



Agenda

REGULAR MEETING OF
THE GOVERNING BODY
OCTOBER 25, 2017
CITY COUNCIL CHAMBERS

AFTERNOON SESSION – 5:00 P.M.

1. CALL TO ORDER
2. PLEDGE OF ALLEGIANCE
3. SALUTE TO THE NEW MEXICO FLAG
4. INVOCATION
5. ROLL CALL
6. APPROVAL OF AGENDA
7. APPROVAL OF CONSENT CALENDAR
8. APPROVAL OF MINUTES: Regular City Council Meeting – October 11, 2017
9. PRESENTATIONS
 - a) August 2017 Employee of the Month – Debi Croney, IT Business Liaison; ITT Department.
 - b) September 2017 Employee of the Month – Theodoro Sandoval, Mechanical Structure Specialist; Public Works Department.
 - c) October 2017 Employee of the Month – Kristine Archuleta, IT End User Services Technician; ITT Department.
 - d) Proclamation – Chris Linson Day – October 28, 2017; Induction into the New Mexico Boxing Hall of Fame Class of 2017. (Councilor Trujillo)
10. CONSENT CALENDAR
 - a) CONSIDERATION OF RESOLUTION NO. 2017-____. (Councilor Villarreal and Councilor Maestas)
A Resolution Requesting that the New Mexico Environment Department Strengthen the Revised Los Alamos National Labs Cleanup Order to Call for Additional Characterization of Legacy Nuclear Wastes, Increased Cleanup Funding, and Significant Additional Safety Training; and Suspend Any Planned Expanded Plutonium Pit Production Until Safety Issues Are Resolved; and Directing the City Clerk to Transmit Copies of This Resolution to Associated Parties. (Jesse Guillen) **(Postponed on October 11, 2017)**

CITY CLERK'S OFFICE

DATE 10/20/17 TIME 4:10 PM

SERVED BY Melanie Byn

RECEIVED BY [Signature]



Agenda

REGULAR MEETING OF
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- b) Request for Approval for City Manager to Execute Online License Agreement; Google Transit. (Keith Wilson)
- c) Request for Approval of Amendment No. 1 to Professional Services Agreement in the Amount of \$119,632.76, Plus NMGR, for Construction Management Services; Louis Berger Group, Inc. (Leroy Pacheco)
- d) Request for Approval to Purchase Water Service Connection Equipment, Water Meters and Supplies for the Transmission and Distribution Section Under New Mexico State Price Agreements 60-000-15-00030, 60-000-16-00067 and 50-000-1500052; Baker Utility Supply Corp., Albuquerque Winnelson, HD Supply Waterworks AKA Core Main LTD, Ferguson Water Works and Water Meters of New Mexico. (Mike Moya)
- e) Request for Approval to Purchase Replacement Carpet and Tile for the Main Water Division Building on San Mateo in the Total Amount of \$62,513.59, Inclusive of NMGR, Under State Price Agreement 60-000-16-00065; Coronado Paint and Decorating. (Stephanie Lopez)
- f) Request for Approval to Purchase Repairs and Equipment for the Wastewater Management Division in the Total Amount of \$50,000, Exclusive of NMGR; Pete's Equipment Repair, Inc. (Jerry Tapia)
- g) Request for Approval to Purchase Two Utility Vehicles in the Total Amount of \$79,492 Under State Price Agreement 70-000-16-0002; Brad Francis Automotive Group. (Necasio Lovato)
- h) Request for Approval to Purchase Software Support and Maintenance for Police Department and Land Use Department in the Total Amount of \$139,857.60; Superion Previously Known as SunGard Public Sector. (Bogi Malecki)
- i) Request for Approval to Purchase Software Maintenance Agreement in the Total Amount of \$20,489.96 Under New Mexico State Price Agreement 60-000-16-000-39AA; Environmental Systems Research Institute, Inc. (Bogi Malecki)
- j) Request for Approval of New Mexico Department of Transportation Grant SAF-18-03 in the Amount of \$75,297 and Required City Match in the Amount of \$75,297 for the Mil and Overlay of Runway 2/20 at the Santa Fe Municipal Airport. (Cameron Humphres)
 - 1) Request for Approval of Budget Amendment.



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- k) Request for the Approval of the Following Grants, Required City Match and Corresponding Budget Amendment in the Total Amount of \$2,262,660 for the Rehabilitation of Taxiway D at the Santa Fe Municipal Airport. (Cameron Humphres)
 - 1) Federal Aviation Administration (FAA) Grant 3-35-0037-048 – \$2,121,244.
 - 2) New Mexico Department of Transportation (NMDOT) Grant SAF 18-01 – \$70,708.
 - 3) Required City Match – \$70,708.
- l) Request for Approval to Award RFB# '18/01/B and Approval of Professional Services Agreement in the Amount of \$3,927,025.10, Exclusive of NMGR; Mountain States Construction. (Cameron Humphres)
- m) Request for Approval of the Following Task Orders in the Total Amount of \$439,862, Inclusive of NMGR, for Services Related to Construction Administration and Oversight at the Santa Fe Municipal Airport; KSA Engineers, Inc. (Cameron Humphres)
 - 1) Task Order No. 11 - \$247,116.
 - 2) Task Order No. 12 - \$192,746.
- n) CONSIDERATION OF RESOLUTION NO. 2017-____. (Mayor Gonzales, Councilor Maestas, Councilor Lindell, Councilor Ives and Councilor Harris) A Resolution Authorizing the Renaming of the "Santa Fe Municipal Airport" to the "Santa Fe Regional Airport". (Cameron Humphres)
- o) CONSIDERATION OF RESOLUTION NO. 2017-____. (Councilor Dominguez)
A Resolution Rescinding Resolution 2017-37, and Increasing the Operating Mill Levy Property Tax Within the Municipal Boundaries of the City of Santa Fe to Maintain the Current Level of Property Tax Revenue. (Bradley Fluetsch)

Fiscal Impact: Expenditures = \$1.5 mil; Revenues = \$1.5 mil

While the Allocation Property Tax Revenue Change from Debt Service to Operating, the Total Amount of Property Tax Levied Will Remain the Same. This Resolution Corrects Resolution 2017-37 Which Has Inaccurate Rates Stated.



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- p) CONSIDERATION OF RESOLUTION NO. 2017-____. (Mayor Gonzales, Councilor Lindell, Councilor Villarreal, Councilor Maestas, Councilor Ives, Councilor Rivera and Councilor Dominguez)

A Resolution Establishing a Municipal Drug Strategy Task Force to Develop New Approaches to Problems Related to Both Drug Addiction and Policy Responses to it by Collaborating, Studying, Gathering Input from the Santa Fe Community and Issue-Experts, and Proposing Recommendations for a Coordinated Drug Strategy Rooted in Public Health and Safety. (Chris Sanchez)

Fiscal Impact: \$2,000 for Stenographer Services to be Funded Out of the General Fund.

- q) Request for Approval to Publish Notice of Public Hearing on December 13, 2017:

Bill No. 2017-27. An Ordinance Relating to Independently Sponsored Campaign Communications and Reporting; Amending Subsection 9-2.6 to Make Changes to Independently Sponsored Campaign Communications and Reporting. (Councilor Dominguez) (Kelley Brennan)

- r) Request for Approval of 2018 Employee Holiday Calendar. (Lynette Trujillo)

11. PUBLIC HEARING:

- a) CONSIDERATION OF RESOLUTION NO. 2017-____. (Councilor Harris and Councilor Lindell)

A Resolution Acknowledging the Importance of the College of Santa Fe and the Santa Fe University of Art and Design to the History of Santa Fe; Recognizing the Significance of the Location of the University Campus in the Geographic and Demographic Center of Santa Fe and its Connection to the Recently-Created Midtown LINC Overlay District; Acknowledging the City's Investment in the University Property; Calling for a Renewed Vision for the Property Integrating a Forward-Looking Educational Use With Other Community-Centered Uses Built on the City's Existing Strengths and Capacity; and for the City of Santa Fe to Act as the Catalyst for Change Embodying the Common Values of the City. (Matthew Brown)

12. MATTERS FROM THE CITY MANAGER

REGULAR MEETING OF
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H. PUBLIC HEARINGS:

- 1) CONSIDERATION OF Bill No. 2017-24: ADOPTION OF ORDINANCE NO. 2017-____. (Mayor Gonzales and Councilor Ives)
An Ordinance Authorizing the Issuance and Sale of the City Of Santa Fe, New Mexico Gasoline Tax/Subordinate Lien Gross Receipts Tax Improvement Revenue Bonds, Series 2017 in an Aggregate Principal Amount Not to Exceed \$13,500,000 for the Purpose of Defraying the Cost of Constructing, Reconstructing, Resurfacing, Maintaining, Acquiring Rights of Way, Repairing and Otherwise Improving Municipal Buildings, Alleys, Streets, Public Roads and Bridges or Any Combination of the Foregoing Purposes; Providing that the Bonds Will be Payable and Collectible from Gasoline Tax Revenues and Certain Gross Receipts Tax Revenues Distributed to the City; Delegating Authority to the City Finance Director to Approve the Final Principal Amount, Interest Rates and Other Details of the Bonds Within the Parameters Set Forth in This Authorizing Ordinance; Delegating Authority to the City Finance Director to Execute and Deliver a Bond Purchase Agreement for the Sale of the Bonds; Providing for the Collection of Certain Gasoline Tax Revenues and Gross Receipts Tax Revenues; Approving Certain Other Agreements and Documents in Connection with the Bonds; Ratifying Action Previously Taken in Connection with the Bonds; Repealing All Ordinances in Conflict Herewith; and Related Matters. (Bradley Fluetsch) **(Postponed on October 11, 2017)**
- 2) Request from Spanish Danzart Society, Entre Flamenco for a Restaurant Liquor License (Beer and Wine), with On-Premise Consumption Only, to be Located at El Flamenco, 135 W. Palace Avenue, Suites 202, 203 and 204. (Yolanda Y. Vigil)
- 3) Request from Tumbleroot Brewing, LLC, for a Craft Distiller 1st Offsite Location License with On-Premise Consumption, Package Sales and Patio Service, to be Located at Tumbleroot Brewery and Distillery, 2791 Agua Fria Street. (Yolanda Y. Vigil)
- 4) Request from Tumbleroot Brewing, LLC, for a Small Brewer 1st Offsite Location License with On- Premise Consumption, Package Sales and Patio Service, to be Located at Tumbleroot Brewery and Distillery, 2791 Agua Fria Street. (Yolanda Y. Vigil)



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- 5) Request from Sabor Peruano, LLC for a Restaurant Liquor License (Beer and Wine), with On- Premise Consumption Only and Patio Service, to be Located at Sabor Peruano, 167 Paseo de Peralta. (Yolanda Y. Vigil)
- 6) Request from MW Santa Fe, LLC, 1352 Rufina Circle, for the following: (Yolanda Y. Vigil)
 - a) Pursuant to §60-6B-10 NMSA 1978, a Request for a Waiver of the 300 Foot Location Restriction to Allow the Sale of Alcohol at Meow Wolf, 1352 Rufina Circle, Which is Within 300 Feet of La Petite Academy, 1361 Rufina Circle.
 - b) If the Waiver of the 300 Foot Restriction is Granted, a Request for Transfer of Ownership and Change of Location of Inter-Local Dispenser Liquor License No. 2644 with On- Premise Consumption Only and Patio Service, from Paris Holdings, LLC, dba El Fogon Restaurant, 3414 N. Lovington Hwy, Hobbs to MW Santa Fe, LLC, dba Meow Wolf, 1352 Rufina Circle.

I. ADJOURN

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

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

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

SUMMARY INDEX
SANTA FE CITY COUNCIL MEETING
October 25, 2017

<u>ITEM</u>	<u>ACTION</u>	<u>PAGE #</u>
CALL TO ORDER AND ROLL CALL	Quorum	1
APPROVAL OF AGENDA	Approved [amended]	2
APPROVAL OF CONSENT CALENDAR	Approved [amended]	2
CONSENT CALENDAR LISTING		2-5
APPROVAL OF MINUTES: REGULAR CITY COUNCIL MEETING – October 11, 2017	Approved	5
<u>PRESENTATIONS</u>		
AUGUST 2017 EMPLOYEE OF THE MONTH – DEBI CRONEY, IT BUSINESS LIAISON; ITT DEPARTMENT		5
SEPTEMBER 2017 EMPLOYEE OF THE MONTH – THEODORO SANDOVAL, MECHANICAL STRUCTURE SPECIALIST; PUBLIC WORKS DEPARTMENT		5
OCTOBER 2017 EMPLOYEE OF THE MONTH – KRISTINE ARCHULETA, IT END USER SERVICES TECHNICIAN; ITT DEPARTMENT		5
PROCLAMATION – CHRIS LINSON DAY – OCTOBER 28, 2017; INDUCTION INTO THE NEW MEXICO BOXING HALL OF FAME, CLASS OF 2017		6

ITEM

ACTION

PAGE #

ONSENT CALENDAR DISCUSSION

CONSIDERATION OF RESOLUTION NO. 2017-76. A RESOLUTION REQUESTING THAT THE NEW MEXICO ENVIRONMENT DEPARTMENT STRENGTHEN THE REVISED LOS ALAMOS NATIONAL LABS CLEANUP ORDER TO CALL FOR ADDITIONAL CHARACTERIZATION OF LEGACY NUCLEAR WASTES, INCREASED CLEANUP FUNDING, AND SIGNIFICANT ADDITIONAL SAFETY TRAINING; AND SUSPEND ANY PLANNED EXPANDED PLUTONIUM PIT PRODUCTION UNTIL SAFETY ISSUES ARE RESOLVED; AND DIRECTING THE CITY CLERK TO TRANSMIT COPIES OF THIS RESOLUTION TO ASSOCIATED PARTIES

Approved

6-7

REQUEST FOR APPROVAL OF AMENDMENT NO. 1 TO PROFESSIONAL SERVICES AGREEMENT IN THE AMOUNT OF \$119,632.76, PLUS NMGR, FOR CONSTRUCTION MANAGEMENT SERVICES; LOUIS BERGER GROUP, INC.

Approved

7-8

CONSIDERATION OF RESOLUTION NO. 2017-77. A RESOLUTION ESTABLISHING A DRUG STRATEGY TASK FORCE TO DEVELOP NEW APPROACHES TO PROBLEMS RELATED TO BOTH DRUG ADDICTION AND POLICY RESPONSES TO IT BY COLLABORATING, STUDYING, GATHERING INPUT FROM THE SANTA FE COMMUNITY AND ISSUE-EXPERTS AND PROPOSING RECOMMENDATIONS FOR A COORDINATED DRUG STRATEGY ROOTED IN PUBLIC HEALTH AND SAFETY

Approved

9

END OF CONSENT CALENDAR DISCUSSION

ITEM**ACTION****PAGE #****PUBLIC HEARING:**

CONSIDERATION OF RESOLUTION NO. 2017-78. A RESOLUTION ACKNOWLEDGING THE IMPORTANCE OF THE COLLEGE OF SANTA FE AND THE SANTA FE UNIVERSITY OF ART AND DESIGN TO THE HISTORY OF SANTA FE; RECOGNIZING THE SIGNIFICANCE OF THE LOCATION OF THE UNIVERSITY CAMPUS IN THE GEOGRAPHIC AND DEMOGRAPHIC CENTER OF SANTA FE AND ITS CONNECTION TO THE RECENTLY CREATED MIDTOWN LINC OVERLAY DISTRICT; ACKNOWLEDGING THE CITY'S INVESTMENT IN THE UNIVERSITY PROPERTY; CALLING FOR A RENEWED VISION FOR THE PROPERTY INTEGRATING A FORWARD LOOKING EDUCATIONAL USE WITH OTHER COMMUNITY CENTERED USES BUILT ON THE CITY'S EXISTING STRENGTHS AND CAPACITY; AND FOR THE CITY OF SANTA FE TO ACT AS THE CATALYST FOR CHANGE EMBODYING THE COMMON VALUES OF THE CITY

Approved w/amendments

11-19

MATTERS FROM THE CITY MANAGER

None

19

MATTERS FROM THE CITY ATTORNEY

EXECUTIVE SESSION

Approved

19

MOTION TO COME OUT OF EXECUTIVE SESSION

Approved

20

REQUEST FOR APPROVAL TO PUBLISH NOTICE OF PUBLIC HEARING ON DECEMBER 13, 2017: BILL NO. 2017-27. AN ORDINANCE RELATING TO INDEPENDENTLY SPONSORED CAMPAIGN COMMUNICATIONS AND REPORTING; AMENDING SUBSECTION 9-2.6 TO MAKE CHANGES TO INDEPENDENTLY SPONSORED CAMPAIGN COMMUNICATIONS AND REPORTING

Approved

20

MATTERS FROM THE CITY CLERK

None

20

COMMUNICATIONS FROM THE GOVERNING BODY

21-24

END OF EVENING AGENDA AT APPROXIMATELY 7:48 P.M.

