



Agenda

REGULAR MEETING OF
THE GOVERNING BODY
JULY 12, 2017
CITY COUNCIL CHAMBERS

AFTERNOON SESSION – 5:00 P.M.

CITY CLERK'S OFFICE

DATE 7/17/17 TIME 2:05

SERVED BY Melanie Perry

RECEIVED BY [Signature]

1. CALL TO ORDER
2. PLEDGE OF ALLEGIANCE
3. SALUTE TO THE NEW MEXICO FLAG
4. INVOCATION
5. ROLL CALL
6. APPROVAL OF AGENDA
7. APPROVAL OF CONSENT CALENDAR
8. APPROVAL OF MINUTES: Regular City Council Meeting – June 28, 2017
9. PRESENTATIONS
10. CONSENT CALENDAR
 - a) 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) **(Postponed on June 28, 2017)**
 - b) Pursuant to City of Santa Fe Resolution No. 2016-79 and County Resolution No. 2016-139, Report on the Establishment of a Regional Soccer Authority. (Robert Carter) **(Informational Only)**
 - c) Request for Approval of Annual Internal Audit Plan. (Liza Kerr)
 - d) Request for Approval of Procurement Using State Price Agreements in the Approximate Amount of \$350,000.00 – Books, Related Materials and Standing Orders: Baker & Taylor; Ingram Library Services Inc. and Midwest Library Service, Inc. (Patricia Hodapp)



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- e) Request for Approval of Professional Services Agreement in the Amount of \$72,790.00 – DWI Rehabilitation School and Facility Rental; Kathleen Lawiciki d/b/a Santa Fe DWI School LLC. (Chief Gallagher)
- f) Request for Approval of Award of Bid No. '17/39/B – Procurement of Miscellaneous Construction Tools and Hardware Supplies for Four Years: Summit Electric Supply Co., Santa Fe; Johnstone Supply, Santa Fe; Ferguson Enterprises, Santa Fe; Big Jo True Value Hardware Inc., Santa Fe; Santa Fe Winnelson Co., Santa Fe; and Ace Hardware, Santa Fe. (Robert Rodarte)
- g) Request for Approval of Budget Adjustment in the Amount of \$1,567,788 to Correct the 16/17 Debt Service for Refunding in Late FY 15/16 – Water Debt Service. (Shannon Jones)
- h) Request for Approval of Professional Services Agreement and Cooperative Education Services Agreement in the Amount of \$62,023.75 – Engineering Services for Design of the BDD Water Treatment Facility 4 Million Gallon Finished Water Storage Tank; Molzen-Corbin. (Kristin Johansen)
- i) Request for Approval to Accept the Award of Congestion Mitigation Air Quality Funding from NMDOT and Approval to Execute a Grant Application, Award and Agreement with the Federal Transit Administration (FTA) for the FY 2018 Ridefinders Program Funding in the Amount of \$71,733. (Keith Wilson)
- j) CONSIDERATION OF RESOLUTION NO. 2017-____. (Councilor Lindell, Councilor Harris and Councilor Ives)
A Resolution Directing the City Manager to Work With the Santa Fe University of Art and Design and the New Mexico Museum of Art to Loan the Museum the Beaumont Newhall Library in Conjunction With Its Centennial Celebration; and to Discuss Terms and Conditions for the Future Donation of the Beaumont Newhall Library to the New Mexico Museum of Art. (Kelley Brennan)
- k) Request to Publish Notice of Public Hearing on August 9, 2017:
Bill No. 2017-19. An Ordinance Repealing Section 25-11 Relating to the Water Conservation Credit Program. (Councilor Rivera) (Andrew Erdman)



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CITY COUNCIL CHAMBERS

11. Pursuant to Resolution #2011-56 and Section 1-7.11 SFCC 1987, Review and Update of New Mexico Open Meetings Act, Inspection of Public Records Act, City of Santa Fe Ethics Ordinance and New Mexico Governmental Conduct Act. (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 §§10-15-1(H)(7) and (8) NMSA 1978, Discussion Regarding Threatened or Pending Litigation in Which the City of Santa Fe is a Participant, Including, without Limitation, Discussion Regarding 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, Including, without Limitation, Extension of Lease for the La Farge Library Property at 1730 Llano Street. (Kelley Brennan)
14. Action with Respect to that Certain Extension of Lease for the La Farge Library Property at 1730 Llano Street. (Kelley Brennan)
15. MATTERS FROM THE CITY CLERK
16. 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



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H. PUBLIC HEARINGS:

- 1) Request from BTR Wine, LLC, 201 Galisteo Street, for a Wine Wholesaler License to be Located at BTR Wine, 201 Galisteo Street. (Yolanda Y. Vigil)
- 2) Request from La Choza, Inc., 905 Alarid Street, for a Transfer of Ownership (Change of Stockholders and Ownership Percentage of Stock) and Change of Location (Expansion) of Dispenser Liquor License No. 28041, with On-Premise Consumption Only. This License Will Remain at La Choza, 905 Alarid Street. (Yolanda Y. Vigil)
- 3) Request from T-Bird Southwest Restaurant Group, LLC, 1250 Prospect Street, Suite 305, La Jolla, California, for a Transfer of Ownership of Liquor License No. 2776, with On-Premise Consumption Only, From Outback Steakhouse of Florida, LLC to T-Bird Southwest Restaurant Group, LLC. This License Will Remain at Outback Steakhouse #5113, 2574 Camino Entrada. (Yolanda Y. Vigil)
- 4) Request from G.L.A. Santa Fe Hospitality, LLC, 3201-C Zafarano Dr., #356, for a Transfer of Ownership of Inter-Local Dispenser Liquor License No. 28022, with On-Premise Consumption Only and Patio Service, From Abiquiu Saint-Flour, Inc. to G.L.A. Santa Fe Hospitality, LLC. This license will remain at Radish & Rye, 548 Agua Fria Street. (Yolanda Y. Vigil)
- 5) Request from The Shed, Inc., 113½ E. Palace Avenue, for a Transfer of Ownership (Change of Stockholders and Ownership Percentage of Stock) of Liquor License No. 2767, with on Premise Consumption Only, from The Shed, Inc. This License Will Remain at The Shed, 113½ E. Palace Avenue. (Yolanda Y. Vigil)
- 6) Request from the Spanish Colonial Arts Society for a Waiver of the 300 Foot Location Restriction and Approval to Allow the Dispensing/Consumption of Wine at El Museo Cultural, 555 Camino de la Familia, which is Within 300 Feet of Warehouse 21, 1614 Paseo de Peralta, Where Services are Held by Hope Unlimited Church Santa Fe. The Request is for the Spanish Market Preview Event on Friday, July 28, 2017, with Alcohol Service from 6:00 p.m. to 9:00 p.m. (Yolanda Y. Vigil)

I. ADJOURN



Agenda

REGULAR MEETING OF
THE GOVERNING BODY
JULY 12, 2017
CITY COUNCIL CHAMBERS

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.

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REQUEST FROM THE SPANISH COLONIAL ARTS
SOCIETY FOR A WAIVER OF THE 300 FOOT
LOCATION RESTRICTION AND APPROVAL TO
ALLOW THE DISPENSING/CONSUMPTION OF WINE
AT EL MUSEO CULTURAL, 555 CAMINO DE LA FAMILIA,
WHICH IS WITHIN 300 FEET OF WAREHOUSE 21,
1614 PASEO DE PERALTA, WHERE SERVICES ARE
HELD BY HOPE UNLIMITED CHURCH SANTA FE.
THE REQUEST IS FOR THE SPANISH MARKET
PREVIEW EVENT ON FRIDAY, JULY 28, 2017, WITH
ALCOHOL SERVICE FROM 6:00 P.M. TO 9:00 P.M.

Approved w/conditions

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END OF PUBLIC HEARINGS

ADJOURN

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**MINUTES OF THE
REGULAR MEETING OF THE
GOVERNING BODY
Santa Fe, New Mexico
July 12, 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, July 12, 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 Renee D. Villarreal

Members Excused

Councilor Ronald S. Trujillo

Others Attending

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

6. APPROVAL OF AGENDA

MOTION: Councilor Lindell moved, seconded by Councilor Maestas, to approve the agenda, as presented.

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

7. APPROVAL OF CONSENT CALENDAR

MOTION: Councilor Maestas 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 and Councilor Villarreal.

Against: None.

10. CONSENT CALENDAR

- a) *[Removed for discussion by Councilor Harris]*
- b) *[Removed for discussion by Councilor Lindell]*
- c) *[Removed for discussion by Councilor Ives]*
- d) **REQUEST FOR APPROVAL OF PROCUREMENT USING STATE PRICE AGREEMENTS IN THE APPROXIMATE AMOUNT OF \$350,000 – BOOKS, RELATED MATERIALS AND STANDING ORDERS: BAKER & TAYLOR; INGRAM LIBRARY SERVICES, INC., AND MIDWEST LIBRARY SERVICE, INC. (PAT HODAPP)**
- e) **REQUEST FOR APPROVAL OF PROFESSIONAL SERVICES AGREEMENT IN THE AMOUNT OF \$72,790 – DWI REHABILITATION SCHOOL AND FACILITY RENTAL; KATHLEEN LAWICKI D/B/A SANTA FE DWI SCHOOL, LLC. (CHIEF GALLAGHER)**
- f) **REQUEST FOR APPROVAL OF AWARD OF BID NO. 17/39/B – PROCUREMENT OF MISCELLANEOUS CONSTRUCTION TOOLS AND HARDWARE SUPPLIES FOR FOUR YEARS; SUMMIT ELECTRIC SUPPLY CO., SANTA FE; JOHNSTONE SUPPLY, SANTA FE; FERGUSON ENTERPRISES, SANTA FE; BIG JO TRUE VALUE HARDWARE, INC., SANTA FE; SANTA FE WINNELSON CO., SANTA FE AND ACE HARDWARE, SANTA FE. (ROBERT RODARTE)**

- g) *[Removed for discussion by Councilor Ives]*
- h) REQUEST FOR APPROVAL OF PROFESSIONAL SERVICES AGREEMENT AND COOPERATIVE EDUCATION SERVICES AGREEMENT IN THE AMOUNT OF \$62,023.76 – ENGINEERING SERVICES FOR DESIGN OF THE BDD WATER TREATMENT FACILITY, 4 MILLION GALLON FINISHED WATER STORAGE TANK; MOLZEN-CORBIN. (KRISTIN JOHANSEN)
- i) REQUEST FOR APPROVAL TO ACCEPT THE AWARD OF CONGESTION MITIGATION AIR QUALITY FUNDING FROM NMDOT AND APPROVAL TO EXECUTE A GRANT APPLICATION, AWARD AND AGREEMENT WITH THE FEDERAL TRANSIT ADMINISTRATION (FTA) FOR THE FY 2018 RIDEFINDERS PROGRAM FUNDING IN THE AMOUNT OF \$71,733. (KEITH WILSON)
- j) CONSIDERATION OF RESOLUTION NO. 2017-53 (COUNCILOR LINDELL, COUNCILOR HARRIS AND COUNCILOR IVES). A RESOLUTION DIRECTING THE CITY MANAGER TO WORK WITH THE SANTA FE UNIVERSITY OF ART AND DESIGN AND THE NEW MEXICO MUSEUM OF ART TO LOAN THE MUSEUM THE BEAUMONT NEWHALL LIBRARY IN CONJUNCTION WITH ITS CENTENNIAL CELEBRATION; AND TO DISCUSS TERMS AND CONDITIONS FOR THE FUTURE DONATION OF THE BEAUMONT NEWHALL LIBRARY TO THE NEW MEXICO MUSEUM OF ART. (KELLEY BRENNAN)
- k) *[Removed for discussion by Councilor Ives]*

END OF CONSENT CALENDAR

8. APPROVAL OF MINUTES: REGULAR CITY COUNCIL MEETING – JUNE 28, 2017.

Discussion prior to approval of minutes

Councilor Ives said, “As you know, I could not be at the last meeting of the Governing Body, and one of the items that I was hoping to potentially have us reconsider, or take another look at, was the matter relating to Case #2017-02 and Case #2017-03, which were for the SafeLock Storage out on Airport Road, one a General Plan Amendment and one an Airport Road Rezoning. As I was not here and did not vote on that, I had no capacity to propose a motion for reconsideration, but I would indicate to the Governing Body that it would be my intent to be placed on the next Council Agenda, a motion to rescind the action. I would like to make sure that Councilor Trujillo of course is here as well, because he did vote on that. So, really, just to let folks know that my intent and a motion to rescind can be brought, basically, at any time on a particular matter. So as far as I know, noticing that would give an opportunity to sort of tee that back up for potential reconsideration, and the first vote would be whether or not to rescind the action previously

taken by the Council, and then potentially, if that was approved, then act on those items, once again, at that meeting. So I wanted to broadcast my intention in that regard.

