward is important and conforming to State law is significant. So thank you."

Councilor Dominguez said he agrees with Councilor Rivera. He said at some point someone is going to have to own this effort, as well as the whole process from beginning to end. He said he would rather have an Economic Director in there to do that – guide us through it and actually own it and take responsibility for it.

Councilor Dominguez continued, saying he understands the State law has changed, but even without that, the State already was doing some of that LEDA stuff anyway, and the City was as well in terms of Broadband. He thinks the urgency is in filling the position, and not necessarily passing this piece of legislation. He agrees with Councilor Rivera, and he would rather wait to get someone in the position that will take ownership and run with it from that perspective.

Councilor Maestas said he sponsored the Resolution calling for a number of efforts in economic development and this is one of those pieces. The whole issue of not having an Economic Development Director has been discussed in the context of the Resolution this body passed. He said we structured these efforts based on whether or not we would have a Director. There were 3 fundamental efforts. One is to do a Code Review and Update to be sure it consistent with LEDA. Staff led considerable discussions at CBQL and Economic Development Review Committee, and we made changes to respond to staffs' concerns as to whether they could handle those 3 elements: Code Review and Update, doing an interim, low intensity, interim update which Kate had done. The third was more substantial, which was to rewrite the overall Angelou Report. The consensus at that time was that the Code Review and Amendments, and Interim update could be done with existing staff in the absence of an Economic Development Director.

Councilor Maestas continued, saying if you go back and look at the Resolution with regard to a more comprehensive update, that would not be initiated until an Economic Development Director was hired. So we had lots of discussion about this, reiterating this is one of the efforts in the Resolution which staff felt it could do and have done. He feels this is proper, appropriate and staff moved more quickly than he expected in the Code Review. He reiterated we had this discussion and structured it so we weren't overburdening staff.

Councilor Harris said he would echo Councilor Maestas' remarks, which are "spot on." This is the first step, and the most simple step of what was agreed to previously. He said that activity is underway and there is more to be done, commenting this is relatively mechanical. He feels this is a good and responsive effort by our Economic Development group, and hopes we can move this forward.

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

DISCUSSION: Mayor Gonzales said he would echo both sides of the points. He said we are anxious to fill the position and other vacancies at Economic Development, noting we have seen successes in lieu of the vacancies. He said Mr. Trujillo has done a great job with LEDA and getting projects moving forward. It is good to have Mr. Trujillo working for the City, noting he has 20 years experience in Economic Development and has been able to achieve the objectives requested by Councilor Maestas. However, he does echo the concerns to be as diligent as possible, noting the City Manager has indicated that process is moving quickly again. We need a full time, permanent director, to begin to set the next phase of economic opportunities and growth in the City. He thanked Mr. Trujillo and other staff for picking up a full load during this time.

Councilor Maestas said the Angelou Report is 15 years old, and we need to have a robust, comprehensive discussion about a new Economic Development strategy and replace the Angelou Report. He said in the Resolution, we had hoped to get a new Director on board, in time to come up with a scope of work for the comprehensive update prior to the budget hearings. However, the window closed on that opportunity, so it's going to be difficult when we get a new Director if that Director feels we need a more substantial, comprehensive update, similar to the one done for the Angelou Report, we may not have the funding and may have lost an entire year.

Mayor Gonzales said he doesn't believe that it necessarily needs to be in place, pointing out that we are the policymakers. And through this budget, we'll have the opportunity to have a dialogue on more strategic investments over the next year to grow the economy. He said Innovate Educate has put up \$100,000 for the City to begin to develop a hub to build workforce skills that would map directly to where the most critical needs exist. Movement is taking place in the City, and he believes, to a point, the Angelou Report needs to be update. However, he has confidence in this body to have a conversation about where we want our priorities. When a new Director comes in, they will have the benefit of that conversation to begin to execute on the wishes of the Governing Body, based on that Economic Development conversation. He said, "We have opportunity, the wind at our back. Let's be clear about where we want to grow as a city to make sure where we're growing there are real wages, real opportunities."

Councilor Dominguez said this is the reason he wants to get the Director on board, sooner, rather than later, so we can have large discussions about economic development. He said staff did what the Resolution asked them to do, and we have the product here. It really is symbolic in getting management to whatever possible to expedite the process and send a message to the City Manager to get it done.

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

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

Against: Councilor Rivera, Councilor Trujillo and Councilor Dominguez.

10(t) REQUEST FOR APPROVAL OF RFP FOR FISCAL AGENT SERVICES. (ROBERT RODARTE AND CHRISTINA KEYES)

Councilor Rivera asked Mr. Rodarte to give a 5-minute summary of this item.

Mr. Rodarte said the Governing Body asked us put together this RFP and bring it to the Governing Body for approval. He said the scope of services has changed over the past 4 years, and packet pages 22-40 identifies the scope of services for this round. He said the IT world has really changed over the past 4 years. He said we have done community incentives. He said from Governing Body discussions about a month ago we want information as to how these companies are socially responsible. He said this particular RFP is at a whole different level than the one from 4 years ago.

Councilor Rivera asked, if this is approved tonight, when would the RFP be in place, and if we would be ready by the expiration date of December 31, 2017, to move in a different direction.

Mr. Rodarte said yes. If this is approved tonight, it can be advertised within 5 days in both newspapers.

Councilor Rivera said then we don't need an extension with the current Fiscal Agent.

Mr. Rodarte said there is time under the current contract. He said we have a 6 month transition period built into the contract. He said if we were to stay with the existing contract, there would be a new contract on July 1, 2017. It would be making applications based on the requested scope of work.

Councilor Ives said what is being accomplished is very significant, and he is hoping we can fit sending this to Public Works to get it to the City Council.

Mr. Johnson said due to the tight timeframe and the time needed for a transition, this is the time to ask questions and provide any amendments so we can move forward if a transition is needed. Mr. Johnson said staff brought the RFP forward in a non-traditional fashion to the Governing Body and for the public to see, in response to much of the public outreach given in chambers. And to show that the finance

Department is paying attention, listening and taking extra measures to incorporate that feedback into the RFP in a more responsive and dynamic manner.

Mr. Johnson continued, saying during that conversation, Mayor Gonzales had said if we need guidance to ask for it, and so we wanted to make sure we created and held the space for that to occur, in regard to social responsibility.

Councilor Maestas said he and Mr. Johnson discussed this in Mr. Johnson's office. He thought the thrust was that we had a lot of different accounts, some of which were in different institutions. He thought that we consolidated all of those accounts into the current bank we're using as a Fiscal Agent.

Mr. Johnson said that is correct, noting that we were keeping savings accounts at various banks. He said we have consolidated those, and we don't do that any more.

Councilor Maestas asked if the account consolidation raises the complexity of the role of the Fiscal Agent going forward.

Mr. Johnson said no, he would say it would be the same except for the difference in that we're not transferring funds in from other institutions to make various types of payments.

Councilor Maestas asked the reason we don't just don't do an RFQ as an initial step before we do the RFP, given that we've changed the way we do business, we're consolidating accounts, have more social responsibility. This might narrow the pool of possible banks that could qualify for this scope of work.

Mr. Rodarte said in this case, the scope of work is huge and a qualification is basically asking for organizations to let us know if they can do the job. He said on packet page 49, there is a 10% scoring process on evaluation for qualifications. It is built into the RFP, noting when you're dealing with something this big they are asking for a lot of things. He said qualification based programs basically are for smaller projects, construction work and things of that nature. However, it is in the best interest of the City to do a full RFP. He said you will see our group of evaluators on packet page 50, and we've put together a team to cover every piece out there related to the banking world. He reiterated that it is not in our best interest to do an RFQ on this magnitude of process.

Councilor Maestas asked Mr. Johnson, knowing what you know now about public banking and the feasibility, some of the recommendations and recommended concepts, as scoped, would this new Fiscal Agent limit our options in implementing certain elements that were recommended in the Public Banking Feasibility Study.

Mr. Johnson said the interaction between the concept of public banking and the way we currently have our relationship with a Fiscal Services Administrator, is basically unrelated at this point in time. He said a lot of stuff identified in the Feasibility Study has been accomplished through efforts in the Finance Department. So shifting to a public bank entity as it stands..... the details of that remain to be seen. But if we were to go that route, "I suppose a public bank would respond to an RFP of this nature, once it's established, and/or the option for the Council to go in that direction would be available to them by

canceling the Fiscal Services Agreement that is place, once there was a transition plan in place to do that. He said, "To your point, it wouldn't limit any action that could be taken once the details of that initiative are more clearly understood. As the contract stands now, you could cancel a contract with a 30 day notice."

Councilor Villarreal said, "On that point. In terms of a larger contract, this is a big contract, but say there were aspects that a public bank could do that would be not the entire role of the banking institution, but aspects of it, do you see there would be a way to separate certain activities that a public bank could do, separate from the larger banking fiscal agent."

Mr. Johnson said, "The answer to that question would have to be defined by whatever the to be determined business model of the public bank is. And there has been so many different concepts put out without really having really vetted about how it would work. It is difficult to see how the relationship would join. For example, if you had a public bank that was providing the interfund loan service, I'm sure that could somehow be incorporated to not being necessarily where the investments are, the way we have our trust account set up, which is custody to all of the investment side of our portfolio, if that answers your question."