<u>ITEM</u>	<u>ACTION</u>	<u>PAGE #</u>
<u>EVENING SESSION</u>		
CALL TO ORDER AND ROLL CALL	Quorum	25
PETITIONS FROM THE FLOOR		25-27
<u>APPOINTMENTS</u>		
Mayor's Youth Advisory Board	Approved	27
Planning Commission	Approved	27-28
<u>PUBLIC HEARINGS</u>		
CONSIDERATION OF BILL NO. 2017-24: ADOPTION OF ORDINANCE NO. 2017-____. AN ORDINANCE AUTHORIZING THE ISSUANCE AND SALE OF THE CITY OF SANTA FE, NEW MEXICO GASOLINE TAX/ SUBORDINATE LIEN GROSS RECEIPTS TAX IMPROVEMENT REVENUE BONDS, SERIES 2017 IN AN AGGREGATE PRINCIPAL AMOUNT NOT TO EXCEED \$13,500,000 FOR THE PURPOSE OF DEFRAYING THE COST OF CONSTRUCTING, RECONSTRUCTING, RESURFACING, MAINTAINING, ACQUIRING RIGHTS OF WAY, REPAIRING AND OTHERWISE IMPROVING MUNICIPAL BUILDINGS, ALLEYS, STREETS, PUBLIC ROADS AND BRIDGES OR ANY COMBINATION OF THE FOREGOING PURPOSES; PROVIDING THAT THE BONDS WILL BE PAYABLE AND COLLECTIBLE FROM GASOLINE TAX REVENUES AND CERTAIN GROSS RECEIPTS TAX REVENUES DISTRIBUTED TO THE CITY; DELEGATING AUTHORITY TO THE CITY FINANCE DIRECTOR TO APPROVE THE FINAL PRINCIPAL AMOUNT, INTEREST RATES AND OTHER DETAILS OF THE BONDS WITHIN THE PARAMETERS SET FORTH IN THIS AUTHORIZING ORDINANCE; DELEGATING AUTHORITY TO THE CITY FINANCE DIRECTOR TO EXECUTE AND DELIVER A BOND PURCHASE AGREEMENT FOR THE SALE OF THE BONDS TO THE NEW MEXICO FINANCE AUTHORITY; PROVIDING FOR THE COLLECTION OF CERTAIN GROSS RECEIPTS TAX REVENUES; APPROVING CERTAIN OTHER AGREEMENTS AND DOCUMENTS IN CONNECTION WITH THE BONDS; RATIFYING ACTION PREVIOUSLY TAKEN IN CONNECTION WITH THE BONDS; REPEALING ALL ORDINANCES IN CONFLICT HEREWITH; AND RELATED MATTERS	Postponed to 11/08/17	28

<u>ITEM</u>	<u>ACTION</u>	<u>PAGE #</u>
REQUEST FROM SPANISH DANZART SOCIETY, ENTRE FLAMENCO FOR A RESTAURANT LIQUOR LICENSE (BEER AND WINE), WITH ON-PREMISE CONSUMPTION ONLY, TO BE LOCATED AT EL FLAMENCO, 135 W. PALACE AVENUE, SUITES 202, 203 AND 204	Approved w/conditions	29-30
REQUEST FROM TUMBLERROOT BREWING, LLC, FOR A CRAFT DISTILLER 1 ST OFFSITE LOCATION LICENSE WITH ON-PREMISE CONSUMPTION, PACKAGE SALES AND PATIO SERVICE, TO BE LOCATED AT TUMBLERROOT BREWERY AND DISTILLERY, 2791 AGUA FRIA STREET	Approved w/conditions	30-31
REQUEST FROM TUMBLERROOT BREWING, LLC, FOR A SMALL BREWER 1 ST OFFSITE LOCATION LICENSE WITH ON-PREMISE CONSUMPTION, PACKAGE SALES AND PATIO SERVICE, TO BE LOCATED AT TUMBLERROOT BREWERY AND DISTILLERY, 2791 AGUA FRIA STREET	Approved w/conditions	31-32
REQUEST FROM SABOR PERUANO, LLC, FOR A RESTAURANT LIQUOR LICENSE (BEER AND WINE), WITH ON-PREMISE CONSUMPTION ONLY, AND PATIO SERVICE, TO BE LOCATED AT SABOR PERUANO, 167 PASEO DE PERALTA	Approved w/conditions	32-33

<u>ITEM</u>	<u>ACTION</u>	<u>PAGE #</u>
<p><u>REQUEST FROM M.W SANTA FE, LLC, 1352 RUFINA CIRCLE, FOR THE FOLLOWING:</u></p> <p>PURSUANT TO §60-6B-10 NMSA 1978, A REQUEST FOR A WAIVER OF THE 300 FOOT LOCATION RESTRICTION TO ALLOW THE SALE OF ALCOHOL AT MEOW WOLF, 1352 RUFINA CIRCLE, WHICH IS WITHIN 300 FEET OF LA PETITE ACADEMY, 1361 RUFINA CIRCLE</p> <p>IF THE WAIVER OF THE 300 FOOT RESTRICTION IS GRANTED, A REQUEST FOR TRANSFER OF OWNERSHIP AND CHANGE OF LOCATION OF INTER-LOCAL DISPENSER LIQUOR LICENSE NO. 2644 WITH ON-PREMISE CONSUMPTION ONLY AND PATIO SERVICE, FROM PARIS HOLDINGS, LLC, D/B/A EL FOGON RESTAURANT, 3414 N. LOVINGTON HWY, HOBBS TO MW SANTA FE, LLC, D/B/A MEOW WOLF, 1352 RUFINA CIRCLE</p> <p>ADJOURN</p>	<p>Postponed to 11/08/17</p> <p>Postponed to 11/08/17</p>	<p>33-56</p> <p>33-56</p> <p>56</p>

**MINUTES OF THE
REGULAR MEETING OF THE
GOVERNING BODY
Santa Fe, New Mexico
October 25, 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 Pro-Tem Signe I. Lindell, on Wednesday, October 25, 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

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

Members Excused

Mayor Javier M. Gonzales

Others Attending

Erik Litzenberg, Acting City Manager
Kelley A. Brennan, City Attorney
Yolanda Y. Vigil, City Clerk
Melessia Helberg, Council Stenographer

6. APPROVAL OF AGENDA

Chief Erik Litzenberg, Acting City Manager, said he would like to postpone Item #H(1) on the Evening Agenda, to the Governing Body meeting of November 8, 2017.

Councilor Dominguez asked if it would be appropriate, procedurally, to move Item #10(q) in the Afternoon Session to be heard after the Executive Session.

Ms. Brennan said it would be acceptable for Item #10(q), to be heard at the end of the Afternoon Session.

MOTION: Councilor Dominguez moved, seconded by Councilor Ives, to approve the agenda, to postpone Item #H(1) to the Governing Body meeting of November 8, 2017, and to hear Item 10(q) at the end of the Afternoon Session.

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

7. APPROVAL OF CONSENT CALENDAR

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

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

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

Against: None.

10. CONSENT CALENDAR

A Memorandum dated 10/24/17, to the Mayor and City Councilors, from Keith Wilson, Transit Grants and Administration Manager, regarding Transit Advisory Board Recommendations, regarding Item 10(b), is incorporated herewith to these minutes as Exhibit "1."

a) *[Removed for discussion by Councilor Harris]*

b) **REQUEST FOR APPROVAL FOR CITY MANAGER TO EXECUTE ONLINE LICENSE AGREEMENT; GOOGLE TRANSIT. (KEITH WILSON)**

- c) *[Removed for discussion by Councilor Harris]*
- d) REQUEST FOR APPROVAL TO PURCHASE WATER SERVICE CONNECTION EQUIPMENT, WATER METERS AND SUPPLIES FOR THE TRANSMISSION AND DISTRIBUTION SECTION UNDER NEW MEXICO STATE PRICE AGREEMENTS 60-000-15-00030, 60,000-16-00067 AND 50-000-1500052; BAKER UTILITY SUPPLY CORP., ALBUQUERQUE WINNELSON, HD SUPPLY WATERWORKS A/K/A CORE MAIN LTD, FERGUSON WATER WORKS AND WATER METERS OF NEW MEXICO. (MIKE MOYA)
- e) REQUEST FOR APPROVAL TO PURCHASE REPLACEMENT CARPET AND TILE FOR THE MAIN WATER DIVISION BUILDING ON SAN MATEO IN THE TOTAL AMOUNT OF \$62,513.59, INCLUSIVE OF NMGR, UNDER STATE PRICE AGREEMENT 60-000-16-00065; CORONADO PAINT AND DECORATING. (STEPHANIE LOPEZ)
- f) REQUEST FOR APPROVAL TO PURCHASE REPAIRS AND EQUIPMENT FOR THE WASTEWATER MANAGEMENT DIVISION IN THE TOTAL AMOUNT OF \$50,000, EXCLUSIVE O NMGR; PETE'S EQUIPMENT REPAIR, INC. (JERRY TAPIA)
- g) REQUEST FOR APPROVAL TO PURCHASE TWO UTILITY VEHICLES IN THE TOTAL AMOUNT OF \$79,492 UNDER STATE PRICE AGREEMENT 70-000-16-0002; BRAD FRANCIS AUTOMOTIVE GROUP. (NECASIO LOVATO)
- h) REQUEST FOR APPROVAL TO PURCHASE SOFTWARE SUPPORT AND MAINTENANCE FOR POLICE DEPARTMENT AND LAND USE DEPARTMENT IN THE TOTAL AMOUNT OF \$139,857.60; SUPERION PREVIOUSLY KNOWN AS SUNGARD PUBLIC SECTOR. (BOGI MALECKI)
- i) REQUEST FOR APPROVAL TO PURCHASE SOFTWARE MAINTENANCE AGREEMENT IN THE TOTAL AMOUNT OF \$20,489.96, UNDER NEW MEXICO STATE PRICE AGREEMENT 60-000-16-000-39AA; ENVIRONMENTAL SYSTEMS RESEARCH INSTITUTE, INC. (BOGI MALECKI)
- j) REQUEST FOR APPROVAL OF NEW MEXICO DEPARTMENT OF TRANSPORTATION GRANT SAF-18-03 IN THE AMOUNT OF \$75,297 AND REQUIRED CITY MATCH IN THE AMOUNT OF \$75,297 FOR THE MIL AND OVERLAY OF RUNWAY 2/20 AT THE SANTA FE MUNICIPAL AIRPORT. (CAMERON HUMPHRES)
- 1) REQUEST FOR APPROVAL OF BUDGET AMENDMENT.

- k) REQUEST FOR THE APPROVAL OF THE FOLLOWING GRANTS, REQUIRED CITY MATCH AND CORRESPONDING BUDGET AMENDMENT IN THE TOTAL AMOUNT OF \$2,262,660 FOR THE REHABILITATION OF TAXIWAY D AT THE SANTA FE MUNICIPAL AIRPORT. (CAMERON HUMPHRES)
- 1) FEDERAL AVIATION ADMINISTRATION (FAA) GRANT 3-35-0037-048 – \$2,121,244.
 - 2) NEW MEXICO DEPARTMENT OF TRANSPORTATION (NMDOT) GRANT SAF 18-01 – \$70,708.
 - 3) REQUIRED CITY MATCH – \$70,708.
- l) REQUEST FOR APPROVAL TO AWARD RFB# 18/01/B AND APPROVAL OF PROFESSIONAL SERVICES AGREEMENT IN THE AMOUNT OF \$3,927,025.10, EXCLUSIVE OF NMGR; MOUNTAIN STATES CONSTRUCTION. (CAMERON HUMPHRES)
- m) REQUEST FOR APPROVAL OF THE FOLLOWING TASK ORDERS IN THE TOTAL AMOUNT OF \$439,862, INCLUSIVE OF NMGR, FOR SERVICES RELATED TO CONSTRUCTION ADMINISTRATION AND OVERSIGHT AT THE SANTA FE MUNICIPAL AIRPORT; KSA ENGINEERS, INC. (CAMERON HUMPHRES)
- 1) TASK ORDER NO. 11 – \$247,116.
 - 2) TASK ORDER NO. 12 – \$192,746.
- n) CONSIDERATION OF RESOLUTION NO. 2017-74 (MAYOR GONZALES, COUNCILOR MAESTAS, COUNCILOR LINDELL, COUNCILOR IVES AND COUNCILOR HARRIS). A RESOLUTION AUTHORIZING THE RENAMING OF THE “SANTA FE MUNICIPAL AIRPORT” TO THE “SANTA FE REGIONAL AIRPORT.” (CAMERON HUMPHRES)
- o) CONSIDERATION OF RESOLUTION NO. 2017-75 (COUNCILOR DOMINGUEZ). A RESOLUTION RESCINDING RESOLUTION 2017-37, AND INCREASING THE OPERATING MILL LEVY PROPERTY TAX WITHIN THE MUNICIPAL BOUNDARIES OF THE CITY OF SANTA FE TO MAINTAIN THE CURRENT LEVEL OF PROPERTY TAX REVENUE. (BRADLEY FLUETSCH). Fiscal Impact: Expenditures = \$1.5 million; Revenues = \$1.5 million. While the allocation property tax revenue change from Debt Service to Operating, the total amount of property tax levied will remain the same. This Resolution corrects Resolution 2017-37 which has inaccurate rates stated.
- p) *[Removed for discussion by Councilor Rivera]*
- q) *[Removed by Councilor Dominguez for consideration by the Governing Body at the end of the Afternoon Session]*

- r) **REQUEST FOR APPROVAL OF 2018 EMPLOYEE HOLIDAY CALENDAR. (LYNETTE TRUJILLO)**

END OF CONSENT CALENDAR

8. APPROVAL OF MINUTES: REGULAR CITY COUNCIL MEETING – October 11, 2017.

MOTION: Councilor Trujillo moved, seconded by Councilor Ives, to approve the minutes of the Regular City Council Meeting of October 11, 2017, as presented.

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

9. PRESENTATIONS

- a) **AUGUST 2017 EMPLOYEE OF THE MONTH – DEBI CRONEY, IT BUSINESS LIAISON; ITT DEPARTMENT.**

Ms. Vigil said Ms. Croney can't be here this evening, but she has already received her check and plaque.

- b) **SEPTEMBER 2017 EMPLOYEE OF THE MONTH – THEODORO SANDOVAL, MECHANICAL STRUCTURE SPECIALIST; PUBLIC WORKS DEPARTMENT.**

Mayor Pro-Tem Lindell read the letter of nomination into the record and presented Mr. Sandoval a plaque and a check for \$100 from the Employee Benefits Committee.

Councilor Trujillo said it is nice to know that we have somebody in the City who can work on all these things and take care of problems.

- c) **OCTOBER 2017 EMPLOYEE OF THE MONTH – KRISTINE ARCHULETA, IT END USER SERVICES TECHNICIAN; ITT DEPARTMENT.**

Kristine Archuleta was not in attendance.

Mayor Pro-Tem Lindell thanked Kristine Archuleta for her service.

d) PROCLAMATION – CHRIS LINSON DAY – OCTOBER 28, 2017; INDUCTION INTO THE NEW MEXICO BOXING HALL OF FAME, CLASS OF 2017. (COUNCILOR TRUJILLO)

Councilor Trujillo read a proclamation into the record declaring October 28, 2017, as Chris Linson Day. He said Mr. Linson is one of the best fighters from Santa Fe, and recalled watching him fight on television.

Mr. Linson thanked the City for this honor, and said he had great support when he was boxing and it gave him the drive and determination to not quit, and he still holds those values today.

Councilor Dominguez thanked Mr. Linson for the work he has done with many of the young people in the community. He said he and his father are huge boxing fans, commenting that boxing teaches many things including sportsmanship, dedication and a whole value system. He recalls being at the Boys and Girls Club and always asking Councilor Trujillo to get into the ring, but he never would.

Mr. Linson said his father has made an impact in the City with his business, and helping young kids and mentoring people throughout the years, and he has been a good inspiration in helping people to find their path. She said his mom has been his father's best and number one supporter.

10. CONSENT CALENDAR DISCUSSION

10(a) CONSIDERATION OF RESOLUTION NO. 2017-76 (COUNCILOR VILLARREAL AND, COUNCILOR MAESTAS, COUNCILOR HARRIS, COUNCILOR DOMINGUEZ AND COUNCILOR LINDELL). A RESOLUTION REQUESTING THAT THE NEW MEXICO ENVIRONMENT DEPARTMENT STRENGTHEN THE REVISED LOS ALAMOS NATIONAL LABS CLEANUP ORDER TO CALL FOR ADDITIONAL CHARACTERIZATION OF LEGACY NUCLEAR WASTES, INCREASED CLEANUP FUNDING, AND SIGNIFICANT ADDITIONAL SAFETY TRAINING; AND SUSPEND ANY PLANNED EXPANDED PLUTONIUM PIT PRODUCTION UNTIL SAFETY ISSUES ARE RESOLVED; AND DIRECTING THE CITY CLERK TO TRANSMIT COPIES OF THIS RESOLUTION TO ASSOCIATED PARTIES. (JESSE GUILLEN). (Postponed on October 11, 2017)

Councilor Harris said he wants to acknowledge Councilor Villarreal and Councilor Maestas the sponsors, particularly Councilor Villarreal who "had to endure quite a few comments from himself, a few less so from Councilor Ives." He said if you see the Substitute Resolution you see a lot of markups because it represents a lot of work. He thanked Councilor Villarreal for taking the lead, listening to and working with them, and to that end, "I would like to be shown as a cosponsor."

MOTION: Councilor Trujillo moved, seconded by Councilor Ives, to adopt Resolution No. 2017-76.

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

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

Against: None.

Explaining her vote: Councilor Villarreal said, "A team effort. Yes."

Explaining his vote: Councilor Dominguez said, "Yes. Add me as a cosponsor."

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

10(c) REQUEST FOR APPROVAL OF AMENDMENT NO. 1 TO PROFESSIONAL SERVICES AGREEMENT IN THE AMOUNT OF \$119,632.76, PLUS NMGR, FOR CONSTRUCTION MANAGEMENT SERVICES; LOUIS BERGER GROUP, INC. (LEROY PACHECO)

Councilor Harris said as Mr. Pacheco knows, he has had a lot of questions on this Amendment change to the Lewis Berger contract. He said he has concerns about project management and how it is handled in the City. He said he has legitimate concerns about how this project has gone. It has gone on a long time. He said this is a project of \$6.2 million. The federal government and the State have contributed \$3.9 million, the City \$2.2 million, and it is an expensive project. He hopes it's successful, but believes it has limited application. He did a site visit on Friday afternoon, but the guys were breaking and there was not much to be seen. This Amendment says Louis Berger may request additional fees if it continues after December 1, 2017, and asked if that is the current contract date.

Mr. Pacheco said the City's contract with the NMDOT is March 30, 2018, and the current contract date for completion with contract time for construction and vital engineering on December 1, 2017.

Councilor Harris asked Richard Rotto, Manager, The Louis Berger Group, Inc., if he would be willing to make a representation that Louis Berger would not claim "any additional fees if it goes past a few days." He said he has questions of whether we will reach substantial completion by December 1st based on his observation.

Mr. Rotto said, "The budget extends beyond this completion date, so there are a lot of crews that actually go on, but yes, I do recommend what you're saying, and agree, yes."

Councilor Harris said he realizes Mr. Rotto is responsible for records, documents and any number of activities that will occur after substantial completion. He said his sense of things is, being in the business, that it may run past that date. He just wants to make sure we won't get additional charges or claims. He said he knows Mr. Pacheco doesn't like the use of the word claims, but in fact thinks that might be appropriate.

Councilor Harris continued, saying he is unsure how that suspension was driven or who requested it – the City or Berger – and asked Mr. Pacheco to speak to this.