Mayor Gonzales said, "So that I understand correctly, then you're going to request that an item be placed on the Agenda for the next City Council meeting that would rescind the previous decision regarding that item."

Councilor Ives said, "Yes. And I would just turn to the City Attorney and make sure I am correct in my understanding of the procedures there."

Kelley Brennan, City Attorney, said, "You are. The question I need to look at in this case is, because it involves an Ordinance and a Resolution, it might require a different period of newspaper notice, so it might happen at the meeting after that. I would also say that yes, it's quite proper to give the notice of your intent, and it will go on a subsequent meeting, whatever the timing requires. And I believe Councilor Maestas also had an intent to introduce a motion to rescind. And I had suggested to him that Communications from the Governing Body would be the appropriate time to do it, but this seems like a good time.

Councilor Dominguez said, "That's fine. I think anyone can do whatever it is they feel like they need to do or want to do. But in terms of approval of the minutes, which is the item we are on, are you asking that we do something specific with that section of the minutes."

Councilor Ives said, "No. Again, the two types of motions that are frequently brought in that type of circumstance, are a motion to reconsider or a motion to rescind. A motion to reconsider has to be brought by somebody was acting in the majority on the motion for which reconsideration is requested. And, insofar as I was not there, and did not vote, I could not be that person, so I just wanted to make procedurally sure, at this point in time...."

Mayor Gonzales said, "But that would have taken place prior to the minutes being adopted on the reconsideration. But what we'll do, Councilor Ives, you can provide the direction to the City Manager, requesting that the item be placed on the upcoming agenda, whenever it is legally prudent to do so, permissible and we can address the issues of rescinding previous votes under Matters from the Governing Body."

Councilor Dominguez said, "I just want to make sure, since we're on the minutes, that by taking action on these minutes, we're not going to give ourselves the opportunity to go in that direction by approving these minutes."

Ms. Brennan said, "That is correct. And, a motion to reconsider that would need to be done before the minutes were approved or the Findings of Fact were approved. In fact, there are also no Findings of Fact this week because there is a 30 day deadline on the appeals from that. I may have to put them on the next agenda, and they may have to be postponed. But, we can figure out the dynamics of this particular issue."

Councilor Maestas said, "I too, would like to declare my intent to make a motion to rescind regarding actions taken on Ranked Choice Voting, at the next meeting. So if it could be properly noticed and on the agenda. And I would also request that there be a public hearing held in conjunction with that agenda item."

Mayor Gonzales said, "I'm going to allow you to say that again for a second time under Matters from the Governing Body. But this is just for purposes of the minutes at this point that we will go ahead and take that direction if that's okay."

Approval of Minutes

MOTION: Councilor Lindell moved, seconded by Councilor Maestas, to approve the minutes of the Regular Meeting of June 28, 2017, as presented.

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

9. PRESENTATIONS

Mayor Gonzales read a Proclamation into the record honoring Cara Connors Esquibel who served the community in many ways, particularly serving the City as a member of the Immigration Committee, and declaring Friday, July 17, 2017, as Cara Connors Esquibel Day in Santa Fe. Mayor Gonzales then presented the proclamation to her family.

Mayor Gonzales thanked her family for sharing Cara with the City and supporting her efforts on the Immigration Committee, noting she led the efforts against bullying in schools.

Councilor Villarreal said Cara was a very strong la guerrera who loved fiercely, and all of us can only strive to live our lives that way. She said her light still burns continuously for all of us, so we can find our path to love, equity and justice in this world and our community. She is honored to have known her. She said she learned a quote from her about how she learned from her dad about fighting for the rights of others and those who don't always get to stand up for themselves and that don't always have a space to recognize, and she would do that continuously as the right thing to do. She said this is a good focus of how all of us contribute to one another with respect while fighting for our beliefs. She said, "I think Cara really exemplified that."

Mayor Gonzales said Santa Fe is a better and loving place because of Cara's presence, and daily we will strive to honor her commitments to our community, and respect for her contributions.

Councilor Rivera said he knew Cara as a mom, and a spouse to his good friend. He said Cara helped him when he ran for office and her children, Diego and Anna were part of his Junior Ref Program at AYSO. He said Cara was a very loving woman and passionate about her kids and her husband. She is someone we definitely will miss.

CONSENT CALENDAR DISCUSSION

- 10(a) 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) (Postponed on June 28, 2017)**

MOTION: Councilor Ives moved, seconded by Councilor Lindell, to postpone consideration of this Resolution to the first meeting of the Governing Body in September on September 13, 2017.

DISCUSSION: Councilor Ives said he had feedback from a County Commissioner asking for more conversation before trying to move this measure forward.

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

- 10(b) PURSUANT TO CITY OF SANTA FE RESOLUTION NO. 2016-79 AND COUNTY RESOLUTION NO. 2016-139, REPORT ON THE ESTABLISHMENT OF A REGIONAL SOCCER AUTHORITY. (ROBERT CARTER) (INFORMATION ONLY)**

Councilor Lindell said she is concerned about the report. She said in the Resolution there were 7 questions that were to be addressed, and she doesn't see this report as addressing those questions. She said it's important to do that, because that's what the Resolution called for. The first question is who will assume responsibility for the land patent with BLM, determining if a facility grounds programs management agreement is needed. There are very specific things that they asked for that aren't provided in this report.

Councilor Lindell continued, asking who wrote the report.

Rob Carter, Director, Parks & Recreation Department, said he would turn it over to Pilar Faulkner who wrote the report "with our input."

Pilar Faulkner, Santa Fe Regional Soccer Task Force, said this is an update of where we are in the process, and it isn't the final product. She said this is trying to inform you about what this group is doing and to let you know where they are right now. She said they still have a lot of work to do.

Councilor Lindell said she would say part of that work would be to answer the questions in the Resolution, noting that is very specifically tasked. She asked, "Who made the membership of this Committee."

Ms. Faulkner said her understanding is that the membership was felt to be appropriate to be involved in the process by the staff of the City and County Managers officers.

Councilor Lindell asked Mr. Carter his understanding.

Rob Carter, Director, Parks & Recreation Department, said he understands that we were asked to put together a group for possibly developing the Soccer Authority that would include City and County representation as well as Soccer League memberships.

Councilor Lindell said she still is not clear who put the group together. She thinks it's important in terms of transparency to know how these committees come together. She said on page 2 of the Report under Business Plan, Economic Development and Tourism, it says, "...*the team has assembled a focus group...*" She wants to know how the focus group was assembled and how members of the focus group were chosen.

Mr. Carter said the group that was there wanted to make sure everybody had a piece of a focus group, and those showing interest in this area, which would membership from all 3 entities "that you see in there." He said basically what that group is doing is looking at alternative funding from whatever source, so when we move forward, these are the avenues we could approach.

Councilor Lindell asked who is part of that focus group.

Mr. Carter said Chris Hyer, Nic Smith, Cesar Bernal, Jennifer Romero and Matthew Brown.

Councilor Lindell said she believes it is important for us to know these things, whether through an appendix, and how these people were chosen, who they are, what is their expertise. She said we're talking about a sizable potential project. She doesn't think they should just be putting it together behind closed doors and not giving us full information about this.

Mr. Carter said if Councilor Lindell would like, they can bring this back at another point and time so she has answers to her questions.

Councilor Lindell said she would like to do this, because this is just informational. She feels it's incomplete in addressing any part of the Resolution. She said, at the very end on the last page of the Resolution, beginning on line 9, is extremely important for this group to pay attention, which provides, "...*and operating Soccer Valley and a Regional Soccer Authority results in the need for or use of additional*

funds from the General Fund of the City of Santa Fe, an offset to the budget of the Parks and Recreation Department in an equal amount shall be brought forward."

Councilor Lindell continued, saying, if this moves forward, that language has the potential to be a sizable budgetary consideration to the Parks & Recreation budget. She said we are dealing with large numbers in this project, and they need to be very careful about these reports and give as much information as possible as to what is needed. She said if they would like more time to do this and bring it back, that would be great. She spoke with Mr. Brown of Economic Development about this, and he told her there was a plan to bring a tournament, then a second phase, but none of that is in this report. She doesn't know the reason.

Mr. Carter said those are separate issues.

Councilor Lindell said she doesn't think that is how Mr. Brown understands it. She thinks everybody needs to sit together at the table and make sure we're all talking about the same issues. She said it would be her inclination that we need to postpone acceptance of this report and have it come back.

Councilor Dominguez said this item is for Information only, so we don't need to take action on it. He thanked Ms. Faulkner for the work she is done. He said Councilor Lindell is correct that it is a sizeable task for staff. He said in the information provided, there are a number of next steps identified by Ms. Faulkner as part of the process she has articulated.

Councilor Dominguez continued, saying he wants to know, from staff perspective, whether or not we have the capacity and the resources they need to get through this, commenting "it's a lot." He thinks it's something we should look at and something in which the City should potentially invest. However, we can't not provide them with the resources they need to make it so that it does become successful.

Councilor Dominguez continued, "And right now, as you know, there are a lot of things happening in Parks and Recreation. And I just want to know from you whether or not we have the capacity and the resources to be able to get done what needs to be done."

Brian Snyder, City Manager, said he hasn't been involved in the loop on this, and when he read this report in preparing for Council, he reached out to Matt Brown because there are economic development undertones and wanted to be sure he was aware of it. He said Mr. Brown had a similar conversation about a phased-in process, starting with one tournament, going to multiple tournaments and growing. He said there is a believed need and it is just trying to evaluate the existing need within our existing capacity of fields.

Mr. Snyder continued, saying in creating the authority he read that one of the next steps is they would be meeting with him and Katherine Miller at the County to have future conversations. He said he met with Ms. Faulkner and Mr. Smith about a year ago. He doesn't know the details enough to know what is being proposed to support this. He would weigh heavily on the next step in having the conversation to get more information as to what the City's role would be in the Regional Authority.

Councilor Dominguez said this is more information than we've had in the past, and appreciates that. He said, "I guess for the record, I would say that we need to know, however it is you want to divvy that up with Parks and Recreation or Parks and other City staff. It is going to be up to the City Manager. He doesn't want to see not enough resources provided so that it becomes a failure. We want to make sure that it's successful. "And so I think that there are some next steps that we will be looking forward to, and we'll see what that brings."

Councilor Ives said he appreciates the update, although it isn't, in his mind, the report that was called for in the Resolution. The Resolution that calls for reporting back within 60 days does not necessarily say answer these 7 questions and have an independent review done within that time period. However, it does raises the question of the anticipated timeline. He asked if they have information in that regard, noting the Committee is now meeting once a month.

Mr. Carter said this group is working toward establishing the Soccer Authority in September, and giving them direction with our recommendation. He said part of the meeting which he, Ms. Faulkner and Mr. Smith will be setting with the County Manager and the City Manager is to get their input, see what they think as we move forward. They are a long way from the millions of dollars needed. The idea was to develop a Soccer Authority so we had sharing with the City, the County and the soccer membership.

Councilor Ives said he understands, commenting the intent is to have the facility serve Northern New Mexico. He suspects they will find resistance from the City in helping to establish the authority, at least until the metrics and questions posed here are more fully answered. He said he is unsure they will be able to do that by August.