Mayor Gonzales said there have been key points to why the public banking industry was launched, which was to be able to take the resources, the taxpayer dollars, and put them to more beneficial use locally. The policy in the past was very restrictive in terms of participation by local banks to be the fiscal agent. Cash reserves of 102% had to be on hand, and the Council has reduced it to 50% of the collateralized cash.

Mr. Johnson said in September when Ms. Keyes and Mr. Fluetsch first joined us, their first initiative was to update the investment policy, which included aligning the investment policy with the State's legally allowable collateralization levels ranging from 50% to 120%, depending on the quality of the bank where we had our deposits. So we aligned that and the quality of the current bank allows us to be at 50% now.

Mayor Gonzales said our internal policies highly restricted local participation, and we're hoping now that it will invite more local participation. He said the proposed scores sub-minimizes local bank's efforts to participate in this. You're weighting community initiatives at 10%. Match a local bank which may have a large amount of community participation versus a large national bank with the credit worthiness, experience of bank officials, a much larger department to respond to the RFP. He wonders how much, in the established weighting, that a local bank actually would be able to be competitive when you haven given such low weight to community participation.

Mr. Johnson said the community participation aspect of this is definitely new to the City and to cities across the country as to how they incorporate that into their RFP. We took that approach delicately, and we put that in there. We actually were slightly concerned that it could cause, even large institutions who participate in lots of community reinvestment act initiatives throughout New Mexico, to actually come out on top of the local ones.

Mr. Johnson continued, saying additionally, the other thing they tried to do which is in the opening section and the overview, is to allow for banks to respond to just portions of this RFP. So if there are areas of strength to which they can respond, that they do so accordingly, and we potentially could have a partnership of banks to provide services, given the overall weight, and the cost involved in doing it that way.

Mayor Gonzales said he hopes we don't get to the end of this and then be back where we are now – locked into a depository relationship that serves some of the key issues of keeping the cash locked up and protected, but it locks-out participation by the local community to be the beneficiaries of this cash being present in local banks. If we have a relationship with a large national bank and the cash is being exported to New York or wherever and managed there, none of that is benefitting the local community. He has to believe that opportunity exists.

Mayor Gonzales continued, saying he was able to skim through the RFP. He asked, regarding whoever is selected, if we will be able to negotiate a requirement for participation in the community that is commensurate with the funds that it is managing.

Mr. Johnson said he thinks they can incorporate more of those specifics into the interview questions to see how we can provide some of the detailed answers to the initiatives of the different respondents in this community, specifically.

Mayor Gonzales said then the answer is yes, you can do that, and Mr. Johnson said that is correct.

Mayor Gonzales said he wants to see that in whatever contract comes back, and wants to know there is a commitment by whoever is selected to reinvest in the community. There are federal requirements that require community reinvestment. However, that won't cut it because they have to do that already, because they have a branch presence in the community. He said there has to be something that is commensurate with the ability to use the City's cash to support other banking initiatives that is able to come back to the community. And whether it is a local or national bank, he thinks it is the first step to achieving some of the objectives of this public banking process, and there would be more participation and investment back into the community that wasn't available otherwise, because of the way our Fiscal Agent contracts were structured.

Mr. Johnson said the community based initiatives are under Section D, which provides, *"Describe current plans for expanding community based banking, financial services in the City of Santa Fe."*

Mayor Gonzales said he doesn't want it to be, "Tell us what you already have on your pamphlets of how you're investing back in the community." That's not enough.

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

FRIENDLY AMENDMENT: Councilor Rivera proposed an amendment which he hopes will be friendly to his colleagues, as follows: "Financial Institutions that respond to this help us understand the financial investments to socially responsible investing, or SRI, that they have done, and then define Socially Responsible Investing as investment strategies which seek to consider both financial return and social good to bring about social change." He said, again, he would like institutions to be able to address that in some form, if appropriate. He said, "I would like that on page 21 at the end of Bank Qualifications where there is a section that says, 'Answer all the following for bank qualifications,' and list it as #18, and move the current #18 to #19."

DISCUSSION ON FRIENDLY AMENDMENT: Mayor Gonzales said he rises in support of the amendment, because he thinks the other key objective is the idea of social responsibility and investing is a whole different form that moves away from bottom line margins and looks to how our presence in this community is enhancing some social good. He thinks that is a critical outcome that we want out of this as well, that they're able to evaluate and create some commitment that shows their approach to social responsibility.

Councilor Rivera said, "I can send the language that I just had to Kelley, and maybe Kelly could clean it up a little bit."

Councilor Harris said he found where Councilor Rivera proposes to insert the requirement the question and asked him to repeat the amendment, and Councilor Rivera did so.

Councilor Harris said it seems we have touched on that in a few different ways in the RFP, and asked Mr. Johnson or Ms. Keyes to respond.

Mr. Johnson said staff thinks we have captured the essential details of that statement in the Community Based Initiatives Section on packet page 41. He said, "One question I would have for clarification, is when you said the Socially Responsible Investing, is that language directly from the SRI Institute."

Councilor Rivera said Councilor Ives helped him with that language.

Ms. Keyes said, "United Nations Public Responsibility Investing (PRI), is the international agreement that investors make, disclosing the commercial, environmental and governmental responsibilities and activities. And that is specific to the investing world, but banks, voluntarily, are signatories of that as well."

Mr. Johnson said, "And given that we reviewed and researched PRI, and we actually felt that the larger, more sophisticated entities are more easily able to participate and deal with the costs of that. And we actually felt we might be excluding locals, so we may want to not use some of that specific language that we referenced to there, because it might actually hurt the local banks and their response."

Mayor Gonzales said, "I disagree. I think when you look at local banks participation in our community, they're all over the non-profits, in terms of their participation of investing socially and using bank profits to support social causes. That's really where I think the local banks out perform national banks."

Mr. Johnson said, "I think I didn't communicate it correctly. What I'm specifically saying, is some of the larger institutions are able to actually go and get graded by PRI, whereas our local banks don't go that distance, or don't have the resources to go that distance, so we could actually be...."

Councilor Rivera said, "No, I'm just asking that each institution be able to respond to those investments they have made, whether local or national...."

Mr. Johnson said, "[inaudible] that would be great, so we don't deter response. That's what I don't want to happen."

Councilor Harris said he understood Mr. Johnson to say that, whether it is SRI or PRI, that may be somewhat limiting in the grading, because perhaps the smaller, local institutions don't have the capability to go through the process to get that particular ranking."

Mr. Johnson said that is correct.

Councilor Harris continued, saying so you're simply asking, in response to Councilor Rivera's amendment, to back off on that definition, or just incorporating that specific definition, and asked if that is correct.

Mr. Johnson said yes.

[STENOGRAPHER'S NOTE: The Maker and Second did not respond to the request for a Friendly Amendment, so it is assumed it failed.]

Mayor Gonzales said, "Maybe it might be provided, on Item F, 'provide the bank's environmental impact and social responsibility policies.' Or 'This may include, but not be limited to the bank's investment or community investment portfolio'."

Councilor Ives said the Community Based Initiatives seem more focused on what the bank is doing in a sort of philanthropic way locally, as opposed to dealing with investment policies as described in the SRI. He said he thinks the request is for that information, because he thinks that is a significant issue, potentially, within our community, and it's not asked by way of trying to exclude anybody, but trying to understand their investment policies in that regard.

Mr. Johnson agreed with Councilor Ives. He said to Mayor Gonzales point, he thinks incorporating the word "social," after "environment," because that specifically pertains to the bank's investment portfolio, would capture that area of concern.

Councilor Ives asked to include the word "investing" in there as well, or is that objectionable.

Mr. Johnson asked if it is "investment policy," because it says they "include and is not limited to the bank's investment portfolio," so we're asking specifically, regarding their environmental policies related to their investments.

Councilor Ives said "environmental" is certainly a parcel of social impact investment.

Mr. Johnson said, "Socially Responsible Investment" as well.

Councilor Ives said we would like to hear from you on that point. It doesn't compel them to provide information on that point. But we think that's something we've certainly heard from the citizens of Santa Fe that that's a not insignificant issue within their consciousness as evidenced by the Dakota Pipeline presentations or public comments back a number of meetings ago. It's really an effort to understand the financial institutions' wherewithal in that regard.

Mr. Johnson said, "Certainly. I think, so for clarification, Mayor, Councilors, provide the bank's environmental policy and separately provide the bank's investment policy with specific regard to social and environmentally responsible investing."

Councilor Harris said, "Yes, I think that's fine. I believe staff has spent a lot of time thinking this through and I applaud them for that, and I think they've tried to balance their fiduciary responsibility with their direction that they've heard from different people in public comment as well as from this body. So really, I think you've done a good job and I think you continue to do a good job in listening to the Councilors. So if we can agree on the language just recited I think that would be fine. I wonder if it would create a problem if you say, instead of "may," this "should include but not be limited to the bank." That is a duplication of the language we just added, but if we want them to provide it, let's say they should."

[STENOGRAPHER'S NOTE: No formal action was taken regarding the proposed language changes to the proposed RFP as set out above, but it is presumed that the proposed language was agreed on by the members of the Governing Body]

Mayor said, "Then we're all good on the language. And I echo what Councilor Harris said. You really take the time to understand the sentiment of the Council. I know these procurements go to best price, best service and this is expanding this a little bit to show best value as it relates to community participation and opportunity. I think is something in line with the values of our citizens and moves us beyond this. And I do think that as we think of some of the large contracts for future procurement policy, being able to look at some of this language, and asking more of our contractors. Show us what we're doing to enhance community benefits. And I know that in some procurement laws they look at some community benefit clauses that are in place as part of the procurement evaluations, or being able to dedicate contracts before that."