Mr. Pacheco said, based on the status of work at the time, the drilling into the ground of the 90 plus piles had been completed, and based on winter approaching, the next stage of construction was to actually remove the roadway surface and begin that work. And based on winter and contractor's requirement to keep 50,000 plus cars moving over that, it was in the public's best interest, safety and welfare, that we take a winter suspension and do the roadway removal in the Spring, when we weren't dealing with weather. So the suspension was at the City's request.

Councilor Harris said Louis Berger requested prior written approval for the change, noting "I'm referring to contract language and process, but as an entity, did Louis Berger acknowledge what that was going to do to their contract."

Mr. Pacheco said he will let Mr. Rotto speak to this, but his understanding is, that because this contract is based on man hours expended, and the uncertainties involved in construction, in terms of catching up. There was a sense there was enough hours to complete the contract, based on the work to be done and to be completed at that time. So the suspension was not necessarily directly tied to this increase, it was based on man hours expended to date and looking ahead as to what we project may be expended to completely close out the project. At that time he believes it appeared conservative to think there was enough time, and then other things changed.

Councilor Harris said, "I'm not going to belabor it any more. You've heard enough from me. But I do want to get this job closed out. I know we've got a little bit of contingency. I previously asked you if there was going to be another draw on it, I can't remember exactly what it was, somewhere between \$20,000 and \$25,000... I can't remember what it was for, I should say. And I just heard and I appreciate Mr. Rotto's representation that you are going to push through and get it done. And vital consultation. So you know, I did the math. If you exclude Change Order #8 and #9 which basically was landscaping for #8 which the City did not take at the time of the bid. I kind of pushed that aside, and fencing, for whatever reason wasn't in there. Vital consulting has really only received Change Orders that are listed here, equivalent to 1.2% of the contract. So, and I.... that's a very low number for the level of difficulty, and I think people should know that. I know there's always a notion that change orders... nobody likes change orders, I do understand that. And quite frankly, the fingers generally get pointed to the construction side of the equation, but I have to say that 1.2% , that's a very low number. So, anyway, that's all I have Madam Mayor Pro-Tem."

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

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

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

Against: None.

- 10(p) **CONSIDERATION OF RESOLUTION NO. 2017-77 (MAYOR GONZALES, COUNCILOR LINDELL, COUNCILOR VILLARREAL, COUNCILOR MAESTAS, COUNCILOR IVES, COUNCILOR RIVERA, ~~AND COUNCILOR DOMINGUEZ AND COUNCILOR TRUJILLO~~).** A RESOLUTION ESTABLISHING A DRUG STRATEGY TASK FORCE TO DEVELOP NEW APPROACHES TO PROBLEMS RELATED TO BOTH DRUG ADDICTION AND POLICY RESPONSES TO IT BY COLLABORATING, STUDYING, GATHERING INPUT FROM THE SANTA FE COMMUNITY AND ISSUE-EXPERTS AND PROPOSING RECOMMENDATIONS FOR A COORDINATED DRUG STRATEGY ROOTED IN PUBLIC HEALTH AND SAFETY. (CHRIS SANCHEZ) Fiscal Impact: \$2,000 for stenographer services to be funded out of the General Fund.

Councilor Rivera said recently he heard a program on the radio about how Ohio is dealing with its opioid problem. He said currently, we have the LEAD Program, the Narcan Programs for those using, and if they stop breathing because of opiates, we give them the narcan to reverse the effects. He said there are those already addicted, and probably there isn't a lot we can do for those people. He said other states, such as Ohio, target at an early age before they consider using. He said his hope is that we look at that, consider that, and take what other states are doing and incorporate some of those ideas into what we are doing

MOTION: Councilor Rivera moved, seconded by Councilor Villarreal, to adopt Resolution No. 2017-77.

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

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

Against: None.

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

END OF CONSENT CALENDAR DISCUSSION

11. PUBLIC HEARING:

- a) **CONSIDERATION OF RESOLUTION NO. 2017-78 (COUNCILOR HARRIS AND COUNCILOR LINDELL) A RESOLUTION ACKNOWLEDGING THE IMPORTANCE OF THE COLLEGE OF SANTA FE AND THE SANTA FE UNIVERSITY OF ART AND DESIGN TO THE HISTORY OF SANTA FE; RECOGNIZING THE SIGNIFICANCE OF THE LOCATION OF THE UNIVERSITY CAMPUS IN THE GEOGRAPHIC AND DEMOGRAPHIC CENTER OF SANTA FE AND ITS CONNECTION TO THE RECENTLY-CREATED MIDTOWN LINC OVERLAY DISTRICT; ACKNOWLEDGING THE CITY'S INVESTMENT IN THE UNIVERSITY PROPERTY; CALLING FOR A RENEWED VISION FOR THE PROPERTY INTEGRATING A FORWARD-LOOKING EDUCATIONAL USE WITH OTHER COMMUNITY-CENTERED USES BUILT ON THE CITY'S EXISTING STRENGTHS AND CAPACITY; AND FOR THE CITY OF SANTA FE TO ACT AS THE CATALYST FOR CHANGE EMBODYING THE COMMON VALUES OF THE CITY. (MATTHEW BROWN)**

An Action Sheet in this matter, from the Public Works/CIP and Land Use Committee meeting of Monday, October 23, 2017, is incorporated herewith to these minutes as Exhibit "2."

An Amendment Sheet proposing amendments to this Resolution, submitted by Councilor Mike Harris, is incorporated herewith to these minutes as Exhibit "3."

Councilor Harris said he appreciates the consideration everyone has given to the Resolution, and will be interested to hear additional public comment. He said it is unusual to have public comment on a Resolution at the 3 previous committee hearings, but he felt that it was important. He tried to develop a consensus on the Governing Body that we need to take a different direction than we anticipated when this situation first came up. The initial response was, and a lot of effort made by Mr. O'Reilly and others to find another university. For different reasons, it became clear that wasn't going to happen. He and others worked on the Resolution to find a more dynamic vision, noting it isn't cast in stone and there is still a lot of work to be done.

Councilor Harris continued, saying since this Resolution was introduced, the City received notice of termination of the lease from Laureate. Effective June 30, 2018, Laureate will no longer be our tenant at the 64 acres known as the Santa Fe University of Art & Design. The time is right to look at what the future might hold, but there is a tremendous amount of work still to be done.

Councilor Dominguez said there are amendments on the table, and asked Councilor Harris to speak to those amendments and the intent.

Councilor Harris explained the proposed amendments he introduced on Monday night at Finance Committee. Please see Exhibit "3," for specifics of this presentation.

Public Hearing

Those speaking to the request:

Mayor Pro-Tem Lindell gave each person 2 minutes to speak to this request.

Cheryl Odom, 1152 Vuelta de las Acequias, faculty member at College of SF for 29 years.

She said she is invested in the future of this space. She said the amount of secrecy when all of this was coming forward sort of made some of them terrified, because they were hearing only apartments and nothing else. She said, "And we were told because of financial, because it's a fiduciary whatever, that we weren't allowed to hear all of that, and yet I had friends who claimed to have back room conversations and it was very frustrating." She said she wants to honor Councilor Dominguez because of his response to her emails regarding the rumors. She has come to believe that the rumors were untrue. She said this is a nice Resolution and feels good to read it, but "the devil is in the details guys," and it feels good right now. She urged moving forward. She said if the City owns this property then that means the taxpayers of Santa Fe own this property by detail. She said the Christian Brothers feel this way about this property. She said we don't need as much secrecy at this point, and you can expand and invite other peoples' opinions, and ask experts in different areas, people in academia, and young creatives from the artists community. She said, "Let's get more people involved in this process. I would really, really appreciate it."

Rick Martinez, 725 Mesilla Road, said this land does belong to the taxpayers, and that is us. He has always stressed we need a master plan for the future of this property. He would like to know where the housing will be, where the roads will go, what water catchments we will have, what kind of infrastructure we will have. He said without a Master Plan "we're guessing and we're leaving it to you guys." There isn't a citizen advisory group to help you. He wants to see a public voice. He said, "Please give us a voice, that's all we're asking. And just let us come up with a true master plan by the time the door closes in June. We have time to come up with a master plan. A true master plan that you and the citizens can be proud of. Without a master plan, I said it before, it's show me the money plan."

Scott Jarrett, 2014 Hopi Road, said he has spoken at previous community meetings about his idea, which you might call an artist takeover of a program artists already are delivering at the school, and there is a lot of interest in his idea. They are working on a business plan for it. The idea would be that we would have an Independent School of Music, called perhaps the Santa Fe Institute of Contemporary Music or something like that. He has drawn the interest of the Film Department and there are ways to make this work with a different accreditation structure than the one we have now. He thinks a lot of the secrecy came from Laureate. He said if we had a successful music school on the property it could become a magnet for a kind of teaching process rather than a formal university-styled thing. He said there artists in the community who are willing to teach their craft. He said one successful entity in that space could draw in the arts community and look at that space as the Santa Fe Center for Arts Education. He said he appreciates Councilor Lindell's and Councilor Villarreal work on this, and that there is language in the Resolution about education. He said the students are working on the business plan for this, and they are participating on that plan. So we'll be hearing more from them.

Mary Schruben, 2119 Rancho Siringo Road, representing the Rancho Siringo Neighborhood Association, said they are the closest Association to the property, and the residents have been very interested in what happens there since the late sixties, early seventies, even when the Manhattan Project was pulling out of the property. They want to be involved in the process, and kept informed when there are meetings. They believe the citizens need a big voice in what happens there, because they do own property and pay tax money and there is still a debt to pay off the bonds. There are many wonderful uses that can be retained there, created there, invented there and they look forward to participating with the City in this planning process. She said, "We need a master plan."

Linda Tashow, 12 Coyote Hills Lane, she was lucky to have graduated from the University of Art & Design in Contemporary Music in May 2017. She has lived in Santa Fe for 33 years, and had a career, and in her retirement she found this treasure in this school. She said she cannot imagine having that resource available. She said she would speak to the caliber of her wonderful teachers, fellow students of all ages. It has been incredible experience for someone from Santa Fe, so she would love to see this move forward, and she is available to be involved in that process as well.

Liam Rockheart, Chair, Film School, Santa Fe University of Art and Design. He thanked the Governing Body it is allocating to the situation. He said it will be a tremendous loss if we lose this institution. He said we call ourselves the City Different and one way to show that is to embrace the great contributions that have been coming out of this University and keep them going. He said we need to separate corporate mismanagement from our academic success. He said his Film School alone is placed on Variety's list of the top 20 films schools in the nation for the past two years. He has students who have had films entered in the Cannes Film Festival, the most prestigious in the world, and students who have been recipients of regional Emmy awards. They are moving on to bigger and better things – graduate school, or actual employment in the industry. He said a lot of people in the State who don't look as highly on our capabilities as he like. Some think we are capable of fulfilling only the below the line positions in the industry, which isn't the case. We have many talented artists. He said the diaspora that would happen of filmmakers from Santa Fe would be tremendous in terms as teachers as well as outside professionals thinking of relocating here. He said Los Angeles has grown to such a position that it is becoming unbearable to live there. This would be the next alternative. The way to guarantee that future would be to continue supporting our youth interested in pursuing careers in that field. He said he has been approached by private investors and individuals interested in saving the film school. He would be happy to share that information with the Governing Body at a later time.

Brian Skeele, 339 Plaza Balantine, said he has been a long time advocate for sustainable neighborhoods. This is an amazing opportunity we have. He hopes there will be a community planning process to establish our community's values and then implement everything in the Resolution to create something that will last for hundreds of years and set the tone for a sustainable Santa Fe. He said we have amazing technology coming forward and we will be losing 40% of our jobs because of the disruptiveness of block change technologies and fossil fuel industry being replaced by car shares. To create a whole new economic development to meet the challenges of our times would put Santa Fe on the

map as a real leader and draw people from around the planet to see a demonstration site of what deep sustainable economic ecological sustainability would look like. He hopes we seize this opportunity and create an amazing place for our Santa Feans.

David McQuarie, 2997 Calle Cerrada, said he thinks the area is City property under federal regulation, which states in part some evaluation should be conducted for access by the disabled. There are many deficiencies in these buildings you are planning on selling. He thinks you can make the buyer or end user aware of the federal regulation that needs to be met as soon as possible. This is City property and the federal regulation applies, 28 C1475.150.

Gayla Bechtel, 1814 Hano Road, President, American Institute of Architects, Santa Fe Chapter. The organization has 125 members and their vision is driving positive change through the power of design. She is personally and professionally very excited about this opportunity. The Resolution is exciting and she would like to talk briefly about master planning. She read a definition of master planning as follows, *"The creation of the framework in which development poses massing, height, relationships of buildings, circulation and streets, are defined in enough detail to define predictable outcomes, but with sufficient flexibility to allow various responses of actual dwell [inaudible] designers of which there may several or many within one master planned area..... The master plans may include non-physical aspects such as funding, scheduling or phasing and larger organizations such as colleges or corporations may create master plans for their facilities that anticipate growth, transformation and [inaudible] to create a blueprint for final buildout."*

Ms. Bechtel continued, saying as part of the master plan process, you could have a community planning process, and also a visioning process or a charrette. She said she was glad to Friends of Architecture, their outreach arm, will really educate people about architecture in Santa Fe, with one of their goals during her presidency. She said they are useful, but ultimately don't take the place of investigative analysis and planning and design. She said one thing not mentioned in the Resolution, is that the site contains quite a few 1960's buildings that were done by Felipe [inaudible] an important regional modernist in Santa Fe and those are now historic. She wants to make sure those are on record as being significantly historic.

Suby Bowden, 333 Montezuma, said congratulations on a vote tonight to approve the Resolution and the neighbors for the canvass. She said, "We would like to thank all of you for your transparency in this process, and your progressive leadership, and we feel your action tonight is fantastic to encourage our citizens, investors, developers, planners, architects, builders lining up to assist you are you move this forward. She especially thanks Councilor Harris and Matthew O'Reilly, City staff, for providing a tremendous service to Santa Fe in evaluating the property and the development resolution. She said, obviously, the next step is to design a process for the next 8 months so the City is ready to take physical action right away when Laureate steps out of this in June. She said they recognize your obligation to design the best means to a quick [inaudible] and pay off the \$2.3 million annual debt service, and thank you for that. She said they could provide overlay zoning quickly, such as the Midtown Overlay and St.

Michael's, but this property is so very different from all the rest of St. Michaels and Cerrillos.

Ms. Bowden continued, saying The University of Art and Design offers a remarkable opportunity to purposefully design a neighborhood campus instead of Cerrillos and St. Michaels that are all automobile driven. You can encourage people to park their cars and walk the campus in the same way provided downtown and the Railyard with regular advanced design and a schedule to draw the citizens onto the campus. In terms of process, she has heard Councilors saying they don't want to use the Railyard master plan process, because it was thousands of meetings and dozens of years. She said it took almost 25 years, 1985 to 2010, to buy the Railyard, but the master plan process was only 6 months. She held up a document which "you all know," this master plan process is highly successful. At the end of 6 months, they took it to the Council and received an unanimous public and Council approval. They way they did that is that they decided in advance that there were particular organizations and representatives that they purposefully pre-selected and approached them and asked them to come to 1 meeting a week for those 6 months, and they were required between meetings, to take what we talked about back to the organization, homeowners association or whoever they represented, to come back to tell us that their organizations agreed with what we talked about that week, and if not, what they disputed. It was a very orderly process that had deep responsibilities for participants. And because of that, the public and the City worked very closely together, and in a 6 month process got unanimous approval.

Ms. Bowden continued, "So I ask you tonight to design a very similar process with City Staff, Councilors and public citizens representing large groups at the table together, so that in the next 8 months you can immediately hit the ground running when Laureate walks away."

Kenneth Pinn, 1910 Calle de Sebastian, thanked Ms. Bowden for mentioning the Railyard process, because he was going to talk about that. He wants to see an inclusive process involving a lot of citizens and meetings, and to use the Railyard process as best they can, positive or negative. He said we can separate the process from some of the results of the Railyard in terms of problems with leasing which is separate from the planning process. He said the person who spoke talked about a working group which includes Councilor Lindell and Harris and City staff. He wants to see a planner included in the working group, commenting one of the City Councilors is a planner, and graduated from planning school, noting he helped to supervisor her on a couple of projects. He said as a planner, he always like to see planners involved in the master planning process. He would offer an amendment to the Resolution. He said, "I'm looking at the last sentence in the agenda, and for the City of Santa Fe and I would add, and its citizens, to act as the catalyst for change embodying the common values of the City. He said it is a simple insertion of adding "its citizens" to the Resolution. I know I have no authority to make amendments, but I would like to see that language."

Jamie [inaudible], 1710 W. Alameda, Executive Director, Santa Fe Art Institute, said the Institute is a current tenant on the campus and plan to be there until 2098, at least, so the future of this campus is incredibly important to them. She appreciates the Resolution, but we are hearing here is a request for an inclusive process that helps underpin common values about how important this location is to the City. She said she feels very deeply for the students, faculty and staff, and they all see this as an

opportunity to really come together to determine what this City needs. She said it is her hope that we continue to look at education and the arts. She sees quite a few collaboration opportunities in terms of collaborative education capacity building for the City to impact our economic vitality and thinking about the facilities and the future of the campus in terms of regenerative development would be incredibly impactful. She reiterated the opportunity for collaboration, and "to state for record that we are the Santa Fe Art Institute are very interested in potential collaborations." So we not only look forward to continuing to work with you as a tenant through the process over the next year. And we commend Matt O'Reilly for being an excellent and responsive Asset Development Director for us as we move forward into the unknown. She also hopes to participate in the process moving forward and to see a very substantial process that starts to build upon what you've already started with the Resolution.

Frederick Simpson, 3658 Cerrillos Road, said has been in Santa Fe for 13 years, and is a teacher at the University. He teaches African Drumming. He asked, if the University goes, will you be able to have African Drumming, Balkan music, Americana, Funk, R&R and a place where you can get a degree in recording. He said he really feels is this property, which the City has wisely hung onto, it is the new center of town, and it should be place where everyone can come – younger people need a place to be and that could be a place where they can come to learn and have a more community experience. He said he is speaking for the Music School which should be there, commenting it is a unique school, totally different from UNM. It's not stodgy, stuck-up and that's the truth of the matter – it's a contemporary music school and fits the needs of many students. He asked, "Could you keep this property. Don't sell this. Let's make it into something that everybody can use. That would be what I ask you, personally, from me to you."