Councilor Rivera asked Ms. Faulkner who decided who would sit on this committee.

Mr. Snyder said he recalls conversations we have had, but he doesn't know how the members were selected. He said they wanted to be sure they had a collaborative group that touched on tourism, economic development, people in the League, Parks and Recreation staff in terms of field maintenance and the cost to run the authority as a whole.

Responding to Councilor Rivera, Mr. Snyder said he was involved in conversations early on, a year or so ago.

Councilor Rivera thanked Mr. Carter and Mr. Faulkner for their work on this, commenting there is a lot to be done. He said he read in the report "baby steps and what is going to be a long journey." He cautioned about the August/September timeline, which he thinks is a little aggressive. He said there is still a lot of work to be done. He would like to see it moved forward with all questions answered, and with a lot more thought put into how this all will work out. He thinks there are legal aspects that need to be examined in terms of the BLM and how the City and County would partner to make this work along with the soccer community. He said, "Don't be too aggressive because we're asking for something really quickly. We just want it to be done and done well. So if it takes longer than August or September please do so."

Councilor Harris said he would echo Councilor Lindell's remarks, and also agrees with Councilor Rivera. He said there is a lot of work to be done in addressing the 7 items in the Resolution. He said on page 3, line 8, the Resolution says, "...and the private sector could provide for the capital funding to build and or renovate soccer facilities..." He said in the Cover Memorandum, it says, "...wherein the local governments would carry a majority of the capital outlay costs, [inaudible] would also be fundraising." Councilor Harris said that is really almost a major reversal from what was described in the Resolution. And if you combine with the language in the Resolution that Councilor Lindell cited, in terms of the offset to the Parks and Recreation's budget, to him it would be very very difficult to be able to support an Authority.

Councilor Harris continued, saying, in addition, whether it is this authority or a sustainability authority that we had on the agenda, he wants to know what authority does the Soccer Authority have under State Statute. He is very concerned about losing our ability to control our financial destiny, in terms of all the GRTs discussions vis a vis the County, and we realized 2005 was the last time the City increased a GRT increment. Since then, there have been 7 increments imposed by the County, 6 of which affect incorporated areas. He is very concerned about our ability to control our financial destiny. He said, "So, this is problematic. I think there's a lot of work to do."

Councilor Villarreal thanked them for the information, commenting she thought there was a lot of momentum and energy to work on this. She supported the initial Resolution because it talked about public/private partnerships with the goal of actually going out there to get funding that wouldn't be required from us as a government entity. So, she was confused, as well as Councilor Harris, about the language saying that the local governments would carry the majority of the capital outlay costs. She said, "I'm hoping you were referring to the State at that moment in this case, because that was the conversation that the State may have at the time. I don't think that's the case now, but there may be a partnership. I've seen successful soccer fields that have been funded by the private sector, so I was thinking that would be the direction in which you all were heading."

Councilor Villarreal continued, "Another thing is, Brian, you said something about looking at piloting a soccer tournament. But from my understanding, our soccer fields are not in a condition to be able to have a soccer tournament at this time. Is that correct?"

Mr. Carter said, "No. They are actually in much better shape now. We've spent some money this past year. What we have, as part of the Master Plan, is to review the whole irrigation system on redoing a number of the soccer fields out there, so they are in much better shape now than they over a year and a half ago."

Mr. Carter continued, "And to just kind of follow up, there are a lot of different funding possibilities that that's what our other focus group is right now helping us look at. So it wouldn't only be the City and the County, but it would be the State, it would be sponsorships, it would be all different kinds of funding. So no, it's not just those two. The only reason that it's being stated right now that way is because of the ownership."

Councilor Villarreal said there are good opportunities for tournaments, and she would like to explore that. She said she was always under the impression that more soccer fields have to be built in order to really have a robust tournament.

Mr. Carter said that is correct.

Councilor Villarreal hopes we can get more information that wasn't in this report, and said we'll just wait to hear back from Mr. Carter. She asked Mr. Carter his timeframe, other than those for which some of you indicated may not be realistic.

Mr. Carter said they will be meeting in August, and they will talk about doing the updates, especially answering the 7 questions as well, and get that back to the Governing Body.

Councilor Rivera understands that we couldn't look at public/private partnerships until we hashed out the Authority and how that would work, and asked Ms. Faulkner if that is her understanding as well.

Ms. Faulkner said, "Yes, that is true. And one of the issues we're having is we're really trying to focus on how we can cut costs. And we believe we have found some ways to dramatically cut the cost of the project. We also are looking at the public/private connection, being that, if we can cut costs significantly, we won't be talking about a \$14 million dollar project, we'll be talking about a \$2 million project, which is significantly different. If we can do that, then the next step is to identify who is responsible for what and none of us on the committee have the authority to make that decision, obviously. And so, we have some broad ideas, but they're really not in a place that could be present that would really serve any purpose."

Ms. Faulkner continued, "And so, before we sent those to the Governing Bodies, we would like to meet with the City Manager and the County Manager to kind of see, are we on point. Does what we are saying make sense. What can the local governments do and participate in. And so, to say that we are in the very first baby step, is an understatement. We are taking this with all the diligence and care that we can, including, Councilor Harris, we are talking to the former Deputy Secretary for DFA. He is going to help us kind of understand what authority means, and what the legal ramifications are of the authority and what their responsibilities are and how they would impact the dialogue moving forward and the ultimate outcome. And, it may not be an authority. Those are my other questions we're trying to answer, is that a proper use of the term. Or do we need to look at it as something else."

Ms. Faulkner continued, "I can't say it enough. All of these questions, we are taking very seriously. And we don't want to get ahead of ourselves. We're not looking for money at all at this point. We're looking at this as a two-year process. And in fact, we had discussed trying to get a significant timeline set which would be that we could present our concept of what the authority would look like in August. But, our first major deadline for even considering anything truly significant would be January 2018. Then we would come forward with something, after talking with the City Manager, the County Manager and the City and County Attorney, and getting their input. Then we would reflect on that, and continue the dialogue at that point. And then try to have something that is more descriptive and answers your questions, Councilor Lindell, at that point."

Ms. Faulkner continued, "So, we are doing our due diligence. We know this is a significant project. We know that it can bring a lot to the community and there is responsibility in that. We know that we are asking for public funding at some point, as part of the partnership, and we're taking that very seriously. And so what you're seeing in this report isn't not being transparent, it's the group really trying to take slow pace on this and to reflect on all of the matters that are at hand and the responsibility of a project of this kind."

Councilor Rivera asked if the Leagues and soccer programs are using the MRC now, or are they doing different things.

Ms. Faulkner said, "It's my understanding that the Leagues are not using the facility at the MRC, and are being forced to use The Downs, which is problematic because it's owned by Pojoaque Pueblo. And just recently, the Pueblo, without notice, canceled the use of the facility for one of the tournaments."

Ms. Faulkner continued, "And, if I may, just briefly speak to the tournament issue. We are looking to bring in a built-in tournament, which means there is no responsibility on the part of the City to provide any services. The Leagues don't have to a lot. It's a pretty sizable tournament, it's 50 teams in the adult league. They're looking at late 2018 for the tournaments, so that gives the soccer leagues and Parks and Recreation the opportunity kind of get those fields in a better condition. In September, the tournament purveyor is coming to Santa Fe to look at the area. He's been here before. He wants to bring a permanent tournament here. And it is our hope that we can convince him that this is a good opportunity."

Ms. Faulkner continued, "The soccer leagues have been doing their own tournaments in an effort to prove and do due diligence that tournaments are beneficial to the City and that we can grow tournament. Rio Rapids League put together a tournament that is a 3 x 3, so it's half the size of a normal tournament. And they put on one last year and it doubled in size when they did it this year. And we were pulling from Farmington, Durango, Amarillo, all over the region really, teams came to participate in this tournament. So tournaments are growing, but we feel we need to prove that there is substance to the argument, and we're not just saying, hey, we'll do tournaments and see how it goes. We want to show you that we can do tournaments. And so, in that effort we're doing tournaments with the resources we have and we're trying to encourage some regional and national tournaments to hold events here."

Councilor Rivera asked if perhaps that is the tournament to which Mr. Brown was referring in conversations with Ms. Snyder and Councilor Lindell.

Ms. Faulkner said, "Yes. That is what he was speaking to."

Councilor Rivera said that isn't until 2018, and she said 50 teams, and asked the number of participants per tem.

Ms. Faulkner said there are approximately 16-20 players per team.

Councilor Maestas said he is glad she mentioned the Pueblo of Pojoaque. He said the task force concludes there aren't sufficient soccer fields, but yet The Downs has been a great supplemental facility for soccer. He noted there is no representation by the Pueblo on the task force, and asked if the task force concluded that the Pueblo would not be a reliable partner that would allow the continued and sustained use of The Downs going forward, possibly under an authority.

Ms. Faulkner said, "The experience the soccer community has had with the Pueblo has been unreliable. They have an understanding, but it's tenuous at best. At any moment, the Pueblo will cancel use of the fields. And to speak to more membership of the Authority, I think the working group, the County, the City and the soccer leagues felt that, because the City is so heavily involved by way of the patent on the BLM land, and it is a City project, that the City needed to be protected in the sense that the City's interest should be at the foremost in consideration, and then the County second and the leagues third. And before we invite...the County, the legislators from that area would like to participate. We could invite many people to the table, including the schools. But, as an effort to protect the City's interest, quite frankly, we thought that the initial group should be made up of the three primary stakeholders. And the City is one, the leagues are two and the County has \$500,000 in its budget for this project. And so those are the 3 vested parties at this point."

10(k) REQUEST TO PUBLISH NOTICE OF PUBLIC HEARING ON AUGUST 9, 2017: BILL NO. 2017-19. AN ORDINANCE REPEALING SECTION 25-11, RELATING TO THE WATER CONSERVATION CREDIT PROGRAM (COUNCILOR RIVERA). (ANDREW ERDMANN)

Councilor Ives said, "It is 10(g) and 10(k), and with your permission, I would like to take them in reverse order. And in part, I probably should apologize to Andrew Erdmann for keeping him here, as my intent in pulling this was just to advise the Governing Body that this matter was considered by the Water Conservation Committee yesterday, which was in full support. So, approved and recommended by the Water Conservation Committee."

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

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 and Councilor Villarreal.

Against: None.

10(g) REQUEST FOR APPROVAL OF BUDGET ADJUSTMENT IN THE AMOUNT OF \$1,567,788 TO CORRECT THE 16/17 DEBT SERVICE FOR REFUNDING IN LATE FY 15/16 – WATER DEBT SERVICE. (SHANNON JONES)

Councilor Ives said it wasn't clear in the brief Memorandum whether we have realized more funds or paid out more funds.

Shannon Jones, Director, Public Utilities Department, said the 2009 debt was paid, and during that process he created a negative \$1.5 million in the budget that has been carried on the books. He said, "Under the direction of the Finance Department, I made a recommendation that we bring this forth to clear the books. It doesn't change what it costs to pay up the 2009 debt.

Councilor Ives said he is all for clearing up the books, although he is more concerned about how it happened in the first place. He noted in his Memorandum, Mr. Jones states that these corrections were missed in FY 16-17 due to the unexpected vacancy in the Debt Management position in Finance. He said It worries him that we're concentrating so much information in single individuals that a mistake of \$1.5 million plus was not caught. He realizes this isn't a question for Mr. Jones, but rather for Finance, commenting he is happy to take it up with them, but, "Yes. I would hope that the Department acts as a backstop on these issues to Finance for these types of things, and that the Division's review of the budget is such that, even if Finance misses something, we don't lose track of \$1.5 million."

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

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 and Councilor Villarreal.

Against: None.

Mayor Gonzales congratulated Mr. Jones and said he is happy Mr. Jones is now heading up the Public Utilities Department.