Mayor Gonzales continued, "So, I would love for you Robert [Rodarte] to think about that as you think through some of the policies so that we're asking those questions more of our contractors. I know we dealt with that, particularly also, with a big security contract and some of the others that are out there. But being able to create an expectation that vendors for the City are expected to have some commitment to the community which they are providing a service to, that that is something that will be part of this evaluation process. We could not have picked a bigger one or finer one to go after on this. If you get it on this one, you'll be able to do it on all of them. Thank you Adam."

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

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

Against: None.

END OF CONSENT CALENDAR DISCUSSION

11. **CASE NO. 2017-015. REQUEST FOR APPROVAL OF THE RECOMMENDATION OF THE CITY ATTORNEY, PURSUANT TO SANTA FE CITY CODE SECTION 14-3.17(D)(6), THAT THE GOVERNING BODY DISMISS THE APPEAL OF RICHARD FOLKS, FRED ROWE, GREATER CALLECITA NEIGHBORHOOD ASSOCIATION AND THE NEIGHBORHOOD NETWORK, FROM THE FEBRUARY 2, 2017 DECISION OF THE PLANNING COMMISSION TO APPROVE THE HACIENDAS DEL MIRASOL'S REQUEST FOR A FINAL SUBDIVISION PLAT AT 700 HYDE PARK ROAD. (ZACHARY SHANDLER)**

Zachary Shandler, Assistant City Attorney, presented information from his Memorandum, with attachments, dated March 16, 2017 for the March 29, 2017 meeting of the Governing Body, Zachary Shandler, Assistant City Attorney, to members of the Governing Body in this matter, which is in the Governing Body Packet. Please see this Memorandum for specifics of this presentation.

Mr. Shandler said, "Tonight's Appeal is a repeat of the same issues, the same parties, that we debated just a few weeks ago. Therefore, under legal doctrines, you don't have to hear the same appeal twice on the same issue. The City Attorney's Office is asking for dismissal. A vote of dismissal will still be a final action, appealable to District Court, so you're not foreclosing their appeal rights by voting today. The memo has proposed motions."

MOTION: Councilor Rivera moved, seconded by Councilor Maestas, to grant the City Attorney's Motion to dismiss the Appeal in Case No. 2017-15, and request Staff prepare for the Governing Body any necessary Findings of Fact and Conclusions of law reflecting this decision."

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

For: Mayor Gonzales, Councilor Dominguez, Councilor Lindell, Councilor Maestas, Councilor Rivera, Councilor Trujillo and Councilor Villarreal.

Against: Councilor Ives

Absent for the vote: Councilor Harris

MOTION: Councilor Dominguez moved, seconded by Councilor Ives, to reconsider the previous approval of the agenda, to go directly into the Evening Session at this time, and to move Items #12 through #15 to the end of the Evening Session.

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

END OF AFTERNOON SESSION AT APPROXIMATELY 7:05 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 p.m. There was the presence of a quorum as follows:

Members Present

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

Members Excused

Councilor Christopher M. Rivera

Others Attending

Brian K. Snyder, City Manager
Kelley Brennan, City Attorney
Melissa Byers, Assistant City Clerk
Melessia Helberg, Council Stenographer

Councilor Rivera departed the meeting

F. PETITIONS FROM THE FLOOR

David McQuarie, 2997 Calle Cerrada, said he would like to petition the Council, regarding the upcoming budget, to remember you are required to do curb cuts. So in the moneys, for overlay include money for curb cuts. He said right now we have a situation where Engineers say, and I quote, "they are too cheap to give me money for the curb cuts." Therefore he is "putting the monkey on your back," as the ones responsible. He would hate to refer this to the Department of Justice, but he is going to if it continues. He said you have been forewarned. You know your City staff will not remind you, you have been reminded by a citizen that it is required by law. Secondly, and the most important thing, as you know our Committee under plan review is required to review plans. However, the ones that come through Engineering that involve curb cuts will give the excess to the enabled but not the disabled. That is a strict violation of civil rights. Last summer you passed an ordinance *[inaudible]* on the signs parking. However, we are committed and cannot find out what are *[inaudible]* the new signs going to look like. We've been told they are changed. We have had Mr. Correia to our meetings many times, but we can't get *[inaudible]*. I read an article on March 12th, the Opinion Page in *The New Mexican* where Ms. Maes was very confused in asking

questions. To tell you the truth, I'm just as confused as her in what she says and what the Ordinance says. He said please clarify this. We need help. Tell the staff that they are working for the Council and we need answers, we need straight answers, and not one day saying one thing, and the next day say another and a third time say something different to you. Please help. Thank you.

Maggie Andersson, 207 Old Santa Fe Trail, congratulated the City on receiving the Legacy Award, which is a really big deal. She hopes you use that to promote the City, whether influencing the State, the Visitors Bureau, whoever that is. She wanted to take the opportunity to caution against the idea of Preservation as stagnation. She said she is thinking about this in looking at 311 Old Santa Fe Trail, knowing budget is coming up and we have extra money. She thinks it would be cool to really see what the desires of the people of Santa Fe are, in terms of preservation and what that means to us, and not just to a small group of people, but to the entire City and what it means now. She worries that we have stagnated a little bit, and what do we preserve – what was here 150 ago. She said 311 Old Santa Trail could be “really fun to represent some of that,” but you can't, because the Ordinances don't allow for it. It got her to thinking about that, and she thinks now might be a great time to really think about what it is we want as a community, because it does affect our economics, who we are in our culture and our values.

G. APPOINTMENTS

There were no appointments.

H. PUBLIC HEARINGS

- 1) **REQUEST FROM MANITOU GALLERIES FOR A WAIVER OF THE 300 FOOT LOCATION RESTRICTION AND APPROVAL TO ALLOW THE DISPENSING/ CONSUMPTION OF WINE AT MANITOU GALLERIES, 225 CANYON ROAD, SUITE 11, WHICH IS WITHIN 300 FEET OF THE CATHEDRAL BASILICA OF ST. FRANCIS OF ASSISI, 131 CATHEDRAL PLACE AND THE NEW MEXICO SCHOOL FOR THE ARTS, 275 EAST ALAMEDA STREET. THE REQUEST IS FOR THE FOLLOWING EVENTS, WITH ALCOHOL SERVICE TIMES NOTED:**
 - **APRIL 21, 2017 (5:00 P.M. TO 7:00 P.M.) - COLLECTORS VIP RECEPTION;**
 - **MAY 26, 2017 (5:00 P.M. TO 7:00 P.M.) - ROBERT HIGHSMITH EXHIBITION;**
 - **JUNE 24, 2017 (5:30 P.M. TO 7:30 P.M.) - PRIVATE RECEPTION;**
 - **JUNE 30, 2017 (5:00 P.M. TO 7:00 P.M.) - DON BRACKET AND P.J. GAROUTTE EXHIBITION;**
 - **JULY 21, 2017 (5:00 P.M. TO 7:00 P.M.) - GAIL GASH-TAYLOR & SKYHORSE EXHIBITION;**
 - **AUGUST 17 & 18, 2017 (5:00 P.M. TO 7:00 P.M.) - AAGARD & RHYMER EXHIBITION; AND**
 - **SEPTEMBER 15, 2017 (5:00 P.M. TO 7:00 P.M.) - JEFF COCHRAN EXHIBITION.**

(YOLANDA Y. VIGIL)

A Memorandum dated March 23, 2017, with attachments, prepared by Yolanda Y. Vigil, City Clerk, to Mayor Gonzales & City Councilors, which is in the Council packet. Ms. Vigil noted that in the Council packet, there are letters of no opposition from the Reverend Adam Lee Ortega y Ortiz, The Cathedral Basilica of St. Francis of Assisi and Cindy Montoya, New Mexico School for the Arts.

Public Hearing

There was no one speaking to this request

The Public Hearing was closed

MOTION: Councilor Ives moved, seconded by Councilor Trujillo, to approve the request for a waiver of the 300 foot location restriction and to allow the dispensing/consumption of wine for the following events with the alcohol service times noted:

- April 21, 2017 (5:00 P.m. to 7:00 P.m.) - Collectors VIP Reception;
- May 26, 2017 (5:00 P.m. to 7:00 P.m.) - Robert Highsmith Exhibition;
- June 24, 2017 (5:30 P.m. to 7:30 P.m.) - Private Reception;
- June 30, 2017 (5:00 P.m. to 7:00 P.m.) - Don Bracket and P.j. Garoutte Exhibition;
- July 21, 2017 (5:00 P.m. to 7:00 P.m.) - Gail Gash -Taylor & Skyhorse Exhibition;
- August 17 & 18, 2017 (5:00 P.m. to 7:00 P.m.) - Aagard & Rhymer Exhibition; and
- September 15, 2017 (5:00 P.m. to 7:00 P.m.) - Jeff Cochran Exhibition.

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

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

Against: None.