Grace Gutierrez said she is a Native New Mexican, born in Belen, raised in Taos, lived 17 years in Las Cruces, and has been in Santa Fe for 30 years. She became very excited about the project when she saw the City was interested in it. She has seen the growth of the College of Santa Fe and the City. She was very excited that this body placed this in the hands of Councilor Harris in. She looked up Mike Harris and thought, "gosh, he worked on the Opera. He worked on San Miguel, the Mission Church." She also found out he had helped a lot in the Northern Pueblos. She said, "So when we worry about our heritage, I think it's in good hands. I think also, the planning, he had to plan a lot for our Opera house, because the renovations have been fabulous. I was there for one of the operas and it was very inspiring. We have people from all over the world coming there, and people coming from Santa Fe. And we are the City Different and we are the Holy City, and remember we don't have to yell it to the world, that we are a City for everyone because we are the City of the Holy Faith. It's Santa Fe. I am proud to come here, and I thank you people for all of the work you do, because sometimes it's very thankless. I was horrified at some of the language that was used with one of our meetings. And I thought, oh my God, we need some civility here. And so listening to you is very good. Thank you for your time and thank you for the appointment of Mike Harris. And people, I think it's in very good hands."

Judy Grimes, 70 Shrewsbury Avenue, Highlands, New Jersey, said she lived her for 5 years and had to go back to New Jersey to help take care of her grandson. She is back in Santa Fe teaching for a short time. She said Santa Fe is such a jewel of the arts, and believes the University is so important. She said, as someone from New Jersey who wishes she worked here again, you have a great opportunity to continue to create a really great school. She said, "I just want to say, good planning, and welcome back to the jewel of the City, I call it The Jewel. I hope to see a brighter jewel on that location."

The Public Hearing was closed

Councilor Ives said he appreciates the expression of interest by people in the community in participating in this process. He said he worked extensively on the Railyard through the Trust for Public Lands, which he thinks is the appropriate and proper way forward for this project and having input. He said we've heard good suggestions tonight about how to accomplish that. He looks forward to be an advocate to ensure that process occurs, and to working with everybody on this.

Councilor Villarreal thanked everybody for joining this evening. She thinks it is great to have some positive, pro-active ideas and expressions. She would like to look at what Kenny Pinn said about tweaking the language in the caption, but she would use "its residents" instead of "its citizens." She asked Councilor Harris to propose that small addition to the caption of the Resolution.

Councilor Dominguez thanked Councilor Villarreal and Councilor Harris for their work, because lots of things were being discussed about this campus, and who was planning what, and interesting things were being discussed. He said part of this is to begin the process of opening it to the public, and this is just one of the first steps of many in how we deal with this property. He said this started from saving the College of Santa Fe and what that meant, and we knew there would be a price to pay for that. And now it is an opportunity of all kinds for the City. It was a good investment, although he had mixed feelings about this from the very beginning, but he has seen the potential as a University as well as other community assets. There are a lot of worthy organizations that could benefit from the City's investment.

Councilor Dominguez continued, saying he needs to remind the taxpayers, that there is a bill that is due. The taxpayers have a bill to pay on the investment made by the City. He said during the past budget process, funds were set aside to pay for part of that bill. However, another part of that bill that needs to be paid. He said we could spend our money to pay that bill, or on supporting organizations that could be a part of the campus. He said a process needs to take place, but the longer the process the more it will cost taxpayers in the end. He said that doesn't mean we don't need to honor a process and respect that this is owned by the community. The real fact is that we have a bill to pay coming up very soon, so timing is a critical component of the Resolution and the property.

Councilor Dominguez continued, saying we have to start planning, noting it is already mid-year, and we need to start think about coming up with the other half of the bill of \$1.1 million in the next fiscal year to pay the mortgage. He reiterated the taxpayers need to remember that. There are lots of things we can do with the property, but in the end the taxpayers will have to pay for the mortgage on it. He said that

is part of the reason we are having this discussion, because we can't give it all away for free. Or, we could, but that means that we won't have funding for all of the programs coming to us each year for funding for their program – because we have to pay the mortgage.

Councilor Dominguez continued, saying all the things we want to do as a community, such as end homelessness, that people have food and all the other things important to this community. All of these values then become a part of the equation, because we have to pay that mortgage. He said he is in full support of the Resolution, but it is important that the taxpayers understand that a mortgage due on this. We need to go through the process, commenting the length of the process is an interesting question. However, very soon we will have to think about putting \$1.2 million from the General Fund into a restricted funds so we can pay the mortgage on this property. He said, "We don't want to jump too far ahead of ourselves, but let's be very methodical and supportive of the fact that we have an investment we have made and we need to make sure we pay our obligations."

Councilor Harris said he has tried to balance the interest you heard expressed, certainly by Councilor Ives when he talked about public input and Councilor Villarreal's change to the caption, and he is okay with that and it has always been his intent. People were concerned because he spoke so strongly early on using the same language as Councilor Dominguez, reminding the public we have a tremendous responsibility to the taxpayers overall to meet our obligation. It potentially diminishes some of our capacity to do some of the other things that we're committed to doing. He thinks the Resolution puts us on a path that will be successful, although it will take a lot of work. We have to balance it with the financial obligations with the engagement he has always anticipated, never thinking we would make a decision arbitrarily about what would be done.

Councilor Harris continued, saying we have kept it internal so far, and there have been different reasons, not just the contractual obligation, but he felt we had an obligation to the students and faculty that all of a sudden they're reading headlines about things the City is going to do. There are reasons for the process in which we've engaged to now. He isn't clear what the next steps will be. There has been an expression of 2 potential processes this evening, and he's had some conversations with both groups represented. He said for next 90 days the process has technical considerations, one of which is verifying our broadband capacity, as well as looking at the financing, planning and public engagement elements. He doesn't know what that will be tonight. He will continue to work on it, if the Governing Body agrees and will continue to be very involved in the next chapter for SFUAD. He thanked everyone for their consideration and the work everyone has done. He appreciates the remarks of Grace Gutierrez, "but it's not just the Mike Harris Show."

Councilor Trujillo thanked Mayor Pro-Tem and Councilor Harris for their work. This hasn't been an easy process, nor will it be easy moving forward. It's going to take a lot of time for the whole community to come forward *[inaudible because of noise overlay]*. He said it could become the newest library. We do have LaFarge, but it has become dilapidated over the years. He looks forward to the next process and to see what is going to happen. He said, "I think it's going to be a good project. Thank you."

Councilor Maestas thanked everyone for providing public commentary. He said when we had an idea that Laureate couldn't sustain its program and presence, we thought there would be a seamless transition to another tenant with focus on maintaining a higher education mission at the property. We've come a long way in a short period of time. He understands that at the time we could not disclose many of the negotiations that were occurring with multiple parties concurrently, and that was unfortunate. It was not intentional in any way nor meant to be deceptive in any way, it was just what was occurring at that time. He detected relief in many of your voices and comments that the process is opening up, and there will be an opportunity to have a dialogue with all stakeholders.

Councilor Maestas continued, thanking the sponsors of the Resolution, because this is going to be a monumental effort. What is special about the property is it represents a confluence of many areas of our City – the film industry, higher education, library needs, the arts. We tend to forget about the history and the legacy of the property. His father attended college there, and many of you have family and friends who attended school there. He said not only is it a confluence of many issues, but it can be the vibrant, new transformational center of Santa Fe, which is the vision many of us have. St. Michaels is the boundary of multiple districts and the pressure is on us, and we're taking some good steps initially. However, we know we aren't alone and we have the public to work with us, so there will be a lot of listening and learning in the weeks and months to come.

Mayor Pro-Tem Lindell said we are enthusiastic about this project, and see a lot of opportunity, and a lot of effort in it, but there is a lot more work to do on it. She appreciates Councilor Dominguez's comments that this isn't a project for us to sit around and drum our fingers about. We need to move forward on this very quickly. There is an annual bill due on this, and we have other projects to which we have committed those funds. And it would be felt across the entire City to take money from those projects. She encourages everyone to keep that perspective in mind, that we don't have a lot of time to waste on moving this project forward.

MOTION: Councilor Harris moved, seconded by Councilor Ives, to adopt Resolution No. 2017-78, with his proposed amendments.

DISCUSSION: Councilor Dominguez said to speak to the fiscal implications, he will be asking the City Manager and the Finance Director to start calculating the second half of the payment into our next fiscal year budget.

Mayor Pro-Tem Lindell said she thinks that is the more prudent thing to do.

Councilor Maestas said a lot of people asked the reason the City is buying this facility. He tells them that it was a fiscally prudent decision, explaining the revenues from the lease exceeded the debt service payments, so it was a wise financial decision which preserved what we all agree is a gem here in the City. He said a lot of people don't know that, so he is, at times, defending that financial decision. He has no doubt we will proceed going forward in the same prudent fashion.

CITY CLERK'S CLARIFICATION OF MOTION: Ms. Vigil said, "For clarification, we are approving the amendment on your desk, the one in the packet and the change to "its residents," in the caption, and Councilor Harris said that is correct.

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

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

Against: None.

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 NMSA 1978, §§10-15-1 (H)(7) AND (8), DISCUSSION REGARDING; THREATENED AND PENDING LITIGATION IN WHICH THE CITY OF SANTA FE IS OR MAY BECOME A PARTICIPANT INCLUDING, WITHOUT LIMITATION, DISCUSSION REGARDING *STATE OF NEW MEXICO, EX REL., MARIA PEREZ, CRAIG O'HARE, ELLEN ACKERMAN, SAGE BIRD AND ANNE NOSS V. CITY COUNCIL OF SANTA FE, NEW MEXICO AND MAYOR JAVIER GONZALES, AS THE GOVERNING BODY OF THE CITY OF SANTA FE, NEW MEXICO*; AND IN THE MATTER OF *DISPENSER LICENSE #0847 TOTAL WINE SPIRITS BEER AND MORE #1303*; AND DISCUSSION OF THE PURCHASE, ACQUISITION OR DISPOSAL OF REAL PROPERTY OR WATER RIGHTS BY THE CITY OF SANTA FE, INCLUDING, WITHOUT LIMITATION, DISCUSSION RELATING TO THE SANTA FE UNIVERSITY OF ART AND DESIGN. (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 Pro-Tem Lindell, Councilor Dominguez, Councilor Harris, Councilor Ives, Councilor Maestas, Councilor Rivera, Councilor Trujillo and Councilor Villarreal.

Against: None.

The Governing Body went into executive session at 6:43 p.m.

MOTION TO COME OUT OF EXECUTIVE SESSION

MOTION: At 7:34 p.m. Councilor Rivera moved, seconded by Councilor Ives, that the City Council come out of Executive Session and stating for the record that the discussion in Executive Session was limited to the matters noted on the agenda

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

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

Against: None.

Absent for the vote: Councilor Harris

10(q) REQUEST FOR APPROVAL TO PUBLISH NOTICE OF PUBLIC HEARING ON DECEMBER 13, 2017: BILL NO. 2017-27. AN ORDINANCE RELATING TO INDEPENDENTLY SPONSORED CAMPAIGN COMMUNICATIONS AND REPORTING; AMENDING SUBSECTION 9-2.6 TO MAKE CHANGES TO INDEPENDENTLY SPONSORED CAMPAIGN COMMUNICATIONS AND REPORTING (COUNCILOR DOMINGUEZ). (KELLEY BRENNAN)

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

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

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

Against: None.

Absent for the vote: Councilor Harris

14. MATTERS FROM THE CITY CLERK

There were no matters from the City Clerk.

15. COMMUNICATIONS FROM THE GOVERNING BODY

A copy of "*Bills and Resolutions scheduled for introduction by members of the Governing Body*," for the Council meeting of October 25, 2017, is incorporated herewith to these minutes as Exhibit "4"

Councilor Maestas

Councilor Maestas introduced the following:

1. A Resolution calling for a Special Election to be held in the City of Santa Fe, on March 6, 2018, in conjunction with the regular Municipal Election, for the purpose of voting in favor or against an amendment to the Santa Fe Municipal Charter regarding the establishment of an Independent Office of Inspector General for the City of Santa Fe.
2. A Resolution requesting the City Manager to work with Santa Fe County regarding joint legislation to address the opioid crisis, including participating in litigation. A copy of the proposed Resolution is incorporated herewith to these minutes as Exhibit "5."
3. A Resolution to amend the City of Santa Fe's five-year CIP Plan authorizing specific future road projects currently approved, to be accelerated to the current year CIP Project List utilizing Gas Tax Bond proceeds.

Councilor Maestas commended Cameron Humphres, Airport Director, and staff for obtaining some critically needed FAA Airport Improvement grants to rehabilitate the runway and taxiway pavements. He said the total federal funding is about \$4.5 million, and we just approved a contractor to get the work done.

Councilor Maestas commended staff for supporting the 22nd Annual New Mexico Infrastructure Finance Conference. We provided some bag swags for conference attendants and the City provided transportation for a mobile workshop to the Buckman Regional Water Treatment Plant. He asked that his thanks be conveyed his thanks to the staff.

Councilor Trujillo

Councilor Trujillo had no communications.

Councilor Harris

Councilor Harris asked Chief Litzenberg to follow up on a request he made of the City Manager two weeks ago regarding the opening of the intersection of Beckner and Richards Avenue. It has been complete for a while. The initial response was that research needed to be done. He hasn't received any answers. He submitted a request to Acting City Manager Litzenberg yesterday, asking, given the response

times associated with the unavailability of that roadway, what does it mean in terms of public safety. He is thinking about response times from the GCCC which is the closest. He asked Acting City Manager Litzenberg his reaction after looking at it today.

Erik Litzenberg, Acting City Manager, said in the absence of data, he can't give him actuals. He can provide an estimate of the time to get to the intersection of Richards and Beckner. He said the station to which he is referring is Station 7, which is behind the Chavez Center, and it takes approximately 5-6 minutes under normal driving circumstances to get to the intersection of Richards and Beckner with fire apparatus. He said if it is necessary to go the long way – Rodeo to Cerrillos, Cerrillos to Beckner and then back to Richards, it is 9 minutes longer, so you're talking about 15 minutes. So the difference in time is about 15 minutes.

Acting City Manager Litzenberg continued, saying under normal circumstances the secondary station response to the new neighborhood is about 12 minutes. So really, the fair comparison is about 6 minutes versus 12 minutes if that intersection is open.

Councilor Harris said the fire response to SFUAD was about 5 minutes, even with unclear directions, and the Fire Department did a great job there given the nature of the building and its proximity to other wooden structures. His concern is with all the housing and the continuing construction activity with Pulte, with the hospital, whether for fire, construction related accident, it seems there is more time associated with the Fire Department being able to respond under present circumstances than if that intersection was open.

Councilor Harris continued, saying because of the questions he has been asking, he has been told there is a meeting to be held among all parties on Tuesday – Land Use, Public Works, the contractor, the developer Pulte – and if appropriate, he would appreciate it if the Fire Department could be represented there. He said he is trying to apply pressure and get that intersection open. He asked Acting City Manager Litzenberg to check with Noah Berke at the Land Use Department who told him about the meeting.

Mayor Pro-Tem Lindell

Mayor Pro-Tem Lindell introduced the following:

1. An Ordinance amending Section 14-3.11(B) of the Land Use Development Code to require public posting of construction permits for properties that do not abut public streets or roads. A copy of the proposed Ordinance is incorporated herewith to these minutes as Exhibit "6."
2. An Ordinance amending Section 11-4 to increase the budget adjustment amount the City Manager is authorized to approve; adopting the State of New Mexico Procurement Code as the purchasing manual for the City of Santa Fe; and adopting additional exemptions from the Procurement Code. A copy of the proposed Ordinance is incorporated herewith to these minutes as Exhibit "7."

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

1. A Resolution establishing City of Santa Fe Legislative priorities for consideration by the New Mexico State Legislature during the 52rd Legislature – State of New Mexico – Second Session 2018. A copy of the proposed Resolution is incorporated herewith to these minutes as Exhibit “8.”
2. A Resolution directing the City Manager to establish a program replacing Administrative City Fleets currently running on gasoline or diesel with electric vehicles by 2015. A copy of the proposed Resolution is incorporated herewith to these minutes as Exhibit “9.”
3. A Resolution supporting an annual Santa Fe Jewish Community Center Chabad Chanukah Menorah Lighting Ceremony on one Sunday of each Chanukah season on the Santa Fe Plaza; authorizing the closure of San Francisco Street for the event to allow for production and vendor parking in the Plaza area; and waiver of any associated fees. A copy of the proposed Resolution is incorporated herewith to these minutes as Exhibit “10.”
4. A Resolution directing City staff to collaborate with the Public Service Company of New Mexico (PNM) to develop a solar energy project that would provide City owned facilities with solar power, in accordance with the City of Santa Fe’s stated goal of achieving carbon neutrality by 2040. A copy of the proposed Resolution is incorporated herewith to these minutes as Exhibit “11.”

Councilor Villarreal

Councilor Villarreal had no communications.

Councilor Ives

Councilor Ives said he would join the Mayor’s Resolution directing the City Manager to establish a program replacing administrative City fleets currently running on gas and diesel with electric vehicles by 2025 and the Mayor’s Resolution regarding the Santa Fe Jewish Community Center, etc. He said he needs more details on the item with PNM before considering that. Councilor Ives said he would join as a cosponsor for Councilor Lindell’s Ordinance amending Section 14-3.11(B). And he doesn’t know enough about the other one to know if he will join as a cosponsor.

Councilor Ives introduced a Resolution recognizing the importance of living river flows to all the residents of Santa Fe; calling for the study of the river and hydrogeologic conditions, and the better management of bypassed flows and irrigation flows to increase efficiencies in the delivery of water to the acequias; and for the future management of living river flows for the maximum benefit of the City of Santa Fe, its citizens and the City’s beneficial use of its water rights. A copy of the proposed Resolution is incorporated herewith to these minutes as Exhibit “12.”

Councilor Rivera

Councilor Rivera had no communications.

END OF EVENING AGENDA AT APPROXIMATELY 7:47 P.M.