10(c) REQUEST FOR APPROVAL OF ANNUAL INTERNAL AUDIT PLAN. (LIZA KERR)

The Governing Body commented and asked questions as follows:

- Councilor Ives said he has lots of questions. He said the first item listed is the GCCC physical security. He doesn't understand why we focus on this one facility instead of all facilities. He asked if we have sufficient policy on safety in place for all facility, and if we are being efficient and effective in terms of providing security.

Ms. Kerr said looking at the GCCC gives us a good idea of what is happening at the other facilities. She said the legwork for this piece of the audit has already been done. It did give us some good insight into controls that can be implemented throughout the City that can be used at the other facilities as well. She said the intention is not to specifically pick on that facility, but to use it like a "laboratory," and apply the results other places in the City.

- Councilor Ives said that make sense, and he has no problems with that.
- Councilor Ives said the next identified in the Report is Building Permits and License and, *"The objective of this audit is to determine the City's compliance with the CID regulations regarding permits and licensing on construction projects."* He said the City has its Land Use Codes on permits and such. He asked the reason we are looking at CID and if we are talking about only City construction projects.

Ms. Kerr said yes, that is correct, we are talking about the City getting permits to do construction projects. She said that issue has been brought to her attention repeatedly, so she doesn't think it has been cleared up. She is concerned new building is happening without the required permits. She said the City is requiring people to get permits from the City when they build, and we need to be setting that tone and standard in the City.

- Councilor Ives said he has no problem, but having the City issue its own permits suggests potential conflicts.

Ms. Kerr said when the City builds something it has to get a permit from the State CID, they don't get it from itself.

- Councilor Ives said the ALGA Peer Review is very smart, given we will go through that process next year.
- Councilor Ives said, regarding Accounts Payable, we have the new system for the City coming into place. He would imagine there has been broad discussion about best practices on this matter as well as others. He was unclear that this would be a priority as high as, on the next page, other audits as time permits where she has Cash Handling. We know this is an issue we have been called-out on. He asked regarding Accounts Payable for duplicate payments and invoices, if much of that would be resolved with the new system. He said those implementing the new system have talked about best practices. He asked, "Should that be corrected as part of the new system implementation, in which spending time on a lot of cash handling might be a little more productive."

Ms. Kerr said she would like to give the City time to implement some of the new cash handling policies. She said the response has been great from management and staff, and really good things have come up as the result of that audit. But there are some complicated issues, and they need time to implement that before she can go back in and do an audit. It doesn't do any good to just go back in, and it's very time consuming for her and non-productive if she goes in and it still hasn't been done.

Ms. Kerr said, regarding Accounts Payable, she has done some work with the City and a financial tool called Hubble, where you can extract data from the financial systems. She has done some work with the people from Hubble to design a query she can run on Accounts Payable which will return to her over a given period of time. She has done an initial analysis on that, and she is unsure what she is seeing there yet, but it is enough for her to want to take a closer look. She said if she can't get to this, she would work with Adam Johnson, Finance and/or ITT and ensure system controls are in place to ensure we cannot have duplicate payments. For example, a system control design that won't allow the use of a duplicate invoice would eliminate some of the problems she is seeing on her initial query. She got many hits for duplicates, but she can't determine without looking further if it is a single invoice being used for 10 different purchases.

- Councilor Ives, referring to packet page 8, said it appears Ms. Kerr has cash handling in mind to allow implementation of current control corrections before going into that. He thinks following up on the parking findings on Lodgers Tax and Parking are two significant ones from his perspective. He would hope those can be accomplished. Regarding Payroll, Kronos has just been fully implemented with the exception of the special circumstance of Police and Fire. Hopefully, that may not be needed, but it would be curious to get feedback from that.

Ms. Kerr said this is the same situation as cash handling, and said, "Give it a little time for them to get the controls in place and make sure it's up and running right."

- Councilor Ives referring to packet page 8, regarding internal controls regarding procurement, noted it has been said by the State Auditor that 40% of all procurements in New Mexico are not in compliance with State Procurement, and excessive violations were found regarding sole sourcing and piggy-backing off State price agreement. He would like to see that report so he understands what is being discussed there, because those issues come up every year in looking at various contracts. He said other members of the Governing Body might be interested in the report as well.

Ms. Kerr will send the information to him.

- Councilor Ives said, regarding Technical Competence, the report says, "*The technical competence of the Internal Auditor was taken into consideration for all audits on the 2017/2018 Audit Plan.*" The only reason that concerns him is that it suggests there may be technical competence issues related to audits we're not taking on, which potentially should be done. He wants to eliminate that as a possible rationale.

Ms. Kerr said the only area in which she doesn't have certification is as a fraud auditor. She is taking steps to alleviate that. She will be taking the Certified Fraud Examiner test to get that certification sometimes over the next year. It would be good to have additional staff that had those qualifications.

- Councilor Ives said we have talked about capacity in the City Attorney's Office to engage third parties to facilitate investigations of that sort, so hopefully we do have that base covered. He noted a lot of the rationale for the various audits proposed does have to do with fraud and potential abuse.
- Councilor Ives said the one thing he would propose to change in her 3-year rolling audit plan, if acceptable would be to move the two follow-up items to be the first two items under Other Audits as time permits, and move cash handling above payroll and move Parking and Lodgers' Tax to the first two follow-up items.

Ms. Kerr said this has to be brought to the Audit Committee, because they approve it, and they have approved this Plan. She thinks that can be done. She said she doesn't necessarily list them in the order they would be accomplished, so perhaps we can look at it from that perspective and she can work on them in that capacity.

Ms. Kerr continued, saying that follow-up findings will also be dealing with the cash handling at the GCCC, noting that came up at the Audit Committee today. She said Parks will be issuing its monthly report on its status in terms of criminal findings. She said she thinks some of the remediation dates were a little aggressive, given the types of issues, but Mr. Carter feels he can do that. So he will be providing information to her as a status report on a monthly basis, so she will include that there too.

- Councilor Ives said knowing things aren't necessarily in priority order is helpful to him.

MOTION: Councilor Ives moved, seconded by Councilor Dominguez for purposes of discussion, to approve this request.

DISCUSSION: Councilor Dominguez said he asked for some language at Finance Committee, but he doesn't see that and asked if she prepared anything.

Councilor Dominguez said one of the things that came up at Finance, was making sure that we could come up with language to provide staffing levels as well. He said we have been able to provide the City Manager's Office with support staff, as well as the Finance Department. He said as Ms. Kerr begins to work on the objectives, we need to know about the needed level of staffing. He is disappointed he sees no language to address that.

Ms. Kerr asked him what language he would like to have included and she will revise the Plan.

Councilor Dominguez said we can bring some of this up with the things that come before us regarding the GCCC. He said, "You can't just deplete staff, take positions away, and not expect for there to be some gaps that are left. And that's what I want to find out. Because at the Chavez Center, we took away the Administrative Assistant, or it is no longer at the Chavez Center, and is at Parks and Recreation. What kind of impact does that have on cash handling policies. And that's just an example. I don't know how else.... We had the Parks Bond Audit. Were there some structural deficits or deficiencies that led to that.

Councilor Dominguez continued, saying in other words, as part of this audit, I want to make sure that staffing levels are somehow addressed. Whether, because of the technology and the systems we have in place, they are appropriate. I know there are things that are a work in progress with the RBA, and so I was just really looking for some simple language that would have staff in this plan as part of the objective to make sure that staffing levels are considered."

Mr. Snyder said, "I think I understand what you're asking for. So, basically under each item as an item is being reviewed, have it as a subcategory, and I can look at it. Did the second level result in the challenges that were being investigated, and basically as a part of the evaluation, also look at the staffing levels. An example, Cash Handling as was called out. How could the cash handling and the staffing levels at the Chavez Center... did the staffing levels affect the performance of cash handling at the Chavez Center as one example. One of the focus points being, is there adequate staff to cover what is being looked at in performance."

Councilor Dominguez said, "Not even performance. I want to know whether or not we have the proper staff levels, and if we don't, I want to know if that is something that needs to be addressed and needs to be part of this. But I'm still kind of curious to find out.... I guess maybe I should have just expected myself to come up with the language at Finance, and so hopefully, you captured that intent at the Finance Committee meeting."

Ms. Kerr said, "I think I understand clearly what you are asking for now, and I can come up with that language and revise the plan to reflect that language you prefer and present it back at the next meeting."

Councilor Dominguez said, "I am happy to just make it for the record that that be part of this, but just so that it's clear. Internal Control isn't enough. That's part of it. There are systemic issues that I think are a part of it. But, across the City, again, we've made sure that the City Manager has the resources that are needed, the City Manager's Office. Finance, we, I think did some reorganization and even created a position there. One of the reasons we didn't do across-the-board cuts in our budget, was because we wanted to make sure that we weren't going to eliminate positions that were critical in making sure that the government is functioning, effective and efficient. I think that needs to be part of this Internal Audit – making sure that we have the proper staffing levels to ensure that some of these things don't happen."

Councilor Lindell said she understands we looked at the GCCC some years ago, and there is an existing report by Julie Berman, and asked Ms. Kerr if she looked at that.

Ms. Kerr said, "No. I did not."

Councilor Lindell said Ms. Berman worked in the City Manager's office a number of years ago.

Councilor Lindell continued, commenting we had problems with cash management in Parking several years ago, and asked if every department with cash management was reviewed – did we do this City-wide with cash management.

Mr. Snyder said he can't answer that question. He has tasked the Finance Department to look at cash handling City-wide and develop a procedure City-wide so it is overarching, and then specifics as it pertains to Parking, to the GCCC, to the utility billing and other place – overarching this is how we do cash handling and to document that and make sure it is City-wide.

Councilor Maestas said, regarding cash management, he toured the security contractor facilities, and the contractor mentioned that they provide video surveillance of all cash handling in the Parking Division. He asked if we do the same for other departments handling cash, do we have a policy of providing video surveillance of all cash handling within City Government.

Mr. Snyder said yes, there are cameras at all cash handling facilities, the majority of those are by Chavez Security where the data is stored at their facility and backed up, which includes the GCCC.

Councilor Maestas said we usually get a phone call from Ms. Kerr asking for ideas for the next Audit Plan, but she hasn't called him in a while.

Ms. Kerr said she believes sent out an email to the Governing Body asking for input in February 2017, noting she asked Legal to send it out, noting she received no responses. She said even if she doesn't ask, the Governing Body are free to give her suggestions, which she appreciates.

Councilor Maestas said when we looked at an inspector general, he learned how we deal with fraud, waste and abuse investigations throughout the City, and the Police Department has its own way of conducting its investigations. He believes they have a contractor, noting Human Resources also has its own method of investigating fraud, waste and abuse because of State Statutes regarding personnel. He doesn't get the sense that Ms. Kerr has additional resources to contract investigations. He asked the reason we haven't appropriated resources to Ms. Kerr to give her the ability and capacity to contract investigations to an outside contractor.

Ms. Brennan said, "Money is available in my fund, and when we discussed it, we discussed doing it through Council and creating a privileged relationship with the Council hiring an investigator and getting a legal opinion at the end, which would then be made public, but it would be a completely outside affiliation of the Legal Department. So we did appropriate funds in my Department."

Ms. Kerr said that was this year.

Councilor Maestas asked Ms. Kerr to indicate the areas of reviews that could be contracted, for whatever reasons. He said she indicated in the Plan that it is subject to shifting priorities, which may be an indirect message that resources are limited and we can't guarantee when we might finish these efforts and accept new efforts. He is urging the administration to consider formalize that decision making process in determining which reviews or investigations would warrant hiring an outside contractor.

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

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

Against: Councilor Lindell.

END OF CONSENT CALENDAR DISCUSSION

11. **PURSUANT TO RESOLUTION #2011-56 AND SECTION 1-7.11 SFCC 1987, REVIEW AND UPDATE OF NEW MEXICO OPEN MEETINGS ACT, INSPECTION OF PUBLIC RECORDS ACT, CITY OF SANTA FE ETHICS ORDINANCE AND NEW MEXICO GOVERNMENTAL CONDUCT ACT. (ZACHARY SHANDLER)**

A copy of the presentation by Zachary Shandler, Assistant Attorney, is incorporated herewith to these minutes as Exhibit "1."