- 2) **CONSIDERATION OF BILL NO. 2017-5: ADOPTION OF ORDINANCE NO. 2017-5 (COUNCILOR RIVERA). AN ORDINANCE AUTHORIZING THE EXECUTION AND DELIVERY OF A LOAN AGREEMENT BY AND BETWEEN THE CITY OF SANTA FE, NEW MEXICO (THE "GOVERNMENTAL UNIT"), AND THE NEW MEXICO FINANCE AUTHORITY, EVIDENCING A SPECIAL, LIMITED OBLIGATION OF THE GOVERNMENTAL UNIT TO PAY A PRINCIPAL AMOUNT OF \$1,300,582 FOR THE PURPOSE OF ACQUIRING EQUIPMENT OR ITS ENVIRONMENTAL SERVICES DEPARTMENT AND PAYING A LOAN PROCESSING FEE; PROVIDING FOR THE PLEDGE AND PAYMENT OF THE PRINCIPAL AND INTEREST DUE UNDER THE LOAN AGREEMENT SOLELY FROM THE NET REVENUES OF THE CITY'S ENVIRONMENTAL SERVICES ENTERPRISE FUND; APPROVING THE FORM AND TERMS OF, AND OTHER DETAILS CONCERNING THE LOAN AGREEMENT; SETTING THE INTEREST RATE ON THE LOAN; RATIFYING ACTIONS HERETOFORE**

TAKEN; REPEALING ALL ACTION INCONSISTENT WITH THIS ORDINANCE;
DECLARING THE OFFICIAL INTENT OF THE GOVERNMENTAL UNIT TO
REIMBURSE ITSELF WITH THE PROCEEDS OF THE LOAN AGREEMENT FOR
CAPITAL EXPENDITURES PAID FOR THE PROJECT PRIOR TO THE CLOSING OF
THE LOAN; IDENTIFYING THE CAPITAL EXPENDITURES AND THE FUNDS TO BE
USED FOR SUCH PAYMENT; AND AUTHORIZING THE TAKING OF OTHER ACTIONS
IN CONNECTION WITH THE EXECUTION AND DELIVERY OF THE LOAN
AGREEMENT (COUNCILOR RIVERA AND COUNCILOR IVES). (SHIRLENE SITTON)

Public Hearing

There was no speaking to this request

The Public Hearing was closed

MOTION: Councilor Lindell moved, seconded by Councilor Ives, to adopt Ordinance No. 2017-5 as presented.

DISCUSSION: Councilor Ives said he would join as a cosponsor.

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

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

Against: None.

- 3) **BILL NO. 2017-4: AN ORDINANCE AMENDING SUBSECTION 23-6.2 SFCC 1987, TO PERMIT THE SALE AND CONSUMPTION OF ALCOHOL AT THE RAILYARD PARK FOR THE BIKE AND BREW EVENT (COUNCILOR LINDELL, COUNCILOR VILLARREAL AND COUNCILOR IVES). (ALFRED WALKER) (Withdrawn)**

END OF PUBLIC HEARINGS

THE GOVERNING BODY THEN RETURNED TO THE AFTERNOON AGENDA

12. MATTERS FROM THE CITY MANAGER

There were no matters from the City Manager.

14. MATTERS FROM THE CITY CLERK

Melissa Byers, Assistant City Clerk, said Absentee voting started on Tuesday, March 28, 2017, to continue through April 28, 2017, 8:00 a.m. to 5:00 p.m., in the Office of the City Clerk. She said beginning Wednesday, April 12, 2017, there will be an Early Voting Site at Genoveva Chavez, open Tuesday through Saturday from 9:00 a.m. to 6:00 p.m..

15. COMMUNICATIONS FROM THE GOVERNING BODY

A copy of "*Bills and Resolutions scheduled for introduction by members of the Governing Body – Amended*," for the Council meeting of March 29, 2017, is incorporated herewith to these minutes as Exhibit "1."

Councilor Maestas

Councilor Maestas asked to be added as a cosponsor of Councilor Harris' Resolution.

Councilor Trujillo

Councilor Trujillo said he had no communications.

Councilor Harris

Councilor Harris introduced a Resolution supporting the Sixth Annual Neighbor to Neighbor Food Drive, authorizing the use of City vehicles and manpower to assist with collection of donations; and making a commitment for support on an annual basis. A copy of the Resolution is incorporated herewith to these minutes as Exhibit "2."

Councilor Harris said we hear from David McQuarie every session, and believes he is making valid points and he is consistent. He said he would note we are anticipating a new FTE for ADA Coordinator in the budget, and hopes we do get to that point.

Councilor Harris said regarding LEDA grants, he will be introducing a Resolution. He said the Second Street Brewery has been awarded a LEDA grant of \$100,000 for its new facility on Rufina, which is nearing completion.

Councilor Lindell

Councilor Lindell introduced the following:

1. An Ordinance amending Subsection 23-5.4 SFCC 1987, to prohibit smoking in the Plaza Park during Santa Fe Bandstand events. A copy of the proposed Ordinance is incorporated herewith to these minutes as Exhibit "3."
2. A Resolution amending Table 80 of the City of Santa Fe Impact Fee Capital Improvements Plan 2020, regarding planned major road improvements and adding "Jaguar Drive Airport Extension," from the west side of the NM599/Jaguar Drive intersection to Aviation Drive at the Santa Fe Municipal Airport as an eligible project to receive "Roads" Impact Fees. A copy of the Resolution is incorporated herewith to these minutes as Exhibit "4."

Councilor Lindell said she is starting the process of a review of the Historic Code.

Mayor Gonzales said it is timely in view of comments from the public, in the name of preservation, that we don't become stagnant, and we are able to use it as a means to be able to thrive.

Councilor Harris said he keeps a list of "missed opportunities," and at the top of that list is the Manderfield School where a coffee shop was proposed. He said that was a huge missed opportunity.

Mayor Gonzales

Mayor Gonzales introduced the following:

1. A Resolution directing the City Manager to request staff to explore available sources of funding that would match the \$5 million financial need for the New Mexico School for the Arts. A copy of the Resolution is incorporated herewith to these minutes as Exhibit "5."
2. A Resolution amending Table 80 of the City of Santa Fe Impact Fee Capital Improvements Plan 2020, regarding planned major road improvements and adding "Paseo del Sol extension," as an eligible project to receive "Roads" Impact Fees. A copy of the Resolution is incorporated herewith to these minutes as Exhibit "6."

Councilor Dominguez

Councilor Dominguez asked to be added as a cosponsor of Councilor Harris's Resolution, and as a cosponsor of Councilor Lindell's Ordinance amendment to prohibit smoking in Plaza Park during Santa Fe Bandstand events.

Councilor Dominguez introduced an Ordinance amending Section 7-4.2 SFCC 1987, Residential Green Building Code, to be consistent with the 2015 International Residential Code and adding Radon mitigation. A copy of the Ordinance s incorporated herewith to these minutes as Exhibit "7."

Councilor Villarreal

Councilor Villarreal said she is introducing a Substitute Bill, a Resolution requesting the Finance Department staff to provide the Governing Body with an assessment of the current financial management practices as they pertain to the findings in the Public Banking Feasibility Study; and creating a task force to determine the procedures, timelines and requirements that would be necessary to establish a chartered public bank and to make recommendations to the Governing Body in preparation for the Governing Body to make an informed decision. Councilor Villarreal said the Resolution should be assigned to the Finance Committee and the Governing Body.

Councilor Villarreal asked to be added as a cosponsor of Councilor Harris's Resolution, and as a cosponsor of Councilor Lindell's Ordinance amendment to prohibit smoking in Plaza Park during Santa Fe Bandstand events.

Councilor Ives

Councilor Ives noted he is cosponsor of Mayor Gonzales's Resolution amending Table 80 of the City for the Paseo del Sol extension, as well as and Councilor Villarreal's Resolution. He would also join as a cosponsor of Mayor Gonzales's Resolution directing the City Manager to request staff to explore available sources of funding to match the \$5 million financial needs of the New Mexico School for the Arts. He said he would join as cosponsor of Councilor Harris's Resolution, and as a cosponsor of Councilor Lindell's Ordinance amendment to prohibit smoking in Plaza Park during Santa Fe Bandstand events.

Councilor Ives introduced an Ordinance relating to the Land Development Code, Chapter 14 SFCC 1987, amending Subsection 14-6.3(D)(1) to amend the standards for accessory dwelling units and making such other stylistic or grammatical changes that are necessary. . A copy of the Ordinance s incorporated herewith to these minutes as Exhibit "8."

13. MATTERS FROM THE CITY ATTORNEY EXECUTIVE SESSION

IN ACCORDANCE WITH THE NEW MEXICO OPEN MEETINGS ACT NMSA 1978, SECTION 10-15-1(H)(7) AND (8), DISCUSSIONS SUBJECT TO THE ATTORNEY-CLIENT PRIVILEGE PERTAINING TO THREATENED OR PENDING LITIGATION IN WHICH THE CITY OF SANTA FE IS OR MAY BECOME A PARTICIPANT INCLUDING, WITHOUT LIMITATION, CASE NO. 1:17 CV00355, *CNSP D/B/A NMSURF V. THE CITY OF SANTA FE*, AND DISCUSSION ON THE PURCHASE, ACQUISITION OR DISPOSAL OF REAL PROPERTY OR WATER RIGHTS BY THE CITY OF SANTA FE. (KELLEY BRENNAN)

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

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

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

Against: None.

Absent for the vote: Councilor Lindell

The Council went into Executive Session at 7:25 p.m.