EVENING SESSION

A. CALL TO ORDER AND ROLL CALL

The Evening Session was called to order by Mayor Pro-Tem Signe I. Lindell, at approximately 7:47 p.m. There was the presence of a quorum as follows:

Members Present

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

Members Excused

Mayor Javier M. Gonzales

Others Attending

Erik Litzenberg, Acting City Manager
Kelley A. Brennan, City Attorney
Yolanda Y. Vigil, City Clerk
Melessia Helberg, Council Stenographer

F. PETITIONS FROM THE FLOOR

Eric Gent, 621 Alarid Street, said they have lived at this address for about 30 years. He said on Saturday mornings he hangs in his front yard working and trying to enforce the parking permit restrictions, because a lot of folks from the Farmer's Market park in their neighborhood. He feels terrible when people get tickets because he was a part of the effort to make that happen in 2006-2007, and it is a \$35 ticket. He asked if there is a way when they scan a license plate, they can pull up information on outstanding parking tickets. He asked if Parking can issue warnings to people in the neighborhood. He said most of the people he meets and counsel to go to the parking garage are visitors, and they have no idea where the parking garage is located. He said the Santa Fe Community Corporation has done some radio spots and have printed material about the parking garage. It would be helpful to make it a little more friendly for visitors to our City. He said if we could get somebody out on Saturday mornings on Paseo de Peralta to direct people, noting there is an enormous amount of parking at ½ price which is closer to Farmer's Market.

**VERBATIM TRANSCRIPT
OF THE REQUESTED PORTION OF PETITIONS FROM THE FLOOR, ITEM #F
CITY COUNCIL MEETING
OCTOBER 25, 2017**

STEFANIE BENINATO: I'm Stefanie Beninato. I'm here again to talk about Salvador Perez and the HVAC unit was supposedly fixed after several weeks, and for a couple of days it was almost reasonable in there. But again today, we had direct cold air coming in from the outside to where people were saying that it was as if the Air Conditioning was on. The staff now opens the doors at 5:45 a.m., saying they have to clear the air. But again, I've been by Salvador Perez at ten o'clock at night and all of the mechanical equipment is going full blast. There is nothing residual, there is no build-up. So I don't know what they're talking about. And I'm getting a little bit tired because you know, again, I do hope that whoever does get elected Mayor will clean house, because many people are having say a recreation center who is making things up to discredit a patron, without even talking to that patron. Not only is that really bad management technique, but again, why are you putting up with that. Because if that person is going to be willing to lie about that, they'll lie about other things. And you have a City Manager, who again, does not speak to the person involved, and just wants to stand by the staff, not care whether it's true or not, [inaudible]. I just don't really get that. It's just really poor customer service. It is poor management, and again it shows a lack of ethical considerations and integrity in my opinion. And really, that's what we need to address. You can't just let people keep going on, doing whatever they're doing. And then suddenly, when, oh my gosh, the alarm bells go off, then you want to do something. If people don't have integrity, they're going to perjure themselves, they're going to go court as a City Attorney and deliberately misrepresent facts, you know, and do not enforce the law that's written, mis-advise you. We should not really be paying these people. And there are plenty of people out there who do have integrity that could be hired for these positions. So then I hope that the people running for Mayor will really consider reorganizing the management part of City Hall. Thank you.

MAYOR PRO-TEM

LINDELL: Thank you Stephanie.

I certify that this is a true and accurate transcript of the requested portion of Petitions from the Floor, Item #F, City Council Meeting, October 25, 2017.


Melessia Helberg, Council Stenographer

Councilor Rivera said he knows we typically don't comment on Petitions from the floor, "but I think the first gentleman was talking about me. He said, "My daughter got a ticket on Alarid Street, a \$35 ticket for parking in a residential area. My wife and I parked in the City Garage, Second Level, and it took us probably 45-50 minutes to get out the parking lot, which is unacceptable. I spoke with Acting City Manager Litzenberg, to let him know that there may be some complaints, I don't know if you received any. But if you can talk to our Parking Division about coming up with some plan to get out of that parking structure much faster than you do now, because if I had to go back there, I'm not sure I would park in the Parking Garage again if it's going to take that long to get out. So we need to come up with a better flow, so if you can talk to Mr. Correia about coming up with some method, I think that would be appropriate. Thank you."

G. APPOINTMENTS

Mayor's Youth Advisory Board

Mayor Pro-Tem Lindell, on behalf of Mayor Gonzales, made the following appointments to the Mayor's Youth Advisory Board:

Anthony Rivera (Santa Fe High) – Reappointment – term ending 12/2018;
Megan Sarkissian (ATC) – to fill unexpired term ending 12/2018;
Teya Martinez (Santa Fe Prep) – to fill unexpired term ending 12/2017;
Yazmin Holguin, Alternate (Santa Fe High) – to fill unexpired term ending 12/17;
Melissa Ruiz (Engage) – to fill unexpired term ending 12/2017;
Mykalaya Martinez (Capital High) – to fill unexpired term ending 12/2017; and
Barath Kurapati (Mandela International Magnet School) – to fill unexpired term ending 12/2017.

MOTION: Councilor Dominguez moved, seconded by Councilor Villarreal, to approve these appointments.

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

Planning Commission

Mayor Pro-Tem Lindell, on behalf of Mayor Gonzales, made the following appointments to the Planning Commission:

Sarah Cottrell Propst (District #2) – Reappointment – term ending 06/2019;
Mark A. Hogan (District #2) – Reappointment – term ending 06/2019; and
Jack Hiatt (District #4) – Reappointment – term ending 06/2019.

MOTION: Councilor Maestas moved, seconded by Councilor Harris to approve these appointments.

DISCUSSION: Councilor Villarreal asked the number of vacancies we still have for the Planning Commission.

Ms. Vigil said there are 2 vacancies in Council District 3.

Councilor Villarreal asked if all the rest of the vacancies have been filled.

Ms. Vigil said yes.

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

H. PUBLIC HEARINGS

- 1) **CONSIDERATION OF BILL NO. 2017-24: ADOPTION OF ORDINANCE NO. 2017- ____ (MAYOR GONZALES). AN ORDINANCE AUTHORIZING THE ISSUANCE AND SALE OF THE CITY OF SANTA FE, NEW MEXICO GASOLINE TAX/SUBORDINATE LIEN GROSS RECEIPTS TAX IMPROVEMENT REVENUE BONDS, SERIES 2017 IN AN AGGREGATE PRINCIPAL AMOUNT NOT TO EXCEED \$13,500,000 FOR THE PURPOSE OF DEFRAYING THE COST OF CONSTRUCTING, RECONSTRUCTING, RESURFACING, MAINTAINING, ACQUIRING RIGHTS OF WAY, REPAIRING AND OTHERWISE IMPROVING MUNICIPAL BUILDINGS, ALLEYS, STREETS, PUBLIC ROADS AND BRIDGES OR ANY COMBINATION OF THE FOREGOING PURPOSES; PROVIDING THAT THE BONDS WILL BE PAYABLE AND COLLECTIBLE FROM GASOLINE TAX REVENUES AND CERTAIN GROSS RECEIPTS TAX REVENUES DISTRIBUTED TO THE CITY; DELEGATING AUTHORITY TO THE CITY FINANCE DIRECTOR TO APPROVE THE FINAL PRINCIPAL AMOUNT, INTEREST RATES AND OTHER DETAILS OF THE BONDS WITHIN THE PARAMETERS SET FORTH IN THIS AUTHORIZING ORDINANCE; DELEGATING AUTHORITY TO THE CITY FINANCE DIRECTOR TO EXECUTE AND DELIVER A BOND PURCHASE AGREEMENT FOR THE SALE OF THE BONDS TO THE NEW MEXICO FINANCE AUTHORITY; PROVIDING FOR THE COLLECTION OF CERTAIN GROSS RECEIPTS TAX REVENUES; APPROVING CERTAIN OTHER AGREEMENTS AND DOCUMENTS IN CONNECTION WITH THE BONDS; RATIFYING ACTION PREVIOUSLY TAKEN IN CONNECTION WITH THE BONDS; REPEALING ALL ORDINANCES IN CONFLICT HERewith; AND RELATED MATTERS. (BRADLEY FLUETSCH) (Postponed on October 11, 2017) Consideration of this request is postponed to the Governing Body meeting of November 8, 2017.**

This item is postponed to the Governing Body meeting of November 8, 2017.

2) REQUEST FROM SPANISH DANZART SOCIETY, ENTRE FLAMENCO FOR A RESTAURANT LIQUOR LICENSE (BEER AND WINE), WITH ON-PREMISE CONSUMPTION ONLY, TO BE LOCATED AT EL FLAMENCO, 135 W. PALACE AVENUE, SUITES 202, 203 AND 204. (YOLANDA VIGIL)

A Memorandum dated October 18, 2017, with attachments, prepared by Yolanda Y. Vigil, City Clerk, to Mayor Gonzales & City Councilors, is in the Council packet. Ms. Vigil said the location is not within 300 feet of a church or school, and recommended, as a condition of approval, this business be required to comply with all of the City's ordinances as a condition of doing business in the City.

Public Hearing

Stefanie Beninato was sworn. Ms. Beninato said she "is going to repeat myself," that it would be nice to have some kind of plan for the density of alcohol in downtown and the rest of the City, and not just on Airport Road where there are certain sale restrictions. She said it seems like that will stall and nothing will happen. She hopes somebody will take up what Councilor Dominguez has started and carry it on, so we could have something that approaches rationality and not have such density, rather than downtown, in terms of alcohol distribution.

Stephanie Ramirez, 135 W. Palace, Suite 202-204, 87501, was sworn.

The Public Hearing was closed

Councilor Villarreal asked Ms. Ramirez, "The restaurant, it will be for when you all have storage, correct."

Ms. Ramirez said that is correct. She said right now their shows are seasonal, and they are hoping to expand into more performances throughout the full year, and with the help of the Beer and Wine License and the revenue, will help create work, create more cultural activity. All of their cultural activities are supported by the Arts Commission, New Mexico Arts and the National Endowment for the Arts. So they are serving a lot of different communities, and to this point they have had 78 performances, and have served 3,000 visitors from 8 different foreign countries as well as 48 states. They are hoping to achieve approval of this request because it will make a huge difference to be able to have more performances and create more work for individuals here.

Councilor Villarreal asked if they also serve food.

Ms. Ramirez said yes. They have the Cabaret space and the restaurant service which are Spanish Tapas. The people attending the performances expect low cost Flamenco, they have Spanish Tapas and the majority of them want a glass of Spanish wine to accompany their dinner and experience when they come to the venue.

Councilor Villarreal wished her good luck, saying she "has always been a good neighbor to us."

MOTION: Councilor Villarreal moved, seconded by Councilor Ives, to approve the request from Spanish Danzart Society, Entre Flamenco, for a Restaurant Liquor License (beer and wine), with on-premise consumption only, to be located at El Flamenco, 135 W. Palace Avenue, Suites 202, 203 and 204, with all conditions of approval as recommended by staff.

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

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

Against: None.

- 3) **REQUEST FROM TUMBLEROOT BREWING, LLC, FOR A CRAFT DISTILLER 1ST OFFSITE LOCATION LICENSE WITH ON-PREMISE CONSUMPTION, PACKAGE SALES AND PATIO SERVICE, TO BE LOCATED AT TUMBLEROOT BREWERY AND DISTILLERY, 2791 AGUA FRIA STREET. (YOLANDA VIGIL)**

Items #H(3) and #H(4) were combined for purposes of presentation, discussion and public hearing, but were voted upon separately.

A Memorandum dated October 18, 2017, with attachments, prepared by Yolanda Y. Vigil, City Clerk, to Mayor Gonzales & City Councilors, is in the Council packet. Ms. Vigil said the first business is in the process of remodeling, therefore the City would require that the business comply with all Fire, Building and Land Use requirements. She said the second license is a Small Brewer 1st Off Site Location Liquor License, with on-premise consumption, package sales and patio service, and is also located at 2791 Agua Fria. She said there would be the same condition, that they comply with all Fire, Building and Land Use requirements, prior to the release of their license.

Public Hearing

There was no one speaking to this request.

The Public Hearing was closed

Mayor Pro-Tem Lindell noted the applicant is in attendance, and asked if there are questions by the Governing Body for the applicant.

Jason Fitzpatrick, 1887 Quemado Street, and Jason Kirkman, 10 Timberwick Road, Tumbleroot Brewing, LLC, were sworn.

Councilor Villarreal asked where the brewing takes place.

Mr. Fitzpatrick said this business will just be a tap room and package sales. He said the Brewery and Distillery is located at 32 Bisbee Court, Units #3 and #4, which is down on SR #14.

Councilor Villarreal asked, "When they say distillery, what products does that consist of specifically."

Mr. Kirkman said it is a different concept. They will have a full brewery, but not on the same location as the tap room. It is kind of a brew pub concept, and the fact they will have a full slate of beers, ranging from lagers to *[inaudible]*, and that is versatile as well. So they can make whiskey, vodka, rum and the spirits will be focusing on local ingredients and they will be *[inaudible]* as well. So it's something different. Their production is centered mostly on providing the former Club Alegria with a full range of options.

Councilor Villarreal wished them success.

MOTION: Councilor Ives moved, seconded by Councilor Trujillo, to approve the request from Tumbleroot Brewing, LLC, for a Craft Distiller 1st Offsite Location License, with on-premise consumption, package sales and patio service, to be located at Tumbleroot Brewery and Distillery, 2791 Agua Fria Street, with all conditions of approval as recommended by staff.

DISCUSSION: Councilor Maestas wished them the best of luck.

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

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

Against: None.

- 4) **REQUEST FROM TUMBLEROOT BREWING, LLC, FOR A SMALL BREWER 1ST OFFSITE LOCATION LICENSE WITH ON-PREMISE CONSUMPTION, PACKAGE SALES AND PATIO SERVICE, TO BE LOCATED AT TUMBLEROOT BREWERY AND DISTILLERY, 2791 AGUA FRIA STREET. (YOLANDA VIGIL)**

MOTION: Councilor Ives moved, seconded by Councilor Maestas, to approve the request from Tumbleroot Brewing, LLC, for a Small Brewer Distiller 1st Offsite Location License, with on-premise consumption, package sales and patio service, to be located at Tumbleroot Brewery and Distillery, 2791 Agua Fria Street, with all conditions of approval as recommended by staff.

CLARIFICATION OF MOTION BY CITY CLERK PRIOR TO VOTING: Ms. Vigil said, "I am including on both of these requests the conditions that I had specifically requested."

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

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

Against: None.

- 5) **REQUEST FROM SABOR PERUANO, LLC, FOR A RESTAURANT LIQUOR LICENSE (BEER AND WINE), WITH ON-PREMISE CONSUMPTION ONLY, AND PATIO SERVICE, TO BE LOCATED AT SABOR PERUANO, 167 PASEO DE PERALTA. (YOLANDA VIGIL)**

A Memorandum dated October 18, 2017, with attachments, prepared by Yolanda Y. Vigil, City Clerk, to Mayor Gonzales & City Councilors, is in the Council packet. Ms. Vigil said staff recommends as a condition of approval, this business be required to comply with all of the City's ordinances.

Public Hearing

Stefanie Beninato, P.O. Box 1601, Santa Fe, was sworn. Ms. Beninato said these petitions are endless at the City Council, and there should be some way to expedite the process, because "you just basically approve them wholesale." She said if the Legislature has to make this change, you could work on legislation expediting this process, so "your Evening Session is not so much approving liquor licenses."

The Public Hearing was closed

Ms. Vigil said, "This request is coming with patio service. However, when we conducted the inspection, the patio was not going to be connected and contiguous to the restaurant. Therefore the approval of the patio is removed. Alcohol and Gaming does require that the patio, like I said, be connected and contiguous to the restaurant, so therefore you are approving, if you approve, the Beer and Wine License just totally in the restaurant and not out in the, I would call it, hallway at the Mall.

Councilor Maestas said the licensed premise is important, and based on our inspection we have to limit the premises, and Alcohol and Gaming is going to do nothing about it. Would we have to notify them to let them know that the originally requested licensed premises cannot be approved at this time. He said we've had issues in the past, and asked Ms. Vigil to explain that, and if it would be binding.

Ms. Vigil said, "The Alcohol and Gaming was notified on this request. So when we went out and did the inspection and talked with Mall staff and the applicant, we did notify them. And they said it was fine then that we not go in for approval of the patio, and that would be removed also on their end."

MOTION: Councilor Maestas moved, seconded by Councilor Ives, to approve the request from Sabor Peruano, LLC, for a Restaurant Liquor License (beer and wine), with on-premise consumption only, without patio service, at Sabor Peruano, 167 Paseo de Peralta, with all conditions of approval as recommended by staff.

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

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

Against: None.

6) REQUEST FROM M.W SANTA FE, LLC, 1352 RUFINA CIRCLE, FOR THE FOLLOWING:

- a) PURSUANT TO §60-6B-10 NMSA 1978, A REQUEST FOR A WAIVER OF THE 300 FOOT LOCATION RESTRICTION TO ALLOW THE SALE OF ALCOHOL AT MEOW WOLF, 1352 RUFINA CIRCLE, WHICH IS WITHIN 300 FEET OF LA PETITE ACADEMY, 1361 RUFINA CIRCLE.**
- b) IF THE WAIVER OF THE 300 FOOT RESTRICTION IS GRANTED, A REQUEST FOR TRANSFER OF OWNERSHIP AND CHANGE OF LOCATION OF INTER-LOCAL DISPENSER LIQUOR LICENSE NO. 2644 WITH ON-PREMISE CONSUMPTION ONLY AND PATIO SERVICE, FROM PARIS HOLDINGS, LLC, D/B/A EL FOGON RESTAURANT, 3414 N. LOVINGTON HWY, HOBBS TO MW SANTA FE, LLC, D/B/A MEOW WOLF, 1352 RUFINA CIRCLE.**

(YOLANDA Y. VIGIL)

Recusal: Councilor Trujillo said, "Madam Mayor Pro-Tem, before we proceed with this, I do want to say something, because this is a waiver for Meow Wolf. Two weeks back, maybe a couple of months back, we took a vote dealing with giving Meow Wolf \$250,000. If you recall, I asked some pertinent questions, and I wasn't shy about asking them. I do not apologize for asking those tough questions. As an elected official, I will ask those questions. I voted yes on it. If you recall, Mr. Kadlubek and I stood here talking with everybody chit-chatting and joking. Well the next morning, Mr. Kadlubek felt the need to go and attack me on the social media. He called me a bully. He said he felt he was intimidated by the line of questions I asked. And to this day he continues to do it on Social Media, contending there was an issue, and several of you agreed with him. Because of these reasons, I will be recusing myself from making any decision when it comes to Meow Wolf, and any further decisions that come to this Governing Body dealing with Meow Wolf. So I will be leaving [the room]. The thing I want this Governing Body to remember is every time we talk about protecting our children from alcohol, you always make a huge stand for it. So, I'm going to leave you guys with that, and I will see you guys in two weeks."