Mr. Shandler presented information via the overhead and via a 4-minute video. Please see Exhibit "1," for specifics of this presentation.

12. **MATTERS FROM THE CITY MANAGER**

There were no matters from the City Manager.

13. **MATTERS FROM THE CITY ATTORNEY
EXECUTIVE SESSION**

IN ACCORDANCE WITH THE NEW MEXICO OPEN MEETINGS ACT, §§10-15-1(H)(2), (7) AND (8), NMSA 1978, DISCUSSION REGARDING THREATENED OR PENDING LITIGATION IN WHICH THE CITY OF SANTA FE IS OR MAY BECOME A PARTICIPANT INCLUDING, WITHOUT LIMITATION, DISCUSSION REGARDING 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, INCLUDING, WITHOUT LIMITATION, EXTENSION OF LEASE FOR THE LA FARGE LIBRARY PROPERTY AT 1730 LLANO STREET. (KELLEY BRENNAN)

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

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

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

Against: None.

The Governing Body went into Executive Session at 6:45 p.m.

MOTION TO COME OUT OF EXECUTIVE SESSION

MOTION: At 7:20 p.m. Councilor Rivera moved, seconded by Councilor Harris, that the City Council come out of Executive Session and stating for the record that the discussion in Executive Session was limited to the matters noted on the agenda

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

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

Against: None.

Absent for the vote: Councilor Ives and Councilor Lindell.

14. ACTION WITH RESPECT TO THAT CERTAIN EXTENSION OF LEASE FOR THE LA FARGE LIBRARY PROPERTY AT 1730 LLANO STREET. (KELLEY BRENNAN)

MOTION: Councilor Rivera moved, seconded by Councilor Maestas, to approve the Ground Lease for the real property at 1730 Llano Street, where the La Farge Library is located, upon the terms and conditions discussed in executive session, on the condition that a provision is incorporated in the Lease that permits the City to terminate the lease without penalty upon 120 days prior written notice, with title to all improvements under the Lease vesting on the 121st day in the Lessor.

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 and Councilor Villarreal.

Against: None.

15. MATTERS FROM THE CITY CLERK

Yolanda Vigil, City Clerk, said she has received a request from the New Mexico Municipal League asking the City to designate a voting delegate for the Annual Business meeting in Clovis in August, during the NMML Annual Conference. Mayor Gonzales and Councilor Maestas said they will be attending, and agreed that Councilor Maestas will be the voting delegate.

16. COMMUNICATIONS FROM THE GOVERNING BODY

A copy of "*Bills and Resolutions scheduled for introduction by members of the Governing Body*," for the Council meeting of July 12, 2017, is incorporated herewith to these minutes as Exhibit "2."

Councilor Maestas

Councilor Maestas said there was an in-depth story about the condition of our parks in the newspaper. He asked Mr. Snyder if staff will respond to the findings of the newspaper.

Mr. Snyder said he is unsure if we will be issuing a formal response. He looks at this as an opportunity. The City has been graded, noting the survey was done through *The Santa Fe New Mexican*, and he will take it into note and look at it is an opportunity to move forward to create a better atmosphere at the Park. The next time it is done the City will raise from the average of a B- to an A. He said we can use it as a learning tool, and work with staff to come up with a plan to address some of the concerns.

Councilor Maestas said it is the middle of summer, and asked if the staff can go through some of the findings for any easy fixes. For example, one of the findings was at Patrick Smith Park there is no backboard on the goal, and the other goal is bent badly. He reiterated he would like to see us do any low cost high impact improvements right away. He will speak with Mr. Snyder off-line to talk specifically about District #2 parks.

Councilor Maestas said he will be introducing legislation to adopt Economic Development Code amendments from a previous Resolution. He is allowing time for Matt Brown to look at these and see if additional tweaking needs to be done. He is not aware of anything else that needs to be done to get that part of the Code update. He asked Mr. Snyder if there is anything else that needs to be done.

Mr. Snyder said he is unaware of any additional items, saying he appreciates Mr. Brown looking at this from a different lens, and as a newcomer to his position. He said we want him to buy into those amendments, and he is committed to getting that done within the next two weeks so it can be introduced at the next Council meeting.

Councilor Maestas said he would restate his intent to make a motion to rescind our decision on Ranked Choice Voting at the next meeting.

Ms. Brennan said, "No. I think your intent was clearer earlier in the meeting."

Mayor Gonzales said, "Also, just along those lines, I think the Councilor's intent was to notice it for a public hearing as well, so it will be in the 7:00 p.m. time period."

Ms. Brennan said, "That's correct, Mayor."

Councilor Harris

Councilor Harris introduced an Ordinance relating to the Telecommunications in the Public Rights-of-Way Ordinance; amending Subsection 27-2.19 SFCC 1987, to streamline the Land Use Review process for telecommunications facilities in the public rights-of-way; amending Subsection 27-2.20 to include facilities; and repealing Subsection 27-21 relating to the Telecommunications Advisory Committee.

Councilor Harris said he has received comments regarding the fireworks display at the Santa Fe Place, mostly from people in Nava Adé, including the Past President of the HOA. He said it was very disruptive. He said Ray Sandoval has taken the lead and is responding, and will be meeting Kim Wylie on Friday, noting he has asked to join that meeting, and will be meeting with the Nava Adé HOA in August. He thinks there needs to be discussion right away about what happened, what needs to be done, and if that is the best place to have the full on fireworks display we had.

Councilor Harris said a related issue in District #5 is the homeless encampment and the documentation on the drug use and drug paraphernalia, most of it on the State site to the north of Arroyo Chamiso. He asked Mr. Snyder to follow-up with the Police Department and the State to see what can be done. He said many of the photographs we received were around Mark Brandt Park on Siringo Road, under the various bridges.

Councilor Harris said we have two projects underway, the Library ADA work which starts July 27th, as well as the refurbishing of City Hall. He said we added redoing all the paint, and have contracted that project. He asked the status of the Ft. Marcy box culvert, noting people were concerned about the trees that were removed.

Mr. Snyder said he was told by staff that project is underway and will be on scheduled and finished prior to Zozobra. He will ask for a written update to share with the Council.

Councilor Harris thanked a number of people on this Body and staff, for the condolence card for his wife on the passing of her mother. He very much appreciates it, and his wife was touched.

Councilor Lindell

Councilor Lindell said we all got an email from people who are concerned about an adult book store going up 1494 Cerrillos, and perhaps some building going on there that isn't permitted. She asked Mr. Snyder to look into that.

Councilor Lindell said she continues to read in numerous places that the changes that she is proposing on the Animal Control Ordinance are being called a "circus ban." She said no part of the legislation bans a circus. It deals with exotic animal acts. She just wanted to clarify that.

Councilor Maestas said, regarding the rumors about the adult book store at the old Mudu Noodles property, he spoke with Lisa Martinez, who said there has been no formal paperwork filed with the Land Use Department. He was unaware there was building being don, so he thinks we should Code Enforcement over there.

Councilor Lindell said the building is happening at night with out-of-State crews.

Mayor Gonzales

Mayor Gonzales, on behalf of Councilor Trujillo, introduced a Resolution supporting the New Mexico Litter Control and Beautification Act of 1985, which provides public funds in the form of grants for the purpose of enhancing local litter control and beautification programs. A copy of the Resolution is incorporated herewith to these minutes as Exhibit "3."

Councilor Dominguez

Councilor Dominguez said, regarding the Ranked Choice Voting, the next agenda won't be the public hearing, it will be the actual hearing. He wanted to make sure the public knows that the public hearing won't be at the next meeting, it will be after they take action on that matter.

Mayor Gonzales said he understands it is a two-step process. One, would to notice consideration to rescind the action, and asked Ms. Brennan if this is correct.

Ms. Brennan said, "In fact, the notice has been provided tonight, and will also be provided by the agenda. So the discussion and hearing would immediately follow that. So it will be at the next meeting, with respect to the Ranked Choice Voting. The other one may be at a following meeting just because of notice requirements relating to ordinances. The SafeLock Storage."

Councilor Dominguez said he wanted to let people know there could be a public hearing at the next meeting, "we're not going to jump a meeting."

Councilor Dominguez asked Mr. Snyder to thank Parks staff for the work they have done in addressing some of the Parks issues that have come up through the media, noting we have asked him to make sure there are proper staffing levels for that as well. He said at a previous meeting, he asked staff to put out a schedule on when the medians would be cut as part of that effort. He said Airport Road has been done and is looking pretty good. He asked Mr. Snyder to thank the hard working staff and the work they do for the citizens of our community.

Councilor Dominguez continued, saying because of the media attention and our discussion tonight, as well as emails we have received, we need to continue to look at those staffing levels throughout the budget cycle. He said we have reduced staff significantly, especially in Parks, and it obviously is having an impact. He said we need to make sure we have appropriate staffing levels across the City.

Councilor Dominguez said he has promised to bring forth a rewrite of the Children & Youth Commission Ordinance, and it is coming. He waited to introduce it at the next meeting because they are having their pre-Annual Strategic Planning meeting on Friday. He wants to be able to give them the heads-up about what is happening. He said there will be a change in the structure and the way it is organized.

Councilor Villarreal

Councilor Villarreal said she would reiterate, along with Councilor Maestas, her desire to revisit the Ranked Choice Voting, mostly because new information has been provided she wants to understand better. She didn't feel all of her questions were answered at the last meeting. She feels it is important for the Councilors who were absent to have the opportunity to vote. She would like to have a representative of the Secretary of State to attend, so we can hear from them directly about the certification and how they can be of assistance to the City.

Councilor Ives

Councilor Ives said when he walked back into the room after the Executive Session he thought the vote was on coming out of the Executive Session. However, it was an action on Item #14. He said, "And I realized as we were leaving Executive Session, that the School District was represented by one of my wife's partners at Cuddy & McCarthy. So, with the indulgence of the Council, what I would propose, and I will make a motion to rescind that vote, and then leave the room so that matter could be voted on again."

Ms. Brennan said, "In fact, I came in with you and the vote had already been taken, so you weren't present for the vote. Oh, he voted on it."

Councilor Ives said, "Yes. I thought we were voting to come out of Executive Session."

MOTION: Councilor Ives moved, seconded by Councilor Dominguez, "to rescind the vote on Item #14, in order that you might retake that vote without me present."

DISCUSSION: Ms. Brennan said, "Requiring a vote of 6."

Councilor Dominguez asked Councilor Ives, as Parliamentarian, if he is able to make that motion."

Councilor Ives said, "Oddly enough, I voted in favor, so in that sense, I have authority in that capacity on a motion to reconsider."

Councilor Dominguez said, "Just for the record, I don't really see that..."

Councilor Ives said, "If you wanted to make the motion, I'm happy to withdraw it and allow it to be made by another member."

Mayor Gonzales said, "No, that isn't necessary."

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 and Councilor Villarreal.

Against: None.

Councilor Rivera

Councilor Rivera said he has a vacation planned with his family the week of August 7, 2017, and the SafeLock Storage is in his District. He asked if there are time requirements. He would like to be in attendance for that hearing.

Ms. Brennan said, "The official notice, the intent to make the motion has been announced. The official notice would be provided in the Agenda of the meeting, so we can arrange to have that heard at a time when you are present."

Councilor Rivera said, "Just to clarify my understanding about how these are going to work. So there is a public hearing, regardless of whether there is a motion to reconsider or not."

Ms. Brennan said, "The motion to rescind will be voted on first. And then there would be an item on the Agenda for a discussion and public hearing, depending on which we're talking about, in the event that the motion to rescind succeeds."

Councilor Rivera said, "Then, if it does not, then there is no public hearing."

Ms. Brennan said, "Then the vote is not rescinded, and there will be no public hearing."