MOTION TO COME OUT OF EXECUTIVE SESSION

MOTION: At 8:05 p.m. Councilor Ives moved, seconded by Councilor Lindell, that the City Council come out of Executive Session and stating for the record that the discussion in Executive Session was limited to the matters noted on the agenda

DISCUSSION: Mayor Gonzales asked Ms. Brennan, for the record, to disclose what was discussed in Executive Session.

Ms. Brennan said, "Generally, we discussed the news today and its implications for the City..."

Mayor Gonzales said, "You are saying as it relates to the Santa Fe University of Arts and Design."

Ms. Brennan said, "Yes. Yes. And its implications for the City and actions that we are taking and will continue to take in response."

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

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

Against: None.

Mr. Snyder said the Budget Hearing scheduled for tomorrow, Thursday March 30, 2017, will be postponed. He said there was a problem with the OpenGov program. He said they want to be sure everything is in order before it is presented, and hope to reconvene the Budget Hearings on Friday. He will keep the Finance Committee, the Governing Body as well as the public, aware of the next time the proposed Budget Hearings will be held.

Councilor Maestas asked if there is a revised schedule, or if we are going to compress everything into Friday, or is there a possibility of having a session on Monday.

Councilor Dominguez, Finance Committee Chair, said he will work with staff to come up with a realistic schedule. He said when he was working with Adam [Johnson] on the schedule, they purposely left some dates "in our back pocket" in the event we needed to move to them. He said once he has everything squared away, he will make sure everyone knows the revised schedule.

Mr. Snyder said he would hope that throughout the day tomorrow we can confirm everything is in Order, and since it is has already been scheduled for Friday, we would start where we left off, and work with your schedules for future days, as well as to make sure staff is available.

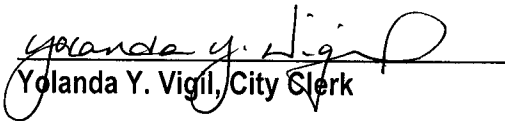
I. ADJOURN

There was no further business to come before the Governing Body, and upon completion of the Agenda, the meeting was adjourned at approximately 8:10 p.m.

Approved by:


Mayor Javier M. Gonzales

ATTESTED TO:


Yolanda Y. Vigil, City Clerk

Respectfully submitted:


Melessia Helberg, Council Stenographer



CITY COUNCIL MEETING OF
March 29, 2017
BILLS AND RESOLUTIONS SCHEDULED FOR INTRODUCTION
BY MEMBERS OF THE GOVERNING BODY

Mayor Javier Gonzales		
Co-Sponsors	Title	Tentative Committee Schedule
	A RESOLUTION DIRECTING THE CITY MANAGER TO REQUEST STAFF TO EXPLORE AVAILABLE SOURCES OF FUNDING THAT WOULD MATCH THE \$5 MILLION FINANCIAL NEED FOR THE NEW MEXICO SCHOOL FOR THE ARTS.	Finance Committee - 4/17/17 City Council - 4/26/17
Ives	A RESOLUTION AMENDING TABLE 80 OF THE CITY OF SANTA FE IMPACT FEE CAPITAL IMPROVEMENTS PLAN 2020 REGARDING PLANNED MAJOR ROAD IMPROVEMENTS AND ADDING "PASEO DEL SOL EXTENSION" AS AN ELIGIBLE PROJECT TO RECEIVE "ROADS" IMPACT FEES.	Public Works Committee - 4/10/17 Finance Committee - 4/17/17 City Council - 4/26/17
Councilor Carmichael Dominguez		
Co-Sponsors	Title	Tentative Committee Schedule
	AN ORDINANCE AMENDING SECTION 7-4.2 SFCC 1987, RESIDENTIAL GREEN BUILDING CODE TO BE CONSISTENT WITH THE 2015 INTERNATIONAL RESIDENTIAL CODE AND ADDING RADON MITIGATION.	Finance Committee - 4/17/17 City Council (request to publish) - 4/26/17 City Council (public hearing) - 5/31/17
Councilor Mike Harris		
Co-Sponsors	Title	Tentative Committee Schedule
Lindell	A RESOLUTION SUPPORTING THE SIXTH ANNUAL NEIGHBOR TO NEIGHBOR FOOD DRIVE; AUTHORIZING THE USE OF CITY VEHICLES AND MANPOWER TO ASSIST WITH COLLECTION OF THE DONATIONS; AND MAKING A COMMITMENT FOR SUPPORT ON AN ANNUAL BASIS.	Finance Committee - 4/17/17 City Council - 4/26/17

Councilor Peter Ives		
Co-Sponsors	Title	Tentative Committee Schedule
	AN ORDINANCE RELATING TO THE LAND DEVELOPMENT CODE, CHAPTER 14 SFCC 1987; AMENDING SUBSECTION 14-6.3(D)(1) TO AMEND THE STANDARDS FOR ACCESSORY DWELLING UNITS; AND MAKING SUCH OTHER STYLISTIC OR GRAMMATICAL CHANGES THAT ARE NECESSARY.	Planning Commission – 4/6/17 Public Works Committee - 4/10/17 City Council (request to publish) - 4/12/17 Finance Committee - 5/1/17 City Council (public hearing) - 5/10/17
Councilor Signe Lindell		
Co-Sponsors	Title	Tentative Committee Schedule
	AN ORDINANCE AMENDING SUBSECTION 23-5.4 SFCC 1987 TO PROHIBIT SMOKING IN THE PLAZA PARK DURING SANTA FE BANDSTAND EVENTS.	Public Works Committee – 4/10/17 City Council (request to publish) - 4/12/17- Finance Committee – 5/1/17 City Council (public hearing) 5/10/17
	A RESOLUTION AMENDING TABLE 80 OF THE CITY OF SANTA FE IMPACT FEE CAPITAL IMPROVEMENTS PLAN 2020 REGARDING PLANNED MAJOR ROAD IMPROVEMENTS AND ADDING “JAGUAR DRIVE AIRPORT EXTENSION” FROM THE WEST SIDE OF THE NM599/JAGUAR DRIVE INTERCHANGE TO AVIATION DRIVE AT THE SANTA FE MUNICIPAL AIRPORT AS AN ELIGIBLE PROJECT TO RECEIVE “ROADS” IMPACT FEES.	Public Works Committee - 4/10/17 Finance Committee - 4/17/27 City Council - 4/26/17
Councilor Joseph Maestas		
Co-Sponsors	Title	Tentative Committee Schedule
Councilor Chris Rivera		
Co-Sponsors	Title	Tentative Committee Schedule
Councilor Ron Trujillo		
Co-Sponsors	Title	Tentative Committee Schedule

Councilor Renee Villarreal		
Co-Sponsors	Title	Tentative Committee Schedule
Dominguez Maestas Ives	A RESOLUTION REQUESTING THE FINANCE DEPARTMENT STAFF TO PROVIDE THE GOVERNING BODY WITH AN ASSESSMENT OF THE CURRENT FINANCIAL MANAGEMENT PRACTICES AS THEY PERTAIN TO THE FINDINGS IN THE PUBLIC BANKING FEASIBILITY STUDY; AND CREATING A TASK FORCE TO DETERMINE THE PROCEDURES, TIMELINES AND REQUIREMENTS THAT WOULD BE NECESSARY TO ESTABLISH A CHARTERED PUBLIC BANK AND TO MAKE RECOMMENDATIONS TO THE GOVERNING BODY IN PREPARATION FOR THE GOVERNING BODY TO MAKE AN INFORMED DECISION.	City Business Quality of Life Committee - 4/12/17 Finance Committee - 4/17/17 City Council - 4/26/17

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.

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

2 **RESOLUTION NO. 2017-__**

3 **INTRODUCED BY:**

4
5 Councilor Mike Harris

Councilor Signe I. Lindell

6 Councilor Carmichael Dominguez

Councilor Renee Villarreal

7 Councilor Peter Ives

Councilor Joseph Maestas

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10 **A RESOLUTION**

11 **SUPPORTING THE SIXTH ANNUAL NEIGHBOR TO NEIGHBOR FOOD DRIVE;**
12 **AUTHORIZING THE USE OF CITY VEHICLES AND MANPOWER TO ASSIST WITH**
13 **COLLECTION OF THE DONATIONS; AND MAKING A COMMITMENT FOR**
14 **SUPPORT ON AN ANNUAL BASIS.**

15
16 **WHEREAS,** New Mexico consistently ranks as one of the worst states for food security;
17 and

18 **WHEREAS,** each week in New Mexico, more than 70,000 people seek food assistance;
19 and

20 **WHEREAS,** over 26,000 people live in poverty in Santa Fe County, with over 7,800
21 children in poverty; and

22 **WHEREAS,** in our community, one in three children are affected by hunger; and

23 **WHEREAS,** research has demonstrated children who go without adequate healthy food
24 cannot thrive nor learn well; and

25 **WHEREAS,** public and private partnerships can both feed children and improve the

1 local agricultural economy; and

2 **WHEREAS**, in Northern New Mexico, it is the mission of The Food Depot to end
3 hunger in this area; and

4 **WHEREAS**, within the city of Santa Fe, nearly 10% of low-income families live a mile
5 or more from the nearest grocery store; and

6 **WHEREAS**, The Food Depot fulfills this goal through serving as the food bank for nine
7 Northern New Mexico counties, providing food to more than 145 nonprofit agencies including
8 emergency food pantries, hot meal programs, homeless shelters, youth programs, senior centers,
9 homes for the mentally disabled and shelters for battered persons; and

10 **WHEREAS**, in 2016, The Food Depot distributed an average of 520,000 pounds of food
11 each month, providing more than 430,000 meals to people in need, including the most vulnerable
12 in our community; and

13 **WHEREAS**, more than just feeding people, The Food Depot is trying to help people
14 change their lives; and

15 **WHEREAS**, since 2011, the neighborhoods in Santa Fe area have participated in
16 donating food to The Food Depot through an area-wide Neighborhood Association “Neighbor to
17 Neighbor” Food Drive, every September in conjunction with the national “Hunger Action
18 Month” and

19 **WHEREAS**, this food drive has grown exponentially over the last six years; and

20 **WHEREAS**, in 2015, 37 neighborhoods donated a total of 10 tons, or 20,546 pounds of
21 food to this drive, therefore providing 17,122 meals for those in need; and

22 **WHEREAS**, in 2016, 77 neighborhoods donated in combination of pounds of food and
23 monetary donations, a grand total of over 48 tons or 96,000 pounds of food to this drive,
24 therefore providing 80,000 meals for those in need; and

25 **WHEREAS**, on Saturday, September 16, 2017, the Neighborhood Associations and

1 Communities of the Santa Fe area will again band together for the Sixth Annual Area-Wide
2 “Neighbor to Neighbor Food Drive”.