Councilor Dominguez said, "Point of Order, Madam Mayor Pro-Tem. We can, I think as a Governing Body, we can oppose that kind of recusal, can we. Oppose that kind of recusal."

Ms. Brennan said, "Mayor Pro-Tem, Councilor, I'm going to look and see if I have some guidance handy on that. I believe that the recusal decision is traditionally by the individual recusing."

Councilor Dominguez said, "But, and this is really just for Councilor Trujillo, just making sure that the record is thorough. There's got to be certain reason why you recuse yourself, like if you feel like you can't be fair about a decision, one way the another."

Councilor Trujillo said, "It's not that I don't feel like I can be fair about a decision. I know whatever decision I make, it will make it on the Face Book page and the media, and I don't need that kind of [inaudible]."

Councilor Dominguez asked Mayor Pro-Tem Lindell for the floor back, and the Mayor Pro-Tem said okay.

Councilor Dominguez continued, "I don't necessarily mind the recusal. I think if Councilor Trujillo wants to recuse himself, that's fine, that's his prerogative. But I just want to make sure that we get it clear for the record so that we know what those reasons are and that they are articulated clearly."

Councilor Trujillo left the Council Chambers.

Ms. Brennan said, "Mayor Pro-Tem Councilors, Rule 9(A)(1) says, *a member of the Governing Body must vote yes, no or abstain, except in the case of a conflict of interest as defined in the Code. In which case, the member may recuse himself or herself, or be disqualified from voting on the issue. Any conflict must be disclosed prior to consideration of the item, and any member who has recused himself or herself, or has been otherwise disqualified from voting on the issue, shall leave the room where the meeting is being held, until the vote is taken and recorded by the City Clerk.*"

Ms. Brennan continued, "Typically a conflict of interest is a pecuniary interest on the part of the member, a member of the family, or some other relationship through business and family. So I think perhaps, under these circumstances, an abstain vote may have the better choice."

Councilor Dominguez said, "So I just want to get... So I think that's important to understand and important for the public to know is there really is no [inaudible] to recuse, it is more a personal reason than it is a policy for recusing. And it would have been better for him to abstain, but I guess that's it."

Mayor Pro-Tem Lindell thanked Councilor Dominguez and said we will now proceed.

Public Hearing

Jason Fitzpatrick, 1887 Quemado, was sworn. Mr. Fitzpatrick said the Governing Body approved his request and he is very appreciative of that, he supports young entrepreneurs in Santa Fe, and believes that Meow Wolf has shown what can happen in Santa Fe with that type of support, and believes that Meow Wolf wanting a liquor license will enhance the experience for some people around there, "they do come from a liquor business, but I would just urge you to approve this."

The Public Hearing was closed

A Memorandum dated October 18, 2017, with attachments, prepared by Yolanda Y. Vigil, City Clerk, to Mayor Gonzales & City Councilors, is in the Council packet. In her Memo, Ms. Vigil said the business is within 300 feet of La Petite Academy, and there is a letter in the packet in support of the waiver from Brandon E. Baca, Director, La Petite Academy. Ms. Vigil noted the condition of approval that Meow Wolf must fully enclose the front and rear patios and is required to comply with all Fire, Building and Land Use Code Requirements.

Mayor Pro-Tem Lindell asked Ms. Vigil if she has remarks, instructions or conditions for the Governing Body.

Ms. Vigil said the only thing she would say is that there was a letter of support in the Governing Body packet from La Petite Academy regarding the waiver, as well as the other letters of support submitted by the Applicant. She said there is a condition of approval that M-W Santa Fe, LLC, fully enclose the front and rear patios, noting part of the application was for two patios, and that the business must comply with all Fire, Building and Land Use Requirements.

The Governing Body commented and asked questions as follows:

- ◆ Councilor Dominguez asked if Items 6(a) and 6(b) can be discussed together.

Ms. Vigil said this is correct, but two separate motions will be needed.

- ◆ Councilor Dominguez said he has questions for the applicant, specifically on Item #H(6)(b).

Max Beck-Keller, Events Director, 532 Onate Place; and Sean Di Ianni, Chief Operating Officer, Meow Wolf were sworn.

- ◆ Councilor Dominguez said the transfer of ownership is from a license that exists currently in Hobbs.

Mr. Beck-Keller, Events Director, Meow Wolf, said that is correct.

- ◆ Councilor Dominguez said this is a little bit different than a lot of the license applications tonight. This is actually a transfer of ownership. He asked Mr. Beck-Keller if he knows what the Constitution says regarding a quota for full liquor licenses allowed per population.

Mr. Beck-Keller said he doesn't know.

- ◆ Councilor Dominguez said it is 1 license for every 2,000 people in population, commenting he is surprised Mr. Beck-Keller didn't know that. He said they are bringing another license from another City and bringing it to Santa Fe. He said based on the information he has, that is 254% of Santa Fe is over quota, based on that. He asked, "Does that concern you at all."

Mr. Beck-Keller said, "Councilor Dominguez, it doesn't concern me in this instance, because...."

- ◆ Councilor Dominguez said, "I'm not asking you about this instance, I'm asking you about whether or not you are concerned that the City of Santa Fe has a 254% over quota."

Mr. Beck-Keller said, "I believe that is up to the Council and Alcohol and Gaming, if they want to approve the license."

- ◆ Councilor Dominguez said, "That is not going to gather my support. I'm not going to make a speech about kids and stuff, I'm asking legitimate questions about that. And I want to know what you feel about that, as the applicant."

Mr. Beck-Keller said, "I'm not sure I have a position on this issue exactly."

- ◆ Councilor Dominguez said, "Well I do. I think that's an enormous number, and I think it's pretty obvious that we are way over the quota based on what the license per population ratio is supposed to be. Do you think I should be concerned about that."

Mr. Beck-Keller said, "Councilor Dominguez, I think that Santa Fe is an exceptional case because of the number of tourists that we have. So I think if we just considered the population of the City, that would be the case, but because of all the service we have for people who are visiting our City, I think that number makes sense."

- ◆ Councilor Dominguez said, "Really. So that 254% over quota, that does not include the 14 small brewers on and off site that we have, right. So that number would actually go up. That does not include the 11 Winegrowers, and that doesn't include the 116 restaurants that sell beer and wine only. So that 254% is actually very conservative if I may say. So you actually think that the number should be higher."

Mr. Beck-Keller said, "Councilor Dominguez, as I said before, I don't have an exact opinion on this matter. I need to look into this further."

- ◆ Councilor Dominguez said, "Okay, so based on the license per population ratio, Santa Fe should only have 42 licenses. That doesn't seem reasonable either."

Mr. Beck-Keller said, "Councilor Dominguez, perhaps it doesn't."

- ◆ Councilor Dominguez said, "You've got an opinion on the low end, but you don't have an opinion on the high end."

Mr. Beck-Keller said, "Councilor Dominguez, I don't have an opinion on either."

- ◆ Councilor Dominguez asked, "Do you think that 42 licenses for the City of Santa Fe, based on that ratio is too low or too high – based on the ratio that we should have per population and license, we should only have 42 licenses. I would say it's too low."

Mr. Beck-Keller said, "Councilor Dominguez, I think this is a technical question that I don't have an answer for...."

- ◆ Councilor Dominguez said, "I'm asking for your opinion, not a technical answer."

Mr. Beck-Keller said, "Yeah, Councilor Dominguez, I don't have a fully formed opinion, and as such, I don't feel entirely qualified to make an opinion."

- ◆ Councilor Dominguez asked, "What about your partner. You get where I'm getting at, right. I mean, well you're asking us to bring in another license from another City into this City. I would feel a lot different if it was a license that existed in this City already, but we're increasing the number of liquor licenses in the City by bringing one in from Hobbs. So Hobbs has one less and we have one more. It's not a new debate, we've had it before."

Mr. Beck-Keller said, "The thing is, I couldn't speak to this issue, precisely."

Sean Di Ianni, Chief Operating Officer, Meow Wolf, said, "I'll just state my name is Sean Di Ianni, and I live at 614 Giron Street. I'm the Chief Operating Officer of Meow Wolf. I think I do understand where you're getting at Councilor Dominguez, and I'll admit that I think that you're probably catching me a little bit off guard with regard to this question. I know that it has history through it. So I understand what you're saying. I tend to agree with Max, just express my personal opinion about Santa Fe being a special case, in that we have lot of tourists, a lot of service-oriented businesses here that service tourists in addition to the community. So that may be a reason why we have a higher ratio of liquor licenses here. And I should probably let Max speak specifically to that transfer issue."

Mr. Beck-Teller said, "Councilor Dominguez, I think in this instance, we're not actually increasing the number of bars or establishments that can serve in the City. Dual will no longer serve at Meow Wolf, and our hope is to have our own bar, so it's actually zero-sum in that way. And then, I think the other thing to consider is that previously in this location, Silva Lanes did serve too, so there is a precedence for service in this neighborhood at that location."

- ◆ Councilor Dominguez said, "You know that there was a murder there at Silva Lanes right as they were closing, and alcohol was a part of that as well."

Mr. Beck-Keller said, "I am aware of that tragic accident, yes."

- ◆ Councilor Dominguez asked, "You know that I brought it up, so I'm just making sure that...."

Mr. Beck-Keller said, "Yes. Absolutely. I understand that. And we have spoken about Silva Lanes in the past as a precedent for an establishment that serves alcohol in our location."

- ◆ Councilor Dominguez said, "So, I guess, just as a comment, Madam Mayor Pro-Tem, I have a hard time with this one, not because I believe there is any conflict in how I've supported or not supported Meow Wolf in the past. And it is consistent with concerns that I brought up in regard to the number of licenses that we have per population in our community. And I really will be bold enough to say in that area alone, the fact that we're bringing a license from Hobbs over here to Santa Fe is of concern. What you said about Dual Brewing is not....., but I have no assurances that that will happen. Right."

Mr. Beck-Keller said, "Councilor Dominguez, I don't know Dual Brewing's plans, if they plan to use their off site tap room in another location."

- ◆ Councilor Dominguez said, "That brings up even more of a concern for me, because there is some uncertainty there that just adds to the dynamic. And so, it's just troublesome, given the challenges that this community has. The gentleman sitting in for the City Manager right now can speak first hand about some of the issues we have with regard to alcohol. And I'm not talking about just DWI accidents, I'm talking about alcohol outlet density of all sorts, the health impacts and the cost to taxpayers. That's a whole different story, and I was really talking about Chief Litzenberg and Chief Rivera. Where is he. There he is. So, I just wanted to get a sense about where they are not needed and cared about, any of that. And it sounds to me like Meow Wolf is trying to be responsible and trying to do the responsible thing. But when I look at the overall picture, it's going to be a tough one for me to support right now, but I will give others the opportunity to convince me, maybe. Thank you Madam Mayor Pro-Tem."

Mr. Beck Keller asked Councilor Dominguez if he can address some of his concerns.

- ◆ Councilor Dominguez said, "That's up to her, but I'm going to rebut if you keep going."
- ◆ Mayor Pro-Tem Lindell said she would like to let the Council continue, and "then at the end, if you have a presentation that you would like to make..... so let's go ahead and continue with the questioning."
- ◆ Councilor Villarreal said, "Just a few questions. So, in one of the support letters it talked about how Meow Wolf is now somewhat inadvertently becoming more of a music venue place. But we know that the primary use is focused on family friendly art museum, is how they used the term, and amusement park was another one that they, in one of the support letters, that said they even thought you guys were an amusement park. Do you all consider yourself an amusement park."

Mr. Beck-Keller said, "Councilor Villarreal, at times we do consider ourselves an amusement park."

- ◆ Councilor Villarreal said, "I guess in the past, most of our waivers that we've granted were for special events at Meow Wolf, and I am trying to recall when Dual came in, you all received a permit. Maybe Yolanda can jog my memory. There was a permit to be able to sell..."

Ms. Vigil said, "Right. I believe they have a Small Brewers Off Site License."

- ◆ Councilor Villarreal asked when that was approved.

Mr. Beck-Keller said it was in August 2016.

- ◆ Councilor Villarreal said, "That, I felt okay about, because it was really past waivers for special events. The off site beer license was granted. So I guess I'm just trying to figure out, like how this would work for a full-time bar, and why you all feel like that's important. This is just focusing on like beer and wine."

Mr. Beck-Keller said, "Part of having this liquor license at Meow Wolf will allow us to operate a café in the daytime to better serve families and tourists. Currently, State law doesn't allow us to operate in the space that we lease to Dual. So Dual has exclusive use of the bar area. By taking over the bar area, we will be able to make Espressos, serve sodas, and concessions out of that space, and currently that's not possible."

- ◆ Councilor Villarreal asked if a liquor license is needed in order to do that.

Mr. Beck-Keller said Meow Wolf is required to have a liquor license in order to serve in that area. We don't qualify for a Restaurant Beer and Wine License, because 60% of our revenue doesn't come from food. Instead, it comes for ticket sales for the House of Eternal Return."

- ◆ Councilor Villarreal said, "So, I'm still trying to figure out your logic behind the liquor license as it relates to them utilizing a space for Espresso and other food items, which you are saying is like more concession."

Mr. Beck-Keller said, "Councilor Villarreal, yes, that's correct. Yes, we can only use that space if Dual isn't using that space. So if we took that space over, Dual would have to not be there at all, and we would no longer be able to serve any beer and wine at this space."

- ◆ Councilor Villarreal said, "Yolanda, we could legally cancel, I don't know what the right word is, for the Off Site Beer License with Dual in order to put something else there, right. It's not like you have to replace it with something, do you."

Ms. Vigil said, "If I'm understanding the question correctly, if Dual Brewing... they can ask them to leave for whatever type of agreement they have with each other."

- ◆ Councilor Villarreal said, "But having something to replace it."

Ms. Vigil said, "Without having something to replace it."

- ◆ Councilor Villarreal asked Mr. Di Ianni if he has some clarity on that.

Mr. Di Ianni, "Yes, Councilor Villarreal. If I could just clarify, I think what Max is expressing is that we would like to be able to continue to serve beer and wine at Meow Wolf and a liquor license will allow us to do that. I think what Max was saying was that in addition to that, it will allow us to make the best use of that space with our staff. So currently, we have a relationship with Dual Brewing. They are a tenant in this space. They actually hold the license, we don't hold the license. And because of that we're actually not allowed to occupy that space at all. So this is just one of the many reasons that we think that controlling the license ourselves is valuable to us, and allows us to expand our offerings even beyond beer and wine to things like coffee or other snacks and concessions in the space.

- ◆ Councilor Villarreal said, "So food isn't served at the establishment right now."

Mr. Di Ianni said that is correct. He said, "Actually, to clarify, we don't make food at the establishment, but we sell prepared foods at the establishment."

- ◆ Councilor Villarreal asked if they will continue to do this, and Mr. Di Ianni said that is correct.

- ◆ Councilor Villarreal said, "But Max said café, and I think that's different from concession.

Mr. Di Ianni said, "Part of this is getting into some operational kinds of details and technicalities here, which I hope is okay for the Council."

- ◆ Councilor Villarreal said yes.

Mr. Di Ianni continued, "But part of this reason we would like to control that space, the bar itself, is because we would like to be able to serve coffee. And right now, we really don't have a good solution for that in this space. Another reason is that we do serve prepared food in this space, and if we can consolidate all of that at the bar area it's a better experience for our customers. We find that, right now, they might go to the case and get a sandwich and not exactly know where to buy it, since Dual is a separate tenant, and Dual is not selling that. And this kind of gets to the larger idea here with the liquor license, which is if we are able to control the sale of alcohol in this space, we have more control and integration of our operation into that."

Mr. Di Ianni continued, "So what I mean by that is that, right now, we can't staff that bar, right. That is just Dual. They control it completely. Now we have a good relationship with Dual and it's worked very well, but we feel that this will actually improve our control by integrating everything we do, so the staff operating the bar would be under our management and they would be well integrated with, for instance, the front desk staff or the staff inside of the exhibition, or even our gift

shop staff. So we see this as a way to improve our operational excellence. That's just one of the many reasons we think this is a step in the right direction for us. I hope that kind of answers some of your questions."

- ◆ Councilor Villarreal said, "Yes, that helps a bit. I think the other thing that I don't understand, is that could still happen anyway if you had a Beer and Wine License, and you could still consolidate the operations that you're referring to. I guess, why are you thinking of expanding to a full bar versus just Beer and Wine, when your primary use is a family friend, art museum/amusement park."

Mr. Di Ianni said, "Absolutely Councilor, that's a really good question and it's something that actually came up for us when we first started this process. Actually, this is the only license that is available to us right now in order to control alcohol sales and take that on as part of our business. There isn't currently a Beer and Wine license available to a business that is an admissions based business, and most of our revenue comes from admissions. Now, I'm not an expert on this, I'm speaking generally, but there are beer and wine licenses for brewers, and there are beer and wine licenses for restaurants where the majority of the revenue comes from food sales. Since we don't have a commercial kitchen and our revenue is not coming from food sales, a full license is really the only path for us to be able to get control of the liquor sales there."

- ◆ Councilor Villarreal asked Ms. Vigil or Ms. Brennan if they have any input on that being the only option for them, based on the business model.

Ms. Brennan, "I certainly don't Councilor."

Ms. Vigil said, "I'm not sure. I'm sorry, but I'm not sure of what the percentage of food that they would have to sell to qualify for a beer and wine license."

Talia Kosh, General Counsel, Meow Wolf, Santa Fe was sworn. Ms. Kosh said she is the general counsel. She said with regard to the rationale for liquor specifically, I think there is some rationale here, even though the primary purpose of the business is for the art exhibition, this large secondary market, and larger musical acts is a growing part of the business, and the only vendor in town that provides for that on a regular basis, especially with their collaborations with concerts. And so not being able to compete with other venues that have that liquor license, does put them at an economic disadvantage, especially in that area. So there are some economic benefits in terms of competition, specifically with the liquor license. Thank you."

- ◆ Councilor Villarreal asked, "Is there anything you can add about the options."

Ms. Kosh asked if that is with regard to the only option available being a liquor license and Councilor Villarreal said yes. Ms. Kosh said, "No, there is nothing that I can add to that with regard to the actual benefits of the liquor license specifically."