Councilor Rivera said with regard to the weeds on the medians, the process didn't start until July, with the start of the new fiscal year. He said, "If we could incorporate some funding into the end of the fiscal year that goes into the beginning of new fiscal year, because I think that once they started in July, and I think we still haven't hired all the crews that are going to help with that project. They are already months behind the ball. The weeds are already 6-10 weeks ahead of them, so that makes things difficult. They are playing catch-up from the beginning. So if you could act on that or put some thought into that."

Mr. Snyder said thought has been put into that. As approved in the Council and budget process for this fiscal year which started July 1, 2017, we added 15 Parks staff to that. We started advertising the positions with enough time to hire them so they could start on Monday, July 3, 2017. He said they have not been able to fill those vacancies, but Councilor Rivera is correct that funding starts July 1st, but our growth season spans two fiscal years at the beginning and the end. The funding is available for the end. Next year the funding will be in the budget, so we will be advertising those positions when we hire the other seasonal positions.

Mr. Snyder continued, saying they are looking at creative solutions, such as looking at private landscaping contractors to assist. The challenge here is the landscaping contractor will have the same problem we've had in ramping up staff, and they like to maintain staff year-round, rather than hire or fire. They maintain staff by doing snow plowing in the winter and try to keep the base staff. He said they reached out to the Corrections Department today, and they are willing and able to help us some of the longer stretch of medians as they have in past years, and he will come up with a plan on that. They also are looking at exploring using YouthWorks type contracts and/or relationships we have to help supplement existing staff, especially for this time of year. He hopes we will be up and running by the end of the season. He said we are months behind, but in future years, now that we have the 15 additional positions, things should be well in hand.

MOTION: Councilor Rivera moved, seconded by Councilor Harris, to approve the Ground Lease for the real property at 1730 Llano Street, where the La Farge Library is located, upon the terms and conditions discussed in executive session, on the condition that a provision is incorporated in the Lease that permits the City to terminate the lease without penalty upon 120 days prior written notice, with title to all improvements under the Lease vesting on the 121st day in the Lessor.

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

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

Against: None

Abstaining: Councilor Ives.

END OF EVENING AGENDA AT APPROXIMATELY 7:40 P.M.

EVENING SESSION

A. CALL TO ORDER AND ROLL CALL

The Evening Session was called to order by Mayor Javier M. Gonzales, at approximately 7:40 p.m. There was the presence of a quorum as follows:

Members Present

Mayor Javier M. Gonzales
Councilor Carmichael A. Dominguez
Councilor Mike Harris
Councilor Peter N. Ives
Councilor Joseph M. Maestas
Councilor Christopher M. Rivera
Councilor Renee Villarreal

Members Excused

Councilor Signe I. Lindell, Mayor Pro-Tem
Councilor Ronald S. Trujillo

Others Attending

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

F. PETITIONS FROM THE FLOOR

A letter dated July 7, 2017, to the Governing Body from David McQuarie, entered for the record by David McQuarie, asking the Governing Body to reconsider approval of Consent Agenda Item ff Request for Approval of Professional Services Agreement in the Amount of \$287,028.13 – Bus Shelters Phase II - Installation; H.O. Construction from the Governing Body meeting of June 28, 2017, because it wasn't reviewed by the Mayor's Committee on Disability, is incorporated herewith to these minutes as Exhibit "4."

A letter dated July 7, 2017, to Brian K. Snyder, City Manager, from David McQuarie, entered for the record by David McQuarie, asking for submission of the listed intersection plans to the Mayor's Committee on Disability for review, is incorporated herewith to these minutes as Exhibit "5."

A copy of a statement for the record by John Otter, entered for the record by John Otter, expressing support for implementation of Ranked Choice Voting, is incorporated herewith to these minutes as Exhibit "6."

A letter dated July 12, 2017, to Mayor Javier Gonzales and members of the Santa Fe City Council, from Marcy Litzenberg, First Vice President, League of Women Voters of Santa Fe County, entered for the record by Former Councilor Karen Heldmeyer, regarding the League of Women Voters of Santa Fe County position on Ranked Choice Voting, is incorporated herewith to these minutes as Exhibit "7."

David McQuarie, 2997 Calle Cerrada, said he sent out two letters [Exhibits "4," and "5"]. One is a partial response regarding the bus shelters, and the second to the City Manager. He asked if it is practice or policy of the City Manager to discriminate. He said he entered a copy of each letter for the record.

Jim Williamson, 5th Generation New Mexico, Tierra Contenta, representing Santa Fe Power Group, said he has constructive criticism and new ideas. He said issue number one is that he submitted an IPRA request asking for the City's organization chart. He understands there is a 15 day turnaround, but if that can't be met, then "you get additional days. No big deal." He said he thinks that chart should be on hand for the City Manager to know who supervises whom, and make the staff work more efficiently. He said if a copy of the Org Chart was made available to the public, they could maybe work more efficiently, maybe knock out processes better. He said secondly, he requested an Accounts Receivable Aging Report to find out who owes the City money. He said those funds could be used to fund City workers to work on the Parks and clean up the medians, saying that request also is delayed. He said he does accounting by trade, and that can be done in about 2 minutes with accounting software. He said the aging report is 30-60-90 days out. He asked how the City manages its collections if it doesn't have a report. He said there might be revenue out there "that you guys can just re-collect." He said another issue is with the water from the last meeting. He said, "We did notice on the financial statements that the revenue that the City takes in from ratepayers is 5 times the expenses on water that you guys use, water rights, capital improvements, maintenance. So where's that other 80%. Is that funding other parts of City government or what. Technically you should only draw in what you spent. It should be a non-profit governmental. You shouldn't be taking 5 times more than you need. One thing on the weeds and the potholes, the idea on the Twitter account was good, but also maybe could the City canvass the area with City crews. Send a crew out once every quarter. Go down the main drags, write down where there are potholes. That way it's not on the citizens to find them. Kind of be more pro-active."

Diane Wood, registered voter in District 1, said she is here to speak in favor of Ranked Choice Voting. She said many other local jurisdictions and election officials have expertise in this area and could assist the City in getting up to speed. This was voted on years ago by the voters and passed. She thanked Councilor Maestas for putting it on the agenda, and her own Councilors for support of this. She said, "The voters deserve no less."

Maria Perez, Director, Fair Vote New Mexico, said Fair Vote New Mexico is a non-partisan organization that works to improve elections and get electoral reforms that give voters a greater voice in choice in our elections, and Ranked Choice Voting is a way that we can get this. She thanked Councilor Maestas for asking this to put on the agenda at the next meeting. She encouraged the Governing Body to support the Motion to Rescind. She said the vote to delay implementation was done before it needed to be done. She said the Councilors should be able to get full information from the Secretary of State and others, which will be available through a public hearing. She thinks Santa Fe can get this done right, and done in time for the next election, and honor the will of the voters of Santa Fe.

Roman Montoya, 3516 Agua Sarca Court, Albuquerque, said he is a former City Clerk, Deputy City Clerk and Deputy County Clerk in Rio Rancho, Albuquerque and Bernalillo County. He said most recently he was the Deputy for the current Secretary of State. He said he wants to let everybody here to know that he works for a subsidiary of Fair Vote, called the Ranked Choice Voting Resource Center, and their agency is made up of former administrators from around the country who have implemented Ranked Choice Voting. He said this is something that "we really do want to spread some education about." He said you probably have received emails from him and others in his group, trying to get information out. He said they try to educate people, and have resources available which can assist in any way possible. He would love to meet with any and all of the members of the Governing Body to discuss the implementation. He said, "I implemented voting convenience centers in 2010. I was the one who brought those to the State of New Mexico, how we all vote right now. I did implement that for the first time. I implemented the very first governing body streaming on the web and it was an interactive agenda. I did the very first on-line campaign reporting back in 2001." He said he is familiar with implementing things and to be successful. He said Ranked Choice Voting can be successful in Santa Fe and you will be the light leading the way. He said they are going to start pushing this in Rio Rancho, noting Dona Ana has expressed interest as well as the City of Albuquerque. They want to be able to point Santa Fe and say it can be done, and "we want Santa Fe to be that first initial city in New Mexico to this. We have the resources to do that, we come from an administrative background. I come from an administrative background when it comes to clerks, so I can help in any way possible. I have offered my help to Yolanda, and have a request to meet with her next week. I would love to give you advice, and to help any way we can."

Mary Ann Maestas, 7129 Calle Jenah, member of Earth Care, said she is here in support of Ranked Choice Voting for our next municipal election. She thanked the Governing Body for "holding off on the final vote." She said it is feasible to implement the system, the City can honor the residents and voters will for the next election. She appreciates the desire of the Council to ensure its successful implementation, but we know that there is a clear path for every one of the concerns raised. She said it is our responsibility to honor our democratic election process and this type of voting allows her to express her political voice in a more nuanced way and it empowers us to choose among candidates in an empowered democracy and leads us to believe in the electoral process. This type of voting is an important step in the Council's follow through. She said Earth Care is committed to educating people, especially in District #3, about these changes.

**VERBATIM TRANSCRIPT
OF THE REQUESTED PORTION OF PETITIONS FROM THE FLOOR, ITEM #F
CITY COUNCIL MEETING
July 12, 2017**

Mayor Gonzales gave each person 2 minutes to petition the Governing Body

STEFANIE BENINATO: Two things. I think the City has a long way to go in order to get voter support or voter confidence in the way the City is operating, given the latest scandal at the Chavez Center. So again, Gas Tax or Sugar Taxes, any kind of money given to the City is a little scary. Again, we had our Parks Bond that was a problem, yet across the board in the Parks and Recreation Department, financial process were not looked at, and now again, we're playing sort of catch up here, in terms of proper procedure. I also want to speak in support of Ranked Choice Voting. I am happy that you are going to consider rescinding your vote. I do believe that if it came back for a Sugar Tax vote and educate people about that, that a proposition to have Ranked Choice Voting that's been in for 10 years, that should be some kind of educational material available out there that can be used so that the whole idea of that and help voters really understand the system, and be ready for it. I just don't think that's true. I don't think that's true, whether you are an English speaker or a Spanish speaker, because I have heard comments about you know, especially Spanish speaking voters. I think the concept of the way it's calculating may be complex. I think the idea is actually fairly simple. So I would encourage support of Ranked Choice Voting for 2018. Thank you.

I certify that this is a true and accurate transcript of the requested portion of Petitions from the Floor, Item #F, City Council Meeting, July 12, 2017.


Melessia Helberg, Council Stenographer

Tomas Rivera, 109 Aspen, Chainbreakers Collective, said Chainbreakers has more than 700 dues paying members. He said they want to encourage the Governing Body to support Ranked Choice Voting, and appreciate the proposal to rescind the last vote. He said Chainbreakers did an education campaign over the summer about equity issues and some of the disparities that we're facing across the City. And Ranked Choice Voting is one of the ways that we can bring equity into our City from the concrete ways we can bridge some of the divides we're facing. He said a lot of people in the community feel dis-empowered from the voting process, and Ranked Choice Voting is one way people can engage in the process and bring real democracy to our community. He said after the end of the summer, the education campaign, will be vesting in vote education and voter registration drive in all Districts in the City,

but particularly in our home Districts, and in the Hopewell-Mann Neighborhood which is in District #2, and others in District #3. So they are committed to do doing that education and hope that Ranked Choice Voting will be part of that education process.

John Otter, 2300 W. Alameda #3, presented more information and statistics in support of Ranked Choice Voting. Please see Exhibit "6," for the complete text of Mr. Otter's presentation.

Karen Heldmeyer, 325 E. Berger, noted the letter handed out from the League of Women Voters, saying neither the local or State Leagues have a position on Ranked Choice Voting, because they do not take a position without first having a sufficient study. Please see Exhibit "7," for the complete text of this letter.