3 **WHEREAS**, the success of this program over the preceding six years ensures that this
4 will continue to be an annual event that neighborhood associations across the city look forward to
5 participating in each year, with the encouragement and support of the city and its elected officials.

6 **NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF**
7 **THE CITY OF SANTA FE** that they support and encourage the efforts of the sixth annual
8 “Neighbor to Neighbor Food Drive” on September 16, 2017.

9 **BE IT FURTHER RESOLVED** that the city councilors and appropriate staff as
10 determined by the City Manager and in conjunction with organizers of the “Neighbor to Neighbor
11 Food Drive”, is directed to help inform all neighborhoods in Santa Fe of this event and to assist
12 the neighborhoods and The Food Depot in collecting the food donations that are collected through
13 this drive, providing trucks and manpower, as well as working together cooperatively with the
14 county, so that we may all “Stand Together” to help stop hunger in our northern New Mexico
15 communities.

16 **BE IT FURTHER RESOLVED** that the Governing Body hereby makes a commitment
17 to provide appropriate support to the “Neighbor to Neighbor Food Drive” on an annual and
18 recurring basis.

19
20 PASSED, APPROVED AND ADOPTED this ____ day of _____, 2017.

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22 _____
23 JAVIER M. GONZALES, MAYOR

24 ATTEST:
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YOLANDA Y. VIGIL, CITY CLERK

APPROVED AS TO FORM:

KELLEY A. BRENNAN, CITY ATTORNEY

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M/Legislation/Resolutions 2017/Neighbor to Neighbor Food Drive Annual

CITY OF SANTA FE, NEW MEXICO

BILL NO. 2017-__

INTRODUCED BY:

Councilor Signe I. Lindell

Councilor Carmichael Dominguez

Councilor Renee Villarreal

Councilor Peter Ives

AN ORDINANCE

**AMENDING SUBSECTION 23-5.4 SFCC 1987 TO PROHIBIT SMOKING IN THE
PLAZA PARK DURING SANTA FE BANDSTAND EVENTS.**

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

**Section 1. Subsection 23-5.4 SFCC 1987 (being Ord. #1995-17, as amended) is
amended to read:**

23-5.4 Plaza Prohibited Uses.

A. No person shall:

- (1) Propel or operate a skateboard on the Plaza, as defined;
- (2) Ride a bicycle or unicycle within the Plaza Park, as defined; or
- (3) Project, throw, kick or strike any type of recreational object except as

otherwise permitted within the Plaza Park, as defined.

(4) Smoke cigarettes, cigars, pipes or any other device that produces smoke
and/or odor beginning one (1) hour before Santa Fe Bandstand events until the end of the
event within the Plaza Park, as defined.

1 B. During major commercial events, the following activities and uses are prohibited
2 on the Plaza, as defined:

3 (1) Riding bicycles or unicycles, except by assigned city police officers and
4 paramedics;

5 (2) Projecting, throwing, kicking or striking any type of recreational object;

6 (3) Permitting or allowing animals to be present, unless the animals are on a
7 leash or otherwise accompanied by a human or unless one of the following applies:

8 (a) Animals are permitted or allowed as part of a designated
9 event, as sanctioned by the city, such as the Rodeo Parade, the Desfile de
10 los Ninos, and the Fiesta Parade; or

11 (b) The animals are service animals; and

12 (4) Propelling or operating roller skates or in-line skates.

13 C. Any person who violates any of the provisions of this section shall be punished
14 according to the provisions of Section 1-3 of this Code. It shall be the duty of the police
15 department to enforce diligently the provisions of this section by issuing:

16 (1) A warning for the first offense;

17 (2) A fifty dollar (\$50.) fine for the second offense;

18 (3) A one hundred dollar (\$100.) fine for the third offense.

19 D. Notwithstanding the provisions of this section, the playing of hacky sack in the
20 Plaza Park shall not be prohibited in the southeast grassed quadrant of the Plaza Park as long as
21 due care for the safety of the public is exercised. The playing of hacky sack shall not take place
22 on walkways in the Plaza Park.

1 APPROVED AS TO FORM:

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4 KELLEY A. BRENNAN, CITY ATTORNEY

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25 *M/Legislation/Bills 2017/Bandstand No Smoking*

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

2 **RESOLUTION NO. 2017-____**

3 **INTRODUCED BY:**

4
5 Councilor Signe I. Lindell

6
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10 **A RESOLUTION**

11 **AMENDING TABLE 80 OF THE CITY OF SANTA FE IMPACT FEE CAPITAL**
12 **IMPROVEMENTS PLAN 2020 REGARDING PLANNED MAJOR ROAD**
13 **IMPROVEMENTS AND ADDING "JAGUAR DRIVE AIRPORT EXTENSION" FROM THE**
14 **WEST SIDE OF THE NM599/JAGUAR DRIVE INTERCHANGE TO AVIATION DRIVE**
15 **AT THE SANTA FE MUNICIPAL AIRPORT AS AN ELIGIBLE PROJECT TO RECEIVE**
16 **"ROADS" IMPACT FEES.**

17
18 **WHEREAS**, on August 27, 2014, the Governing Body approved Resolution No. 2014-71
19 adopting the *Impact Fee Capital Improvements Plan 2020* (the "*IFCIP 2020*") for the city of Santa
20 Fe; and

21 **WHEREAS**, Appendix G: "Capital Facility Plans" of the *IFCIP 2020* included Table 80,
22 "*Planned Major Road Improvements, 2014-2020*", that specified roads to be improved and eligible to
23 receive roadway impact fee funds; and

24 **WHEREAS**, the City of Santa Fe has identified the need for additional capital
25 improvements, specifically construction of an extension of Jaguar Drive from the west side of the

existing NM 599/Jaguar Drive interchange to Aviation Drive at the Santa Fe Municipal Airport (the “capital improvements”); and

WHEREAS, the City of Santa Fe deems the capital improvements important to enhancing road capacity by completing the final roadway connection from Cerrillos Road to the Santa Fe Municipal Airport via Jaguar Drive and by improving access to the Santa Fe Municipal Airport and thereby air travel in general; and

WHEREAS, Section 14-8.14(I) SFCC 1987, in accordance with the New Mexico Development Fees Act (5-8-1 NMSA 1978), provides that credits against impact fees shall be provided for “*contributions made by developers toward the cost of capital improvements or facility expansions identified in the Impact Fees Capital Improvements Plan and eligible for funding with impact fees...*”; and that in order to receive credits against impacts fees a developer must enter into an “*impact fee credit agreement*” with the City of Santa Fe; and

NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF SANTA FE that Appendix G, Table 80, “*Planned Major Road Improvements 2014-2020*” of the *IFCIP 2020* is amended to include the following under “Project Name”, “Location” and “Cost Estimate”:

<u>Project Name</u>	<u>Location</u>	<u>Cost Estimate</u>
Jaguar Drive Airport Extension	Western terminus of NM 599/Jaguar Drive Interchange to Aviation Drive at the Santa Fe Municipal Airport	\$1,700,000

BE IT FURTHER RESOLVED that the *IFCIP 2020* shall not be amended until the City of Santa Fe enters into an impact fee credit agreement for the capital improvements specified herein.

PASSED, APPROVED, and ADOPTED this _____ day of _____, 2017.

JAVIER M. GONZALES, MAYOR

ATTEST:

YOLANDA Y. VIGIL, CITY CLERK

APPROVED AS TO FORM:

KELLEY A. BRENNAN, CITY ATTORNEY

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

2 **RESOLUTION NO. 2017-__**

3 **INTRODUCED BY:**

4
5 Mayor Javier M. Gonzales

6 Councilor Peter Ives

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10 **A RESOLUTION**

11 **DIRECTING THE CITY MANAGER TO REQUEST STAFF TO EXPLORE**
12 **AVAILABLE SOURCES OF FUNDING THAT WOULD MATCH THE \$5 MILLION**
13 **FINANCIAL NEED FOR THE NEW MEXICO SCHOOL FOR THE ARTS.**

14
15 **WHEREAS**, in 2008, a bill was passed establishing the first legislatively-created public arts
16 school in the State's history - New Mexico School for the Arts "NMSA"; and

17 **WHEREAS**, in September, 2008, the Public Education Commission of New Mexico
18 approved the School's charter application; and

19 **WHEREAS**, on August 16, 2010, NMSA opened its doors with 138 students from across
20 New Mexico studying core and advanced academics coupled with mastery level dance, music,
21 theater or visual arts; and

22 **WHEREAS**, NMSA is a public/private partnership comprised of the NMSA-Art Institute, a
23 nonprofit art educational institution, and NMSA-Charter School, an accredited New Mexico state
24 charter high school; and

25 **WHEREAS**, NMSA offers pre-professional instruction in the performing and visual arts

1 with rigorous academics leading to a high school diploma; and

2 **WHEREAS**, NMSA's purpose is to provide the highest standards of excellence in
3 preparing New Mexico's artistically talented students to compete in the national arena for post-
4 secondary education and/or professional careers in the arts.