- ◆ Councilor Villarreal asked what is the timeframe that they would have the bar open.

Mr. Beck-Keller said, "The timeframe would be by November 15th, I believe."

- ◆ Councilor Villarreal asked what time during the day would you have the bar open.

Mr. Beck-Keller said, "The bar would begin service after La Petite Academy closes at 6:00 p.m., Monday through Friday, and it would open likely around noon on Saturday and Sunday. Certainly, noon by law on Sunday. But, I certainly don't expect us to serve drinks early in the morning in a family-centered business."

- ◆ Councilor Villarreal said, "But it's open, essentially, when the main exhibit space is open, not when there is a concert *per se*."

Mr. Beck-Keller said, "Councilor Villarreal, it would be open during shows, during music shows."

- ◆ Councilor Villarreal said, "Not music shows, but for the main attraction, it'll be open during that time, too."

Mr. Beck-Keller said, "That's correct, Councilor Villarreal."

- ◆ Councilor Villarreal said, "Okay, well, I'll yield the floor for now to hear from my other colleagues. Thank you."

- ◆ Councilor Maestas said first of all Meow Wolf is doing a fantastic job. He said when they were just constructing the Silva Lanes, he supported the professional services agreement for \$60,000. As you know, recently, Meow Wolf was awarded \$1.1 million in local economic development act funds, \$250,000 from the City and \$850,000 from the State. "And I think you guys own being at the forefront of the experienced economy. My only issue is, and I think Councilor Villarreal started asking questions about the use of your facility, but I'm a little concerned in that you are starting to use your facility for political events. You hosted a political Meet and Greet for a Mayoral candidate, and in essence you made an in-kind donation to a political candidate. And I just think you're kind of getting outside the use that you've been developing, perfecting and presented for the purposes of funding and support."

- ◆ Councilor Maestas continued, "It may not be germane to this issue, but it concerns me greatly, because I am a support of Meow Wolf. I happen to be a Candidate for Mayor, but I am dismayed at that political fundraiser. So... it wasn't a fundraiser, it was a meet and greet. So does your Board approve any deviations from the use of your facility. For example, tonight, if this Board approved, this action tonight."

Mr. Di Ianni said, "Our Board has some approval over certain activities of the company, and our management has approval over others. I believe that the political event was approved through our management, and was not a Board issue. But our Board is aware of the liquor license that doesn't meet the threshold for their approval, but they are aware of it, and they all support efforts on this matter."

- ◆ Councilor Maestas said, "I think the Meow Wolf brand is growing, and we have high expectations for it. But, I think Meow Wolf stumbled, and maybe there was just a lack of internal controls in hosting this event, but I'm concerned about. It's not really germane to this issue, but in a way it is, because we're talking about the use of your facility and what you've been presenting as your primary use. So, I wanted to go on the record to make that statement. Thank you."
- ◆ Councilor Harris said he is happy to defer to Councilor Maestas' point, which was a good one. He really hadn't thought in those terms, so he appreciates that. His questions have more to do with Councilor Villarreal's line of questions. He said, "I also want to say that I won't be the one to convince Councilor Dominguez to vote in favor, because I'm also skeptical." He finds himself thinking in terms of Club Meow Wolf. He said he isn't a conspiracy theorist, and doesn't think that was first and foremost on the minds of the organizers when you started Meow Wolf, but that's where you are headed."
- ◆ Councilor Harris continued, saying he heard Meow Wolf talk about the economic disadvantage. He said, "By your own admission, this is kind of a secondary portion of your business model and isn't primary, so I kind of discount the economic disadvantage argument as far as becoming increasingly a music venue, a club venue."
- ◆ Councilor Harris continued, saying it isn't clear to him on which occasions does Meow Wolf serve hard liquor, or if you are going to confine yourself to beer and wine, whether it's during the day when you have families present and someone wants a beer with a sandwich, or in the evening when you may have a concert. He asked, "Are you going to limit yourself to beer and wine, or are you going to be serving hard liquor."

Mr. Di Ianni said, "That is a question and it's something we definitely thought about when the full license became the most obvious option for this path forward. And we also are concerned about wanting to control the consumption of alcohol on the property, and be as responsible as possible about that. So the way we're planning to address the sale of liquor, cocktails specifically, is essentially pricing them and pricing them right so that people are essentially discouraged from buying large quantities of liquor. And then also, we'll have our bartender have maximum drink allowances. Also, we'll only serve one drink per ID."

- ◆ Councilor Harris said then you are selling hard liquor, and asked under what circumstances – only at night or during the day as well.

Mr. Di Ianni said, "The liquor license is expensive to obtain, so we would like to be able to make full use of the license. And so since it involves liquor and we're paying for that license, we would like to be able to serve liquor. I imagine most of the liquor will be sold in the evening, but I don't know that we have specific plans to limit that."

- ◆ Councilor Harris said, "It almost feels like an identity crisis to me, really and truly. This is not, by your own admission, what you and the other founders had in mind. I also don't think what the previous Governing Body, previous to my involvement, had in mind when they approved the \$60,000 or more recently, was really enthusiastic. And I realize the LEDA grant is for building an infrastructure and land. It's not for the facility itself, you know Club Meow Wolf. But nevertheless it does seem like a very different direction than what people anticipated."

Mr. Di Ianni said, "Councilor Harris, I appreciate that perspective. I think one thing to keep in mind is that from the beginning Dual Brewing has been serving beer and wine at Meow Wolf, so it has been part of our operations since we opened. And, that may not be from your perspective, but from my perspective this has been part of their plan, and it's something we've been integrating into our operations as much as we can. Again, the fact that Dual is a tenant limits our ability to fully integrate the alcohol sales into our operation."

- ◆ Councilor Harris said, "You made convincing business arguments, and I think my observation is, as a group, you're past the collective, right. You are a corporation, and saying you are for profit. When that was announced, I thought, good for them. That's been my career, and I felt for you to take the next steps, that's where you need to be as well. And yes, I know we approved any number of events until the mechanics were in place with AGD for Dual to set up there. But again, this is a significant change, in my opinion."

Mr. Beck-Keller said, "Part of Meow Wolf has always been parties and shows. From our inception, we've done DIY Musicals, we've thrown New Year's parties at the Farmer's Market Pavilion, at the Shellaburger Tennis Center. We do shows at the VFW downtown. So, we've been involved with nightlife in Santa Fe for about 8-9 years. Meow Wolf was behind a night life initiative that we received City funding for, it was called Nightways, that was in 2015. So this has always been part of Meow Wolf's ethos while we were a collective, and as we're a corporation as well."

Ms. Kosh said, "Just to add to your question about that, and I think Max spoke to that very well, but this shift that you are talking about is truly genuine. I think the unprecedented growth and success of Meow Wolf was unexpected, even by Meow Wolf internally. And the job creation has been beyond expectation. The international tourist attraction that it has become is beyond all expectation. And so, with that growth comes new needs."

- ◆ Councilor Harris said granted, it is a tremendous success, you are a real attraction, not just for people here in Santa Fe, but elsewhere. My family has been a family member since the beginning. And so we really applaud you, but I don't think people go the House of Eternal Return to drink. He said, "Increasingly, that is what you are providing and that's who you are. And I really don't know what to think exactly, or how to vote on this."

Mr. Beck-Keller said, "I entirely agree with you. We are not going to become a destination venue for drinking, that isn't our intent. This is simply an ancillary revenue stream for music that we've always been involved in, and we would like to have some additional revenue that we can make, as you were saying, when people want to have a beer with a sandwich. We would also like to be able

to gain that revenue stream as well. So our plan is not to become Club Meow Wolf. We're not going to become a destination drinking venue. Our service is centered around musical events, which we only do a few nights a week."

- ◆ Councilor Maestas said, "I just want to make one remark that I didn't get to make before I yielded the floor, but you know, with success comes greater responsibilities. And I'm not going to tell you how to run your business and your corporation, or how I think you should best make your decisions internally, but my recommendation, just from my perspective, is your Board of Directors really needs to be more involved in the decisions, especially the decisions that really represents a gross deviation from the use of Meow Wolf and the brand. So again, I'm just urging you to look internally as well in that regard."

Mr. Beck-Keller said, "I appreciate the feedback, we'll bring that to our management."

- ◆ Councilor Ives said he has questions on the support letters, on packet page 8 which is the letter from La Petite Academy. He said he has never, as far as he can remember, seen a *quid pro quo* for getting a letter of support. He said the first point is pretty straightforward, which says, *'Agrees to serve alcohol exclusively during hours when La Petite Academy is not opening or operating.'* He said it goes on to say, *'Provide weekly outdoor cleanup services for Meow Wolf's property, La Petite Academy outdoor property, and all general public property in between Meow Wolf and La Petite, including sidewalks, roads and medians.'* He said number 3 says, *'Work with La Petite to establish new landscaping elements and consistent landscaping maintenance on Meow Wolf's property, La Petite Academy's property and all general public property in between Meow Wolf and La Petite.'* And then it says, of course, number 4, *'Give free admission to Meow Wolf for all enrolled families of La Petite Academy. Thank you for your support on this and supporting responsible business in our neighborhood and City.'*
- ◆ Councilor Ives continued, asking where was La Petite before the offer of doing all of this for them. In other words, why not go the normal route, which is just, if they don't mind, they send a letter saying we don't care, or we support. However, here it looks like you are saying, very affirmatively saying, well support us and here's what we're going to do for you.

Ms. Kosh said, "Those came at the request of La Petite Academy. That is what they requested. With regard to landscaping, it makes sense. There also are the trails and cleanups in the morning. In that area, even without an evening event, there needs to be cleanup. So that makes logical sense. In terms of the last item, that was at the request of La Petite Academy that they provide some sort of benefit to the folks who are part of the Academy, and that was no problem with Meow Wolf, so that's where it comes from."

- ◆ Councilor Ives asked if the offer of services and responsibility for City property has been negotiated with the Public Works Department with Streets...

Ms. Kosh said, "No. This is a private agreement between two parties."

- ◆ Councilor Ives said this says, '*...all general public property in between Meow Wolf and La Petite,*' and then it says, '*...sidewalks, roads and medians.*' It seems pretty clear that is much broader than La Petite Academy.

Ms. Kosh said, "I think that Meow Wolf, and I'm sure Sean can speak to this more, but I think that cleanup is happening anyway on medians and sidewalks."

Mr. Di Ianni said, "We have our staff make sure that the neighborhood around is clean and we pick up litter and we occasionally organize our staff on a volunteer basis also to do that. So we're already doing that, and that's really something we do to keep the neighborhood looking sharp. And this is something between us and our neighbors, La Petite Academy. They obviously have the same concerns, so we like to keep the neighborhood clean. It's something we already do. And I think they put it in there to memorialize that."

- ◆ Councilor Ives said landscaping seems to go beyond just picking up trash and such. He said, "I would love to hear from the City Attorney if this is a normal type of relationship for the City to allow third parties, through agreements between two independent parties, to commit to cleaning up City public property in any way."

Ms. Brennan said, "We cannot be a party to an agreement that we have not signed onto, and we haven't. I'm not sure we would have a problem with people picking up the property, but certainly it doesn't bind us to anything. No, it's not something I typically see."

- ◆ Councilor Ives said this agreement says, '*... establish new landscaping elements and consistent landscaping maintenance on Meow Wolf's property, La Petite Academy's property, and all general public property in between Meow Wolf and La Petite.*' So there seems to be an assertion that landscaping could be done on City property.

Mr. Di Ianni said, "Councilor Ives, I don't believe it is the intention to do any permanent changes or landscaping changes to public property. I think it may just be that the language is not entirely clear on that. We would not be landscaping...."

Ms. Brennan said, "Councilor Ives, I would say that, again there is undertaking with each other to that arrangement, but they couldn't change property and modify public property without public permission. So the assumption would be they would get that before they did any work."

- ◆ Councilor Ives said, "Not what I'm hearing so far, but I appreciate that."
- ◆ Councilor Ives continued, saying regarding the letter from Ellen Kemper, in the second full paragraph, it says, '*...concerts happening several times a week, liquor has been sold on site via the Duel Brewer concession nearly every day of the past year without any majors reported.*' He realizes the point of that sentence is to say it's being served responsibly. This gets to the question Councilor Harris asked about the shift in emphasis and the statement was, well this is only to enhance our concerts, but here is a third party saying liquor service everyday. It undercuts a little

bit the statement that this is to enhance the music venue. He asked if that is an accurate statement.

Mr. Beck-Keller said, "It's accurate that it is largely for the music venue. I think if we didn't have the music venue at Meow Wolf, then there would be no service there at all. So this is just a secondary stream from that, serving outside of music shows."

- ◆ Councilor Ives said you said you do joint projects with AMP.

Mr. Beck-Keller said, "That is correct, that Meow Wolf and AMP have done some work together and Meow Wolf and AMP concerts sponsored the Noise for Now Concert at the Santa Fe Opera for the National Organization for Women. We also co-presented Fleet Foxes and Beach House at the Santa Fe Opera with AMP."

- ◆ Councilor Ives asked, "Out of curiosity, what is the relationship of Noise for Now to Meow Wolf."

Mr. Beck-Keller said, "Councilor Ives, Amelia Baur from Noise for Now is a friend, she's the wife of the guitarist from [inaudible] Bear, a popular band. We discuss music. She sought us out for sponsorship for Noise for Now. We're happy to be involved. There was a show the likes of which Santa Fe has never really seen before at the Santa Fe Opera."

- ◆ Councilor Ives said so you guys did a sponsorship for one of her events, correct.

Mr. Beck-Keller said that's correct.

- ◆ Councilor Ives asked, "What do you do with the International Folk Art Alliance."

Mr. Beck-Keller said the International Folk Art Alliance did an event at Meow Wolf. He said, "Again they're a friend of ours. Yes."

- ◆ Councilor Ives said the only reason he asks these questions is that usually when we see letters of support, there rarely are financial relationships, but he thinks he has identified some of the financial relationships and each one of these parties who has provided a letter of support. He asked, "Would that be an accurate statement."

Mr. Beck-Keller said, "Councilor Ives, that may be the case. I don't know all of the letters off the top of my head. I was the one who sought them out. I think one of my greatest oversights is that I didn't go to Ivan at Tortilla Flats. We spoke about it. He supports us, and I'm sorry I didn't obtain a letter from Ivan as well."

- ◆ Councilor Ives said he has no more questions for the moment.

Ms. Kosh said, "Councilor Ives, I think Meow Wolf is one of the largest employers in Santa Fe, outside of the City Government, and also a large collaborator with a lot of other organizations, so it's hard pressed to find someone isn't somehow, in one way or another, directly and indirectly tied to Meow Wolf, with reference to the letters of support. With regard to the Folk Art Market, it isn't a financial interest as much as it is a collaborative project."

- ◆ Councilor Rivera said there is no doubt that this is going to benefit Meow Wolf. He asked, "Do you know how many waivers you've asked for from this Council since you guys opened."

Mr. Beck-Keller said, "I don't know off the top of my head. I know the last time that I came and asked for a waiver on behalf of Meow Wolf, Councilor Dominguez said that it was time for Meow Wolf to get a liquor license, and we're following up now."

- ◆ Councilor Rivera said, "And I think that's where I'm going, is it was for a Beer and Wine License, and I'm a little disappointed to see that it is a full liquor license. Is there anything available within the City that you could have asked for a transfer or waited for a transfer."

Mr. Beck-Keller reiterated, "Councilor Rivera, we are unable to obtain any kind of Beer and Wine License. It doesn't exist. You have to be a restaurant, the revenue has to be 60% from food. There would be no way for Meow Wolf to meet that bar, because I think about 95% of our revenue comes from general admission for House of Eternal Return. Of course, the other stipulation with a Restaurant Beer and Wine License is that they can only serve until 10:00 p.m. at night. We oftentimes have shows that go into 11:00 p.m., or later. So a Beer and Wine License for a restaurant, even if we did have a restaurant component, wouldn't be the right fit for Meow Wolf because of our music venue and our customers."

- ◆ Councilor Rivera said, "All right, so even though you are going to open a café, you wouldn't be able to generate the kind of revenue that would surpass your admissions."

Mr. Beck-Keller said, "Councilor Rivera, that's correct. There would be no way that a restaurant could do that."

- ◆ Councilor Rivera said, "Along the line of Council Dominguez's questioning, really, this brings another liquor license into the City. I know it's a benefit to you. It's not to the community, in my opinion. It brings additional liquor into a City that is already saturated with liquor licenses and puts more potentially intoxicated people on the street, and that is a concern to me. But again, I understand that we asked you to go out and get a Beer and Wine liquor license, and I think that's what I was expecting, not quite seen here. And with that, Councilor Villarreal's remarks, this is a family venue and I'm not sure that much liquor associated with a family venue is really the right way to go. So I'm struggling a little bit with this one, but I'll hear the rest of the discussion and make a last second decision."

Mr. Beck-Keller asked if he can speak to that, "is it appropriate, or shall I..."

- ◆ Councilor Rivera said, "I'm not sure that I asked a question, I was just making a comment."

Mr. Beck-Keller said he understands.

- ◆ Councilor Dominguez said, "So there's a lot of history here. And I've mentioned this before in the very beginning, Meow Wolf was kind of like, this freaky dream scene that wouldn't really happen kind of thing. And we took a leap of faith and provided some public monies back then. And Meow Wolf has proved themselves, and for the most part, they are good stewards. But the fact is, there are not many places like Meow Wolf here in Santa Fe. There are a lot of organizations that ask for public monies, but don't necessarily have the same kind of dynamic that Meow Wolf offers. And so I appreciate all that Meow Wolf has done. I appreciate the vision, and Vince's Freaky Dream, because it has gone from his dream, or a dream, to a reality and an economic driver in this community."
- ◆ Councilor Dominguez continued, "But I want to make a couple of things very clear and ask a couple of pertinent questions. Are you saying that you went and got the Beer and Wine License because I told you to do it. Or, was it a reaction to the fact that you kept coming to us for these waivers, and the Governing Body said, well it sounds like you're operating a bar and asking for a waiver every night. Are you blaming me for going in that direction."

Mr. Beck-Keller said, "You made it abundantly clear to me, that we should no longer seek out any waivers for events like bringing Santa Fe Spirits to do hospitality events and Meow Wolf. It seemed as though that waiver option to us was foreclosed. So if we did want to bring on local purveyors like Santa Fe Spirits, the way to do that was through a liquor license, and no longer obtaining any waivers to do so."