Former Councilor Heldmeyer continued, saying, regarding her personal opinion, she sent an email to the Governing Body talking about the history of Ranked Choice Voting and how the Charter ended up sounding the way it does. She said, "So, under my own hat, when you consider Ranked Choice Voting, you have to do it right. You can't screw it up, because if you screw it up, what happens is that people get disenfranchised. And I worry as much about that as I worry about some of the things that people who support Ranked Choice Voting do. I think it is also important that you realize that voting is one of the, maybe the most basic functions of government, and it should be handled by government. I hear people making nice promises about resources that might be available from non-profits, whether financial or educational. This has to be done by government, because non-profits have motives of their own, good, bad, indifferent I'm not saying. But if you are going to do Ranked Choice Voting it has to be a governmental function, not a function of non-profit organizations, not a function of well meaning people, but a function of government. And, as such, it's got to work right, and it has to be done in a reasonable way or the government, you guys, are going to take the heat. So when you consider rescission at the next meeting, consider that. Thank you."

G. APPOINTMENTS

There were no appointments.

H. PUBLIC HEARINGS

- 1) REQUEST FROM BTR WINE, LLC, 201 GALISTEO STREET FOR A WINE WHOLESALE LICENSE TO BE LOCATED AT BTR WINE, 201 GALISTEO STREET. (YOLANDA Y. VIGIL)**

A Memorandum dated July 6, 2017, with attachments, prepared by Yolanda Y. Vigil, City Clerk, to Mayor Gonzales & City Councilors, is in the Council packet, noting staff recommends as a condition of approval, this business be required to comply with all of the City's ordinance as a condition of doing business in the City.

Public Hearing

Stefanie Beninato was sworn. Ms. Beninato said there are 6 items tonight dealing with liquor licenses, transfers, waivers, etc. She understands that State law requires you to vote on transfers, but said you usually approve waivers, and it would be nice if there was a way to handle waivers administratively, so you don't have to waste your time dealing with these waivers each week that are pretty automatic. She said she would encourage Councilor Dominguez to go forward with the idea that we would have an overlay of liquor use.

The Public Hearing was closed

MOTION: Councilor Dominguez moved, seconded by Councilor Harris, to approve the request from BTR Wine, LLC, 201 Galisteo Street, for a Wine Wholesaler License to be located at BTR wine, 201 Galisteo Street, with all conditions of approval as recommended by staff.

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

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

Against: None.

- 2) **REQUEST FROM LA CHOZA, INC., 905 ALARID STREET, FOR A TRANSFER OF OWNERSHIP (CHANGE OF STOCKHOLDERS AND OWNERSHIP PERCENTAGE OF STOCK), AND CHANGE OF LOCATION (EXPANSION) OF DISPENSER LIQUOR LICENSE NO. 28041, WITH ON-PREMISE CONSUMPTION ONLY. THIS LICENSE WILL REMAIN AT LA CHOZA, 905 ALARID STREET. (YOLANDA Y. VIGIL)**

A Memorandum dated July 6, 2017, with attachments, prepared by Yolanda Y. Vigil, City Clerk, to Mayor Gonzales & City Councilors, is in the Council packet, noting La Choza, Inc., is required to comply with all Fire, Building and Land Use Code requirements prior to release of City licenses, and is required to comply with all of the City's ordinance as a condition of doing business in the City.

Public Hearing

There was no one speaking to this request

The Public Hearing was closed

MOTION: Councilor Ives moved, seconded by Councilor Maestas, to grant the request by La Choza, Inc., 905 Alarid Street, for a transfer of ownership (change of stockholders and ownership percentage of stock) and change of location (expansion) of Dispenser Liquor License No. 28041, with on-premise consumption only, with the license to remain at La Choza, 905 Alarid Street, with all conditions of approval as recommended by staff.

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

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

Against: None.

- 3) **REQUEST FROM T-BIRD SOUTHWEST RESTAURANT GROUP, LLC, 1250 PROSPECT STREET, SUITE 305, LA JOLLA, CALIFORNIA, FOR A TRANSFER OF OWNERSHIP OF LIQUOR LICENSE NO. 2776, WITH ON-PREMISE CONSUMPTION ONLY, FROM OUTBACK STEAKHOUSE OF FLORIDA, LLC, TO T-BIRD SOUTHWEST RESTAURANT GROUP, LLC. THIS LICENSE WILL REMAIN AT OUTBACK STEAKHOUSE #5113, 2574 CAMINO ENTRADA. (YOLANDA Y. VIGIL)**

A Memorandum dated July 6, 2017, with attachments, prepared by Yolanda Y. Vigil, City Clerk, to Mayor Gonzales & City Councilors, is in the Council packet, noting this business is required to comply with all of the City's ordinance as a condition of doing business in the City.

Public Hearing

There was no one speaking to this request.

The Public Hearing was closed

MOTION: Councilor Dominguez moved, seconded by Councilor Harris, to grant the request from T-Bird Southwest Restaurant Group, LLC, 1250 Prospect Street, Suite 305, La Jolla, California, for a transfer of ownership of Liquor License No. 2776, with on-premise consumption only, from Outback Steakhouse of Florida, LLC, to T-Bird Southwest Restaurant Group, LLC, with the license to remain at Outback Steakhouse #5113, 2574 Camino Entrada, with all conditions of approval as recommended by staff.

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

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

Against: None.

- 4) **REQUEST FROM G.L.A. SANTA FE HOSPITALITY, LLC, 3201-C ZAFARANO DR., #356, FOR A TRANSFER OF OWNERSHIP OF INTER-LOCAL DISPENSER LIQUOR LICENSE NO. 28022, WITH ON-PREMISE CONSUMPTION ONLY AND PATIO SERVICE, FROM ABIQUIU SAINT-FOUR, INC., TO G.L.A. SANTA FE HOSPITALITY, LLC. THIS LICENSE WILL REMAIN AT RADISH & RYE, 548 AGUA FRIA STREET. (YOLANDA Y. VIGIL)**

A Memorandum dated July 6, 2017, with attachments, prepared by Yolanda Y. Vigil, City Clerk, to Mayor Gonzales & City Councilors, is in the Council packet, noting this business is required to comply with all of the City's ordinance as a condition of doing business in the City.

Public Hearing

There was no one speaking to this request.

The Public Hearing was closed

MOTION: Councilor Ives moved, seconded by Councilor Rivera, to grant the request by G.L.A. Santa Fe Hospitality, LLC, 3201-C Zafarano Dr., #356, for a transfer of ownership of Inter-Local Dispenser Liquor License No. 28022, with on-premise consumption only and patio service, from Abiquiu Saint-Flour, Inc., to G.L.A. Santa Fe Hospitality, LLC, with the license to remain at Radish & Rye, 548 Agua Fria Street, with all conditions of approval as recommended by staff.

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

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

Against: None.

- 5) **REQUEST FROM THE SHED, INC., 113½ E. PALACE AVENUE, FOR A TRANSFER OF OWNERSHIP (CHANGE OF STOCKHOLDERS AND OWNERSHIP PERCENTAGE OF STOCK) OF LIQUOR LICENSE NO. 2767, WITH ON PREMISE CONSUMPTION ONLY, FROM THE SHED, INC. THIS LICENSE WILL REMAIN AT THE SHED, 113½ E. PALACE AVENUE. (YOLANDA Y. VIGIL)**

A Memorandum dated July 6, 2017, with attachments, prepared by Yolanda Y. Vigil, City Clerk, to Mayor Gonzales & City Councilors, is in the Council packet. Ms. Vigil noted that although the business is within 300 feet of the Cathedral Basilica of St. Francis of Assisi, a waiver is not required on a transfer of ownership of an existing license. Ms. Vigil noted this business is required to comply with all of the City's ordinance as a condition of doing business in the City.

Public Hearing

There was no one speaking to this request.

The Public Hearing was closed

MOTION: Councilor Harris moved, seconded by Councilor Ives, to grant the request from the Shed, Inc., 113½ E. Palace Avenue, for a transfer of ownership (change of stockholders and ownership percentage of stock) of Liquor License No. 2767, with on-premise consumption only, from the Shed, Inc., with the license to remain at The Shed, 113½ E. Palace Avenue, with all conditions of approval as recommended by staff.

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

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

Against: None.

- 6) **REQUEST FROM THE SPANISH COLONIAL ARTS SOCIETY FOR A WAIVER OF THE 300 FOOT LOCATION RESTRICTION AND APPROVAL TO ALLOW THE DISPENSING/CONSUMPTION OF WINE AT EL MUSEO CULTURAL, 555 CAMINO DE LA FAMILIA, WHICH IS WITHIN 300 FEET OF WAREHOUSE 21, 1614 PASEO DE PERALTA, WHERE SERVICES ARE HELD BY HOPE UNLIMITED CHURCH SANTA FE. THE REQUEST IS FOR THE SPANISH MARKET PREVIEW EVENT ON FRIDAY, JULY 28, 2017, WITH ALCOHOL SERVICE FROM 6:00 P.M. TO 9:00 P.M. (YOLANDA Y. VIGIL)**

A Memorandum dated July 6, 2017, with attachments, prepared by Yolanda Y. Vigil, City Clerk, to Mayor Gonzales & City Councilors, is in the Council packet. Ms. Vigil noted this business is within 300 feet of Warehouse 21 where services are held by Hope Unlimited Church Santa Fe, noting the letter in the packet from Larry and Rachel De la Garza, stating that Hope Unlimited Church approves of the event.

Public Hearing

There was no one speaking to this request.

The Public Hearing was closed

MOTION: Councilor Ives moved, seconded by Councilor Rivera, to grant the request for the waiver of the 300 foot location restriction and approval to allow the dispensing/consumption of wine at El Museo Cultural, 555 Camino de la Familia, for the Spanish Market Preview Event on Friday, July 28, 2017, with alcohol service from 6:00 p.m. to 9:00 p.m., with all conditions of approval as recommended by staff.

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

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

Against: None.

END OF PUBLIC HEARINGS

I. ADJOURN

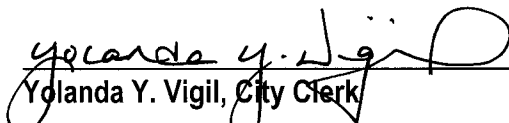
There was no further business to come before the Governing Body, and upon completion of the Agenda, the meeting was adjourned at approximately 8:15 p.m.

Approved by:



Mayor Javier M. Gonzales

ATTESTED TO:



Yolanda Y. Vigil, City Clerk

Respectfully submitted:



Melessia Helberg, Council Stenographer

Good evening. Welcome to the annual summer refresher of ethics.

City Code Section 1-7.11 states: "the Code of Ethics shall be reviewed by the governing body on an annual basis not later than June 30th of each year."

Staff could have stuck this item on the agenda at your last meeting in the afternoon session, but I understand the afternoon session didn't end until 7:30pm. Tonight, I am going to spend 10 minutes---5 minutes highlighting the 5 key points in the Code of Ethics and then I need a minute to set up a 4 minute video clip for you to watch.

In the past, I have tried to scare you into compliance. I have tried to lecture you into compliance. Frankly, my blood pressure is way too high for that approach this year. Tonight, I will try a simpler approach. I read in the newspaper that the White House prepared for the recent G-20 meeting...not with scare tactics, binders or power point, but with messages written like twitter like messages. Key points in 140 letters or less. So, I will talk about the five key points and end with a twitter message to re-inforce the point.

1. The City Clerk will be handing out the annual Ethics Registration Form. City Code Section 1-7.6B says this information "shall be updated every July." Please fill it out and return it to the City Clerk by the end of July. Or should I say.

Exhibit "1"

Fill Out Ethics

Form in July

GET IT DONE

2. It is summer. It is opera season, and then Wine and Chile Festival season and then non-profit fundraisers for schools season

Remember, you can accept free tickets up to \$250 related to your role as city councilor/ambassador but you have to fill out a report within 10 days of the event and provide to the City Clerk under City Code 1-7.7A1a.

Get Gift and
Ticket Forms to
City Clerk
within 10 days
of event. FAST!

3. The \$250 is an aggregate figure for you and your partner or spouse. You can't get a free ticket of \$250 for you and a free ticket of \$250 for your partner. That's \$500.

Gift Includes Your
Partner/Spouse # SAD!
Maybe No Two Tickets
Anymore?