5 **WHEREAS**, students accepted to top post-secondary institutions and arts training
6 programs and have earned more than \$5 million in grants and scholarships; and

7 **WHEREAS**, NMSA has achieved a 95 percent graduation rate among its students; and

8 **WHEREAS**, the US Secretary of Education has named NMSA as a Blue-Ribbon School
9 for closing the achievement gap making it the first school in Santa Fe and the only high school in
10 New Mexico to earn that distinction; and

11 **WHEREAS**, the school has outgrown its current location and has purchased and is
12 renovating the Sanbusco site, which will allow for student population to grow 216 to 400,
13 increasing access for more talented, low-income students; and

14 **WHEREAS**, construction of the new campus at Sanbusco will support 128 permanent
15 local Santa Fe jobs in the fields of teaching, administration, grounds and building maintenance,
16 service industry; and

17 **WHEREAS**, NMSA's expansion will create \$5.9 million dollars in annual economic
18 impact; and

19 **WHEREAS**, the total economic impact of NMSA is estimated to be \$80.3 million over
20 the next ten years.

21 **WHEREAS**, financial assistance would assist NMSA to achieve student goals to:

- 22 1. Receive an education up to, and including, college level instruction in the
23 arts that is aligned with the requirements of entrance into higher education
24 institutions and professional arts programs.
- 25 2. Excel academically and artistically and graduate with a strong academic and

arts education.

3. Develop discipline, a standard of excellence, and self-efficacy in setting and achieving personal goals.

4. Continue their education at post-secondary schools or enter the arts work force.

5. Develop a personal appreciation for the arts that will enrich their future lives.

NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF SANTA FE that the Governing Body requests the City Manager direct staff to explore available sources of funding that would match the \$5 million financial need for the New Mexico School for the Arts.

BE IT FURTHER RESOLVED staff is directed to report regarding funding sources to the Governing Body within (30) days of the adoption of this resolution.

PASSED, APPROVED AND ADOPTED this ____ day of _____, 2017.

JAVIER M. GONZALES, MAYOR

ATTEST:

YOLANDA Y. VIGIL, CITY CLERK

1 APPROVED AS TO FORM:

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4 KELLEY A. BRENNAN, CITY ATTORNEY

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25 *M/Legislation/Resolutions 2017/NM School for the Arts 3_28_17*

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

2 **RESOLUTION NO. 2017-____**

3 **INTRODUCED BY:**

4
5 Mayor Javier Gonzales

6 Councilor Peter Ives

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10 **A RESOLUTION**

11 **AMENDING TABLE 80 OF THE CITY OF SANTA FE IMPACT FEE CAPITAL**
12 **IMPROVEMENTS PLAN 2020 REGARDING PLANNED MAJOR ROAD**
13 **IMPROVEMENTS AND ADDING "PASEO DEL SOL EXTENSION" AS AN ELIGIBLE**
14 **PROJECT TO RECEIVE "ROADS" IMPACT FEES.**

15
16 **WHEREAS**, on August 27, 2014, the Governing Body approved Resolution No. 2014-71
17 adopting the *Impact Fee Capital Improvements Plan 2020* (the "*IFCIP 2020*") for the city of Santa
18 Fe; and

19 **WHEREAS**, Appendix G: "Capital Facility Plans" of the *IFCIP 2020* included Table 80,
20 "*Planned Major Road Improvements, 2014-2020*", that specified roads to be improved and eligible to
21 receive roadway impact fee funds; and

22 **WHEREAS**, the City of Santa Fe has identified the need for additional capital
23 improvements, specifically construction of the extension of Paseo del Sol from its current southern
24 terminus at the Paseo del Sol/Herrera Drive round-about, west through Phase 3 of Tierra Contenta to
25 the current southern terminus of Paseo del Sol West at the Paseo del Sol West/Jaguar Drive

1 intersection (the “capital improvements”); and

2 **WHEREAS**, the City of Santa Fe deems the capital improvements important to enhancing
3 road capacity by completing the final segment of the long-planned Paseo del Sol continuous roadway
4 loop through Tierra Contenta to Airport Road and by relieving Jaguar Drive as the singular east-west
5 connection from Cerrillos Road to NM599 through Tierra Contenta.

6 **NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE**
7 **CITY OF SANTA FE** that Appendix G, Table 80, “*Planned Major Road Improvements 2014-2020*”
8 of the *IFCIP 2020* is amended to include the following under “Project Name”, “Location” and “Cost
9 Estimate”:

<u>Project Name</u>	<u>Location</u>	<u>Cost Estimate</u>
Paseo del Sol Extension	Southern terminus of Paseo del Sol	\$7,000,000
	to southern Terminus of Paseo del Sol West.	

14 PASSED, APPROVED, and ADOPTED this _____ day of _____, 2017.

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 2017/Paseo del Sol Extension

CITY OF SANTA FE, NEW MEXICO

BILL NO. 2017-__

INTRODUCED BY:

Councilor Carmichael A. Dominguez

AN ORDINANCE

**AMENDING SECTION 7-4.2 SFCC 1987, RESIDENTIAL GREEN BUILDING CODE TO BE
CONSISTENT WITH THE 2015 INTERNATIONAL RESIDENTIAL CODE AND ADDING
RADON MITIGATION.**

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

**Section 1. Section 7-4.2 (B) SFCC 1987 (being Ord. #2009-9, as amended) is
amended as follows:**

B. *Residential Green Building Code; Applicability.*

**(1) The provisions of the Santa Fe Residential Green Building Code shall apply
to:**

**(a) new single-family, attached and detached, residential units as defined by
the [2009] 2015 International Residential Code or its successor as adopted by
the city;**

**(b) modular homes which are built off-site and brought onto the site,
provided that the *land use director* may approve exceptions to specific code**

1 requirements upon a showing by the applicant or modular home supplier that
2 compliance would cause undue burden; and

3 (c) Residential additions that provide for living, sleeping, eating, cooking
4 and sanitation. Only the addition is subject to the code provisions, not the
5 existing structure.

6 (2) Upon request of an applicant, applications for permits submitted prior to
7 March 1, 2017, may be issued in compliance with the prior version of Residential
8 Green Building Code. The permit fee in paragraph F of this subsection shall apply.

9 **Section 2. Section 7-4.2 (E) SFCC 1987 (being Ord. #2009-9, as amended) is is**
10 **amended as follows:**

11 E. *Requirements.*

12 (1) Energy performance levels.

13 A documented analysis of the building's energy performance using software
14 in accordance with 2009 ICC IECC Section 405 is required. A projected Home
15 Energy Rating System (HERS) index, or equivalent, shall be submitted as part of a
16 building permit application and a report of the confirmed HERS index, or equivalent,
17 meeting the standards of this section is required prior to issuance of a certificate of
18 occupancy. The required HERS index for residences up to and including 3000
19 square feet of conditioned space shall be 65 until January 1, 2018, when it shall be
20 reduced to 60. The required HERS index for residences over 3000 feet of
21 conditioned space shall be reduced by one point for each 100 square feet of
22 conditioned space over 3000, or pro-rata portion thereof, until the required HERS
23 index is zero and shall be zero for those and larger residences.

24 (2) HERS raters.

25 HERS raters shall be certified to conduct HERS analysis by passing

1 educational courses and obtaining continuing education credits as required by the
2 land use director. In addition HERS raters shall:

3 a. confirm ventilation rates of the ventilation equipment used to satisfy
4 the required house ventilation and report the findings to the land use
5 department;

6 b. supply a report that includes the building components contributing to
7 achievement of the required HERS index to be compared to the building
8 plans submitted for a building permit. Reports approved to supply this
9 information shall be approved by the land use director; and

10 c. supply an estimation of the greenhouse gas emissions avoided and
11 the electricity and natural gas usage avoided when submitting the final or
12 confirmed HERS index. Reports approved to supply this information shall
13 be approved by the land use director.

14 (3) Building envelope insulation values.

15 Building insulation levels shall meet the requirements of overall UA for 2015 IECC.
16 A report of compliance shall be provided to the city as part of a building permit
17 application. Reports approved to supply this information shall be approved by the
18 land use director.

19 (4) Building thermal envelope insulation confirmation.

20 The insulation installers shall provide a certification complying with a template to be
21 provided by the land use department listing the type, manufacturer and R-value of
22 insulation installed in each element of the building thermal envelope. For blown or
23 sprayed insulations (fiberglass and cellulose), the initial installed thickness, settled
24 thickness, settled R-value, installed density, coverage area and number of bags
25 installed shall be listed on the certification. For insulated siding, the R-value shall be

1 listed on the product's package and shall be listed on the certification. The insulation
2 installer shall sign, date and provide the certification in a conspicuous location on the
3 job site. (consistent with 2015 IRC Section N1101.10.1)

4 (5) Air sealing and insulation.