4. I want to clarify how to calculate the amount. Because some of you get offered ticket of \$300, \$500—now there is some great chiefs in Santa Fe, but too much for the price of food—of course, most of it it is the charitable amount to help run the charity.

So, the way to calculate that amount—take the ticket price and ask the donor what is the charitable amount. Then, subtract. Perhaps for a \$500 ticket, it is \$400 for charitable mark-up. They should have this number because some folks do need to notate this amount on their taxes. So if it's a \$500 ticket and \$400 is the charitable amount, then the gift value is \$100. That is under the \$250. That's permissible if reported to the City Clerk

Gift Amount is
the Ticket Price
Minus Tax
Deductible
Amount.

Gift Math

5. When we were growing up, our word and handshake was our bond. It meant something. Now if it didn't happen on email, it never happened. So, we continue to get lots of IPRA requests for emails because the public just loves to see them. I used to say organize your emails on this topic in folders and don't write something that would make your family blush if it was in the SF New Mexican. No more. The IT Department has access to all your emails and we can search by terms. Now I say, use email but know it is a public document. If there's an IPRA request, I get to read it. So don't write something that would make me blush. I don't care what device you use public or private, if you are discussing public business, it is subject to IPRA. You need to turn it over. Don't think you can avoid this issue by using a private phone or private account. Because there's always cross pollination on email chains. So even if you are using a private account but there's email chain with a cc to a government account, then I automatically get that from IT. And if I ask you for emails and you turn over nothing and then I am going to have to ask for your phone because I will know you do have something.

Your Emails –
Except those to
City Attorney's
Office – are
public.

Transparency!

But oh boy, there goes my blood pressure again. Ok, ok. Again, back to a new approach. Some of us in City Hall who are amateur thespians, got together with the brilliant Joe Abeyta, to make a permanent training video for new councilors, commissioners and committee members. It is based on that TV show the Office. So, it is a fake documentary where I play the worst, most cringe-worthy, committee member ever. We use humor to teach and have quiz questions to re-enforce the ethical way to act. We will send out this video to you later this summer once we're done editing and get approval from HR and City Manager's Office. We then burn CDs for new councilors, appointees etc In this four minute clip, you will see me a committee member on the fictional Parks Committee. It takes on mundane points—like how to act during public comment period and more serious matters—like sexual harassment. In this clip you will see me treat the public poorly and you will see me use texting to try to sexually harass a woman who I think is the City staff member. Ok, Joe, let's roll the clip.



CITY COUNCIL MEETING OF
July 12, 2017
BILLS AND RESOLUTIONS SCHEDULED FOR INTRODUCTION
BY MEMBERS OF THE GOVERNING BODY

Mayor Javier Gonzales			
Co-Sponsors	Title		Tentative Committee Schedule
Councilor Carmichael Dominguez			
Co-Sponsors	Title		Tentative Committee Schedule
Councilor Mike Harris			
Co-Sponsors	Title		Tentative Committee Schedule
	AN ORDINANCE RELATING TO THE TELECOMMUNICATIONS IN THE PUBLIC RIGHTS-OF-WAY ORDINANCE; AMENDING SUBSECTION 27-2.19 SFCC 1987 TO STREAMLINE THE LAND USE REVIEW PROCESS FOR TELECOMMUNICATIONS FACILITIES IN THE PUBLIC RIGHTS OF WAY; AMENDING SUBSECTION 27-2.20 TO INCLUDE FACILITIES; AND REPEALING SUBSECTION 27-21 RELATING TO THE TELECOMMUNICATIONS ADVISORY COMMITTEE.		Public Works Committee - 7/24/17 Finance Committee - 7/31/17 Public Utilities Committee - 8/2/17 City Council (request to publish) - 8/9/17 City Council (public hearing) - 8/30/17
Councilor Peter Ives			
Co-Sponsors	Title		Tentative Committee Schedule
Councilor Signe Lindell			
Co-Sponsors	Title		Tentative Committee Schedule
Councilor Joseph Maestas			
Co-Sponsors	Title		Tentative Committee Schedule
Councilor Chris Rivera			
Co-Sponsors	Title		Tentative Committee Schedule

Councilor Ron Trujillo		
Co-Sponsors	Title	Tentative Committee Schedule
	A RESOLUTION SUPPORTING THE NEW MEXICO LITTER CONTROL AND BEAUTIFICATION ACT OF 1985 WHICH PROVIDES PUBLIC FUNDS IN THE FORM OF GRANTS FOR THE PURPOSE OF ENHANCING LOCAL LITTER CONTROL AND BEAUTIFICATION PROGRAMS.	Finance Committee - 7/31/17 Public Utilities Committee - 8/2/17 City Council - 8/9/17
Councilor Renee Villarreal		
Co-Sponsors	Title	Tentative Committee Schedule

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

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

2 **RESOLUTION NO. 2017-__**

3 **INTRODUCED BY:**

4
5 Councilor Ronald Trujillo

6
7
8
9
10 **A RESOLUTION**

11 **SUPPORTING THE NEW MEXICO LITTER CONTROL AND BEAUTIFICATION ACT OF**
12 **1985 WHICH PROVIDES PUBLIC FUNDS IN THE FORM OF GRANTS FOR THE**
13 **PURPOSE OF ENHANCING LOCAL LITTER CONTROL AND BEAUTIFICATION**
14 **PROGRAMS.**

15
16 **WHEREAS**, the city of Santa Fe recognizes the existence of a litter problem within the
17 boundaries of Santa Fe; and

18 **WHEREAS**, the New Mexico Litter Control & Beautification Act of 1985 (the "ACT")
19 provides, through the State Tourism Department, Litter Control and Beautification Section, for the
20 allocation of public funds in the form of grants for the purpose of enhancing local litter control and
21 beautification programs; and

22 **WHEREAS**, the city of Santa Fe has reviewed and considered the regulations, the agreement
23 covering administration and use of said funds.

24 **NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE**
25 **CITY OF SANTA FE** that the city of Santa Fe:

1 1. Endorses and supports such a program and delegates the administration of such program
2 to Keep Santa Fe Beautiful, as indicated in Exhibit "A" attached hereto and incorporated
3 herein by reference.

4 2. Authorizes Keep Santa Fe Beautiful to plan, budget and apply for a grant under the ACT
5 which if approved, will be used to fund said programs.

6 3. Requests the State Tourism Department, Litter Control Beautification Section to consider
7 and approve said application and program. Said program is in accordance with the Act and
8 related regulations governing the use and expenditure of said funds.

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

10
11
12 ATTEST:

JAVIER M. GONZALES, MAYOR

13
14 _____
15 YOLANDA Y. VIGIL, CITY CLERK

16 APPROVED AS TO FORM:

17
18 _____
19 KELLEY A. BRENNAN, CITY ATTORNEY
20
21
22
23
24

25 *Legislation/Resolution 2017/Litter Control and Beautification*

David McQuarie 2997 Calle Cerrada Santa Fe, New Mexico 87505-5393 Phone: (505)471-5785

July 7, 2017

Governing Body
City of Santa Fe
P.O. Box 909
Santa Fe, NM 87504-0909

Dear Governing Body,

Please reconsider Agenda approval of Consent Item: *ff) Request for Approval of Professional Services Agreement in the amount of \$287,028.13 – Bus Shelters Phase II-installation, H.O. Construction*. This item was never sent for ADA review by the MCD Plan Review Subcommittee. According to SF Resolution 2006-151, Section 3(4) all public works projects shall be reviewed for ADA compliance.

Phase 1 of these bus shelter installations has multiple ADA deficiencies – maybe we can improve. Please have the plans scheduled for ADA review ASAP. At a minimum please provide:

- a complete list of proposed shelters
- sign face detail
- typical layout of shelter area

I can be contacted at 505-471-5785.

Thank you,

Dave McQuarie
MCD Vice-chair

Cc: MCD members
Colin Messer, TAB
Anthony Alarid, GCD
LeAnn Valdez, PM Facilities

Exhibit "4"

David McQuarie 2997 Calle Cerrada Santa Fe, New Mexico 87505-5393 Phone: (505)471-5785

July 7, 2017

Brian K. Snyder, P.E.
City Manager
City of Santa Fe
P.O. Box 909
Santa Fe, NM 87504-0909

Dear Mr. Snyder,

You are reminded that in accordance to SF Resolution 2006-151 Section 3(4) line 12, preliminary plans of modified intersections are to be forwarded to MCD Plan Review for ADA compliance, review and comment. Some intersections have not been submitted even though our Plan Review Subcommittee has continually requested them.

Please have the following intersection plans submitted ASAP. They are:

- Alameda / Paseo de Peralta northeast corner
- Sandoval / Montezuma
- Cerrillos Road / Camino Entrada (The south side bus terminal cannot be built until a pedestrian route is approved.)
- Cottonwood Lane (PM James Martinez)
- Griffith / McKenzie

I can be contacted at 505-471-5785.

Thank you,

Dave McQuarie
MCD Vice-chair

Cc: Governing Body
MCD Members
Anthony Alarid, GCD
Lisa Neie, FHWA

Exhibit '5'

Mayor and Councilors,

I urge reconsideration of the decision to delay implementation of Ranked Choice Voting (RCV) in Santa Fe.

One important reason to implement RCV as soon as possible is the urgent need to increase equity in our City.

Use of RCV has proven to increase political representation of racial minorities.

RCV was used in such cities as New York, Cleveland and Cincinnati in the 1930s, but was voted out because it was having a positive impact on representation of racial and ethnic minorities.

San Francisco has used RCV since 2004. Its population is about 32% Asian American, 7% African American, 14% Latino and 44% white. The number of racial minorities elected to the 11-member San Francisco Board of Supervisors has increased from 4 to 9: five Asian Americans, two African Americans, and two Latinos.

In 2014 people of color held 16 of San Francisco's 18 offices elected by RCV, up from only nine before 2004.

In 2015, three of the four mayors of the Bay Area cities using ranked choice voting were female. Women held half or more of the offices elected using RCV in Oakland, Berkeley and San Leandro. Women and people of color held 47 of the 52 elected offices filled using RCV.

In San Francisco, an overwhelming majority of voters of all races and ethnicities reported understanding RCV, including 89.8% of Hispanic/Latino voters. 50% more racial and ethnic minority voters ranked all three allowed preferences than white voters.

Exhibit "6"

Voters use RCV successfully even when not having been educated. In San Francisco's RCV election (termed IRV) in 2005, 99.6% of voters cast valid votes despite that over 30% of polling place voters did not know before voting that they would be asked to rank candidates on the ballot. 99.7% of voters cast valid Ranked Choice ballots in Burlington, VT, despite education efforts not reaching 30% of voters.

Voters are easily educated in Ranked Choice Voting. Education need not be expensive. Burlington, VT spent about \$0.25 per voter for their first RCV election. The City of Portland, ME spent little to no money on voter education for its initial RCV election in which 99.83% of voters cast a valid ballot with 15 candidates and a design that allowed voters to rank all 15.

The most important factors boosting effective use of the RCV system are ones that can be done inexpensively: sensible ballot design, clear ballot instructions and well-trained poll workers.



LEAGUE OF WOMEN VOTERS®
OF SANTA FE COUNTY

DATE: July 12, 2017

TO: Mayor Javier Gonzales
Members of the Santa Fe City Council

FROM: Marcy Litzenberg, First Vice President
League of Women Voters of Santa Fe County

RE: LWVSFC Position on Ranked-choice Voting

The League of Women Voters of Santa Fe County has not done a formal study of Ranked Choice Voting, therefore we do not have an official position on that issue. For that reason, we cannot advocate for or against RCV, nor can we give our opinions regarding its implementation.

Across the country there are Leagues that have studied RCV and adopted positions in support of it, and others that have done studies and adopted positions that oppose it. There are some that have given conditional approval to RCV, but with specific contingencies. And there are many, like us, who have not undertaken a formal study and, therefore, have not taken a position at all.

Marcy Litzenberg, 1st Vice President
League of Women Voters of Santa Fe County