5 The air barrier and insulation installation criteria from Table 402.4.2 from the 2009
6 International Energy Conservation Code shall be visually inspected pursuant to
7 Section 402.4.2.2 whether or not the testing option from Section 402.4.2.1 has been
8 achieved. Insulation values shall be verified to match those used to obtain the
9 required HERS rating.

10 (6) Duct installation.

11 The installation instructions for heating, ventilation and air conditioning equipment
12 shall be made available to the inspector conducting the duct installation inspection to
13 ensure ducting meets the manufacture's specifications. It shall be located on the
14 equipment or in a conspicuous location adjacent to the equipment to be easily located
15 by the inspector.

16 (7) Duct leakage.

17 Duct tightness shall be verified in accordance with 2009 IECC section 403.2.2 and
18 shall not exceed 6 percent of total fan flow.

19 (8) Duct protection during construction.

20 All boots, ducts and ventilation openings shall be sealed during construction to
21 prevent dust and debris from entering them and shall remain sealed until they are put
22 into operation.

23 (9) Water conservation levels.

24 Water conservation features are implemented to achieve conservation performance
25 shall be required. A documented analysis using the water efficiency rating score

1 (WERS) tool showing a maximum score of 70 shall be submitted to the land use
2 department as part of a building permit application and a report of the confirmed
3 rating with a maximum score of 70 shall be submitted to the land use department
4 prior to receiving a certificate of occupancy.

5 (10) Whole-house mechanical ventilation requirement.

6 Mechanical ventilation shall be required at a rate based on the following formula:
7 required cubic feet per minute of ventilation = (total heated floor area X .01) +
8 ((number of bedrooms + 1) X 7.5)

9 (11) Heating and cooling equipment sizing and system design.

10 a. Heating and cooling equipment and appliances shall be sized in
11 accordance with Air Conditioning Contractors of America (ACCA) Manual
12 S or other approved sizing methodologies based on building loads calculated
13 in accordance with ACCA Manual J (version 8 or
14 higher) or other approved heating and cooling methodologies.

15 b. Duct systems serving heating, cooling, and ventilation equipment
16 shall be designed and installed in accordance with ACCA Manual D, the
17 manufacturer's installation instructions or other approved methodologies.

18 c. Radiant hydronic systems shall be designed using manufacturer's
19 recommendations, mechanical engineer design specifications or other
20 approved hydronic heating design methods, and shall include equipment
21 specifications, the number of zones, pipe diameter, length, and flow rate for
22 each zone.

23 d. ACCA Manual J, and S, and Manual D and radiant design reports,
24 as applicable, along with an AHRI (Air-Conditioning, Heating and
25 Refrigeration Institute) certificate or equivalent mechanical equipment

1 certification shall be submitted to the land use department either at time of
2 building permit application or no later than the completion of rough framing.
3 Duct design reports shall be submitted before ducts are installed. Radiant
4 hydronic system in concrete shall be submitted before installation.

5 e. All HVAC documents submitted are subject to review and approval by the land use
6 director before installation. Other approved HVAC design methodologies shall be approved by the
7 land use director.”

8 (12) Installation of a radon mitigation system consistent with Appendix F of the 2015
9 International Residential Building Code.

10 ~~(12)~~13) Disclosure of building performance and homeowner’s manual.

11 The following items shall be documented and included in a homeowners manual
12 provided to the first homeowner and available for review for homes that are for sale
13 on forms provided by the land use director:

- 14 d. the confirmed HERS index;
- 15 e. the blower door result at ACH 50;
- 16 f. the required amount of ventilation and the archived ventilation rate
17 in air changes per hour;
- 18 g. the type of ventilation system used;
- 19 h. the percentage better that the UA is above the 2015 IECC maximum
20 requirement;
- 21 i. the confirmed WERS;
- 22 j. a diagram showing the location of shut off valves for water,
23 electricity and any combustions fuels (natural gas or propane) with labels in
24 English and Spanish;
- 25 k. the manuals for all major equipment and fixtures in English and in

Spanish if available; and

I. All other homeowner manual items available from the land use department at the time of certificate of occupancy for that purpose.

APPROVED AS TO FORM:

KELLEY A. BRENNAN, CITY ATTORNEY

CITY OF SANTA FE, NEW MEXICO

BILL NO. _____

INTRODUCED BY:

Councilor Peter N. Ives

AN ORDINANCE

RELATING TO THE LAND DEVELOPMENT CODE, CHAPTER 14 SFCC 1987;
AMENDING SUBSECTION 14-6.3(D)(1) TO AMEND THE STANDARDS FOR
ACCESSORY DWELLING UNITS; AND MAKING SUCH OTHER STYLISTIC OR
GRAMMATICAL CHANGES THAT ARE NECESSARY.

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

Section 1. Subsection 14-6.3(D)(1) SFCC 1987 (being Ord. No. 2012-21 § 3 (as amended)) is amended to read:

(D) Standards for Specific Accessory Uses

(1) Accessory Dwelling Units (Ord. No. 2012-21 § 3; Ord. No. 2014-31 § 15)

Accessory dwelling units located on residentially zoned property:

- (a) are required to meet parking standards as set forth in Section 14-8.6;
- (b) shall be regulated as per *city* regulations and policies regarding *city* utilities;
- (c) are exempt from the *density* restrictions set forth in this Chapter 14

1 when located on a legal lot of record occupied by a single principal
2 dwelling unit; provided, however, that [~~only one~~] not more than two
3 accessory dwelling units shall be permitted per *legal lot of record*;

4 (d) shall be built only when permission to construct is granted to the
5 *owner-occupant* of the principal *dwelling unit*;

6 (e) the total square footage of accessory dwelling units on a single lot
7 shall [have lot coverage] not exceed [ing the square footage of the lot
8 coverage of the principal dwelling unit or not more than] one
9 thousand five hundred square feet, including the square footage of
10 other accessory structures attached to the accessory dwelling units;
11 whichever is less];

12 (f) shall be limited to [~~one~~] a single story [~~and~~] that:

13 (i) when the accessory dwelling unit is constructed at ground
14 level shall not exceed fourteen (14) feet in height as
15 measured to the top of the parapet or to the highest point of
16 the roof if there is no parapet, or;

17 (ii) when the accessory dwelling unit is constructed as a second
18 story shall not cause the resulting structure to exceed the
19 underlying dimensional standards of the residential district;

20 (g) shall be of the same architectural style as the principal *dwelling unit*;

21 (h) may be rented as follows:

22 (i) by the *owner-occupant* who may rent either the principal
23 *dwelling unit* or one *accessory dwelling unit*, but in no event
24 more than one of the *dwelling units* on any *lot*, as a *short-*
25 *term rental unit* pursuant to Section 14-6.2(A)(5) during

1 which time, the *owner-occupant* shall occupy either the
2 principal *dwelling unit* or one of the accessory dwelling
3 *units*; or

4 (ii) by the *owner-occupant* who may rent either the principal
5 *dwelling unit* or the *accessory dwelling unit* or units for
6 periods of not less than thirty days; or

7 (iii) by the property *owner* who may rent both the principal
8 *dwelling unit* and the *accessory dwelling unit* or units to the
9 same lessee for a period of not less than thirty days, [
10 ~~however,~~] in which case no separate subletting of either the
11 principal unit or any accessory unit is allowed as a short-
12 term rental.

13 (i) shall not be issued a construction permit or a short-term rental permit
14 until a restrictive covenant is recorded at the office of the county
15 clerk that requires the current *property owner* and all future *property*
16 *owners* to comply with Subsection 14-6.3(D)(1). The covenant shall
17 be in a form approved by the *land use director* and the *city attorney*
18 and shall be notarized prior to recordation. A copy of the recorded
19 covenants shall be provided to the *land use director* with the
20 construction *permit application*. The *land use director* shall maintain
21 copies of recorded covenants pursuant to the provisions of this
22 section. An affidavit filed prior to the adoption of Ordinance No.
23 2008-5 (ordaining Section 14-6.2(A)(5)) and amending Subsection
24 14-6.3(D)(1) remains in effect and is automatically amended to
25 reflect the provisions of Ordinance No. 2008-5;

- 1 (j) shall not be *subdivided* from a principal *dwelling unit* or sold under
2 separate ownership from a principal *dwelling unit* unless the
3 *accessory dwelling unit* meets all applicable requirements for a
4 principal *dwelling unit*. In such case, the restrictions set forth in
5 Subsection 14-6.3(D)(1) shall no longer apply and the affidavit or
6 restrictive covenant in Subsection 14-6.3(D)(1) may be voided upon
7 approval of the *land use director*; ~~and~~
- 8 (k) shall remain in continuous compliance with the provisions of this
9 section to maintain the validity of the *certificate of occupancy* of the
10 *accessory dwelling unit*. The *certificate of occupancy* of an
11 *accessory dwelling unit* may be revoked for noncompliance with this
12 Subsection 14-6.3(D)(1) as provided in Article 14-11 Enforcement.
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16 APPROVED AS TO FORM:

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19 KELLEY A. BRENNAN, CITY ATTORNEY
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25 M/Legislation/Bills 2017/Accessory Dwelling Units