- ◆ Councilor Dominguez said, "Santa Fe Spirits and their license is different than Dual."

Mr. Beck-Keller said, "Councilor Dominguez, correct. This would be... now we will be able to serve their spirits. We will be able to purchase from the distributor...."

- ◆ Councilor Dominguez said, "Let's not... because I'm not really happy right now with the application and the answers to some of the questions. Right. I don't feel like there is a whole level of honesty there. I'm being as honest as I can to be bold enough to say that I thought it was a freaky dream and it's become a reality. That's an admission. And so I would respect the same kind of honesty back. And so you were coming for a bunch of waivers, is this kind of how this whole thing started, right. First we have a vision, we want some public monies, everything works out okay. We start to expand a little bit and ask for these waivers. We give you these waivers. We say, well why do you keep going for waivers, why don't you get a license. You go and you get into this relationship with Dual. I don't quite understand that relationship with Dual. Why didn't you just go for what you are asking for now, then."

Mr. Beck-Keller said, "Councilor Dominguez, at the time, we didn't have the money to buy a liquor license, nor did we have any of the administrative capacity to do that then. It's been part of our plan...."

- ◆ Councilor Dominguez said, "Because your plan from the very beginning... because I remember asking very specifically back then, are you planning on opening a bar with full spirits. Do you remember what you said."

Mr. Beck-Keller said, "But Councilor Dominguez, I believe your question was about selling package liquor, and I said..."

- ◆ Councilor Dominguez said, "No, no, no, no."

Mr. Beck-Keller said, "Okay, I'm sorry Councilor Dominguez, perhaps you could... I don't remember that..."

- ◆ Councilor Dominguez said, "My point is, that the concern from back then was that you all were looking at opening a bar."

Mr. Beck-Keller said, "Councilor Dominguez, we don't want to open up a bar. We don't want to have a destination drinking hole with regulars who are coming to the bar multiple nights of the week. That's not what our model is. That's not what we're trying to do. We're simply trying to provide a complement to people who are there for the exhibit and people who are there for shows. Our intention is not to have a bar in that way."

- ◆ Councilor Dominguez said, "Let me go back to the question. What is your relationship with Dual right now. I mean, I don't understand that relationship. It's almost like you are saying, we're really just using you to kind of get us to a point where we could get enough money to go get our own license. And now, we don't need you anymore. I don't know, explain to me a little bit about that relationship."

Mr. Beck-Keller said, "I think the way you've summed it up is correct."

- ◆ Councilor Dominguez said, "Well, you're losing them."

Mr. Beck-Keller said, "We weren't. I believe it was an economically beneficial arrangement for both or yes. It certainly was not economically beneficial in a way that we made money from their liquor license. They are a tenant. They paid us a monthly rent, and then they also provided the service for our guests who come to expect having a drink when they go out to listen to live music."

- ◆ Councilor Dominguez asked, "What are your plans for Dual."

Mr. Beck-Keller said, "Their tenancy will end and then we'll take over the space."

- ◆ Councilor Dominguez asked when does it end.

Mr. Beck-Keller, "I believe the date we've set for them is November 15th.

- ◆ Councilor Dominguez said, "November 15th, regardless of what happens tonight, Dual is going to be out."

Mr. Beck Keller said, "Not regardless of what happens tonight. I believe they would stay if we weren't granted these waivers and they would continue to be a tenant."

- ◆ Councilor Dominguez said, "See, like I say. I can't get a straight answer from you brother."

Mr. Beck-Keller said he would like to give the microphone to one of his colleagues who can better answer Councilor Dominguez.

Mr. Di Ianni said, "Councilor Dominguez, if I may. The relationship with Dual is somewhat contingent upon us being able to take over that relationship. So if we were unsuccessful in obtaining the liquor license..."

- ◆ Councilor Dominguez said, "You are serving beer and wine..."

Mr. Di Ianni, "We would, unless we continue the relationship with Dual. And they would continue to serve beer and wine."

- ◆ Councilor Dominguez said, "That's a better answer. I like that a lot better, because it's basically saying, if we get this license, we don't need Dual. If we don't do this, we are still going to be in the game. So it's not like if we don't approve this, all of a sudden you're not going to be serving alcohol there at the establishment."

Mr. Di Ianni said, "That's correct Councilor."

- ◆ Councilor Dominguez said, "Okay. I appreciate that very much. So essentially you would be severing the relationship with Dual contingent on the approval of this waiver."

Mr. Di Ianni said, "As a tenant, yes, Councilor, we would be in a tenant relationship with Dual, we would hope to have a good, neighborly relationship with them."

- ◆ Councilor Dominguez said, "Okay, that's fair enough, I understand that. I don't know if that's good for our economy, because we're so dependent on the alcohol industry for our economy, right. And they're not going to be serving there anymore. But, maybe you guys will be serving more, generating more money."

Mr. Di Ianni said, "Actually, we do see this an opportunity to expand our offerings, so that we would be able to do coffee and other offerings at that location and area of the building, and that would add some jobs to our staff. We're planning about 15 jobs."

- ◆ Councilor Dominguez said, "So let me just ask you this one last question. You know, I've always thought that competition was good. And again, we don't have very many organizations like Meow Wolf in this City. Right. Public monies, liquor, night life, private monies, politically connected, even if you.... I'll go that far. I think one of my colleagues has already said that. That doesn't really matter to me, because I'm not running for anything, except running away. In the beginning, were you all relying on liquor sales for Meow Wolf to become a success, because I do not remember any of that from the very very beginning when this whole thing started to come up. It was a place for young people to express their artistic values and to bring some entertainment to Santa Fe, and to please take a leap of faith in the City, public monies, right. And so, are you relying on liquor sales to fulfill that business model that you had back then, or is it starting to change and evolve now to include more night life and more concerts and more of that to generate more revenue."

Mr. Di Ianni said, "We would not actually be increasing our night life and concert offerings as the result of obtaining a liquor license. We would continue to offer those. And this opportunity actually to make money off the sale of liquor within the building, would allow that aspect of our business model to be sustainable. Right now, it's fiscally a break-even offering."

- ◆ Councilor Dominguez said, "That's not what.... so what I heard you first say is that it was in order to keep up with the competition in the night life scene, I can't remember the exact words, we needed some of this. So my question is this, does Meow Wolf fold if you don't get this liquor license. Do they end up going under. Do they stop making the revenue that they need to operate."

Mr. Di Ianni said, "Councilor, I can't predict the future, but I don't think that we would fold. Our original business model, the core of our business model, centered around admissions, and it still does, and we'll continue to do this. We see this as this does support an additional offering that we provide to the community and our visitors who come from over the world. Which is that when you reckon that it's difficult to make that music component succeed solely on admissions, this would help with that very much, but it would not be the number one aspect of our business model. And we don't intend it to shift into that."

- ◆ Councilor Dominguez said, "I think I'll give up the floor for now, actually I'm done with that. I'll just say I'm not completely convinced. I think I would feel a little bit better if, first of all if I would have known that this was kind of the idea and the direction that you all wanted to go in when I told you to go and get a Beer and Wine License. Right. It would have been helpful to know this then, because then I would have just said well, just go get a full liquor license from somebody else. To me, I would feel more comfortable if there was a little bit more time, a little more space, a little bit less salesmanship and more reality. Thank you Madam Mayor Pro-Tem."

- ◆ Mayor Pro-Tem Lindell said she has a few questions. She asked if this will provide additional jobs.

Mr. Di Ianni said, "Yes, it will provide additional jobs, in fact we have made one hire in preparation for obtaining the license, and we are projecting about 15 additional hires. Not all of those would be directly related to the sale of alcohol. Some of them would be selling coffee or concessions."

- ◆ Mayor Pro-Tem Lindell said, "We're looking at liquor license here, and we approve a lot of them. I just certainly think everyone would agree Meow Wolf is a dynamic business. The path that it's taken was probably predicted. And I think in those dynamic situations, things change, and business models change, and directions change. I really don't feel that it is incumbent upon me to ask you about any other business plans that you have in the next 3 years or the next 5 years. I think your business changed, and it is doing concerts and that type of thing, and it's something that you have started doing and it seems like it has been very successful. It's certainly something that the City put a fair amount of effort into. We had an entire group that worked for a long time, it was called the Nighttime Economy Task Force, and they put a lot of effort into that."

- ◆ Mayor Pro-Tem Lindell continued, "And I think you've done very well with this. And I don't think that it is really incumbent on me to be micromanaging in any way your business. I appreciate that you've made an agreement with a day care. I'm not even sure a day care is a school, but you've made an agreement with a day care to not serve any alcohol during hours that they are open. I think that is a concession. I don't know that other people would make it [that commitment]. I appreciate you doing that."

- ◆ Mayor Pro-Tem Lindell continued, "This has been a successful business, and successful businesses do change and they adapt to different conditions. So, congratulations on all that you've accomplished in a short amount of time. And I think that the liquor licensing laws in this State are hard to maneuver. You know, a Beer and Wine license, that would have been terrific. But I get it, that your business isn't going to produce the amount of food sales necessary for that license. That's not going to happen. Your business model is based on admissions coming in the door, so that took that off the table. So those are just my initial comments. And I know that Councilor Harris would like to say something else."

- ◆ Councilor Harris said, "My line of questioning has to do with New Mexico liquor laws. So the case you're making has a real logic to it. That the New Mexico Liquor Laws have really defined the situation that in order for you to respond to your clientele, you need this full license because you're not in the restaurant business, you are this other [business]. But if you had an option, would you just pursue a Beer and Wine License."

Mr. Di Ianni said, "I think if we had that on the table we would definitely look at it. I think that if a beer and wine option were more affordable, we would look at that against our projects and our business model. My answer is yes, absolutely."

- ◆ Councilor Harris asked if they have closed on the purchase of the liquor license.

Mr. Beck-Keller said, "Councilor Harris, we have not closed on the purchase of the liquor license."

- ◆ Councilor Harris said, "For me, so much of this depends on the logic that you've presented for why this is necessary to get a full license. I guess I would like verification that this the only route available to you."

Mr. Beck-Keller said, "Councilor Harris, this is the only route that is available to us, unless we wanted to open a craft distillery or craft brewery. Also, just to speak briefly about the logic of our spirit service, we're not going to serve any shots at all. We're not going to serve any doubles. We met with the Santa Fe Prevention Alliance. They've given us these kind of principles for service and policy that I plan to follow. All of our drinks are going to be one standard size, so that bartenders and patrons know what they're drinking."

- ◆ Councilor Harris said, "Another comment, just a note I gave to myself, it was really the passionate testimonial during the LEDA discussion, the grant. A number of your people testified to the almost salvation that Meow Wolf and the group provided. And so I hope that represents that the ethic of Meow Wolf is to be creative, have a good time, don't overdo it. That's a little bit of what I heard. And I think it's to your credit, [that you met with] the Prevention Alliance. But I guess I would like more than just your word for it. That this is the only option available to you. That I would like either the City Clerk's Office, or the City Attorney and maybe in conjunction, to really research and make sure, for my satisfaction in order to be able to vote for it, that this is the only option available to Meow Wolf, a full liquor license. Maybe there is another option. That's not the same thing as saying I would not be an advocate for having to set up a full craft brewery. I think that's more of an investment than they really want to make. There are people in the audience in the business. Second Street Brewery is around the corner. Dual is across the street. There would be no reason to, but please, go ahead."

Ms. Brennan said, "That seems like a motion to postpone. We can look into that, whether we can get into the details of their circumstances, I don't know. We can tell you what the rules are."

- ◆ Councilor Harris said that is where he would be heading, is a motion to postpone, to really get a clear answer from City staff about the routes that are available to Meow Wolf in this instance.
- ◆ Councilor Harris continued, saying he learned long ago, time is of the essence, but he also heard that they haven't closed on the license, that November 15, 2017, is the date set for Dual moving out of its tenancy, and you can continue that. He thinks life can go on as it presently does, but he really thinks this is an important question.
- ◆ Councilor Harris continued, "It is clear that... you know it's interesting. We had a discussion earlier of a comment from a member of the public, that why don't we roll all of these into one consideration. Why don't we just figure out a blanket [approval]. Well this is as detailed a discussion about a liquor license as I've been involved in, on this Governing Body. I think it is

sincere on all parties, including yourselves, but I think, given everything that's gone on and the relationship with the City proper and Meow Wolf, I think it's appropriate to really get outside verification that this is, in fact, all that is available to you, or the most sensible. So that is a motion.

MOTION: Councilor Harris moved, seconded by Councilor Dominguez, to postpone this item to the first meeting of the Governing Body on November 8, 2017.

DISCUSSION: Councilor Dominguez said he would rather support this motion, than for it to die tonight, and the reason he seconded it. He said hopefully, we can get to a better conclusion by then.

Ms. Kosh said it will cost the applicant another \$10,000 to extend the purchase agreement.

Councilor Maestas asked, "In what form would the verification be. Would it be maybe an affidavit from established liquor license brokers that have beer and wine licenses available within the City and outside the City. I just want to get a little more specific about what this verification process would be. Some kind of an assessment of the market, and who would provide that."

Councilor Harris said, "No. That's not my intention that this is the appropriate license to buy. The logic that we heard of why a full liquor license is necessary is because they don't hit the 60% on food service and some other issues. And I respect that argument. I think there is a certain logic to it, it made sense to me. All I'm asking, and of course, part of the argument is that the full liquor license is basically the best available route for you to meet what you want to try and accomplish. So I'm not looking for a particular license elsewhere to find one to be transferred from Santa Fe. I just want verification through the City Attorney and City Clerks Offices, that in fact, that this option of a full liquor licenses is really the only one that's appropriate for them. As opposed to, is it possible to have with other similar waivers just a Beer and Wine License. That is the best I can do. Do you understand what I'm trying to get at, Ms. Brennan."

Ms. Brennan said, "Councilor Harris, I believe I do, and believe it really simply revolves around understanding what the regulatory framework provides."

Councilor Villarreal said, "I concur with Councilor Harris. That's what I was getting at earlier, trying to understand, other than just your word to tell us that this is the only option. I want to understand the details about this license and why this is the only option for your business model, versus getting the Beer and Wine [license]. I am sure there are Beer and Wine licenses out there that are in the City. But, pertaining to this model, I just need some verification and that we have done our due diligence on it."

Councilor Rivera said, "I think it probably would have died tonight. But it makes some sense that if you are going to sell less food, that maybe less liquor is more appropriate. In selling less food, they're actually giving you more options to sell liquor and that doesn't make sense to me, so I want the clarification as well."

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

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

Against: Mayor Pro-Tem Lindell.

Recused for the vote: Councilor Trujillo.

Explaining his vote: Councilor Dominguez said, "We'll see you at the Planning Commission on Thursday, Vince. Yes."

Explaining her vote: Mayor Lindell said, "I'm going to vote no, because I think that we've put this under an unnecessary amount of scrutiny that I've never seen us do with another license, which is just exactly what Councilor Harris said. So, I'll vote no."

END OF PUBLIC HEARINGS

I. ADJOURN

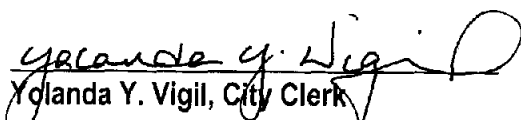
There was no further business to come before the Governing Body, and upon completion of the Agenda, the meeting was adjourned at approximately 9:40 p.m.

Approved by:



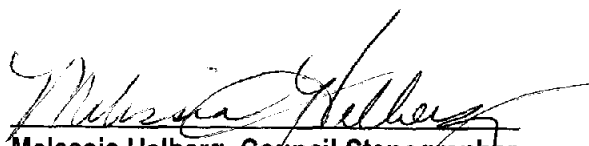
Mayor Javier M. Gonzales

ATTESTED TO:



Yolanda Y. Vigil, City Clerk

Respectfully submitted:



Melessia Helberg, Council Stenographer

City of Santa Fe, New Mexico

memo

DATE: 10/24/17
TO: Mayor and City Councilors
FROM: Keith Wilson, Transit Grants and Administration Manager *KW*
SUBJECT: Transit Advisory Board Recommendations

At their meeting on October 24, 2017, the Transit Advisory Board reviewed and made a recommendation to the Governing Body to approve the following item listed in the consent calendar of the October 25, 2017 Governing Body Meeting Agenda:

10. CONSENT CALENDAR

b) Request for Approval for City Manager to Execute Online License Agreement; Google Transit. (Keith Wilson)

Exhibit "1"

Item #11

**ACTION SHEET
ITEM FROM THE
PUBLIC WORKS/CIP AND LAND USE COMMITTEE MEETING
OF
MONDAY, OCTOBER 23, 2017**

ITEM 15

REQUEST FOR APPROVAL OF A RESOLUTION ACKNOWLEDGING THE IMPORTANCE OF THE COLLEGE OF SANTA FE AND THE SANTA FE UNIVERSITY OF ART AND DESIGN TO THE HISTORY OF SANTA FE; RECOGNIZING THE SIGNIFICANCE OF THE LOCATION OF THE UNIVERSITY CAMPUS IN THE GEOGRAPHIC AND DEMOGRAPHIC CENTER OF SANTA FE AND ITS CONNECTION TO THE RECENTLY-CREATED MIDTOWN LINC OVERLAY DISTRICT; ACKNOWLEDGING THE CITY'S INVESTMENT IN THE UNIVERSITY PROPERTY; CALLING FOR A RENEWED VISION FOR THE PROPERTY INTEGRATING A FORWARD-LOOKING EDUCATIONAL USE WITH OTHER COMMUNITY-CENTERED USES BUILT ON THE CITY'S EXISTING STRENGTHS AND CAPACITY; AND FOR THE CITY OF SANTA FE TO ACT AS THE CATALYST FOR CHANGE EMBODYING THE COMMON VALUES OF THE CITY (**COUNCILORS HARRIS AND LINDELL**) (**MATTHEW BROWN**)

PUBLIC WORKS COMMITTEE ACTION: Approved with Amendments

FUNDING SOURCE:

SPECIAL CONDITIONS / AMENDMENTS / STAFF FOLLOW UP:

VOTE	FOR	AGAINST	ABSTAIN
CHAIRPERSON IVES			
COUNCILOR MAESTAS	X		
COUNCILOR RIVERA	X		
COUNCILOR TRUJILLO	X		
COUNCILOR VILLARREAL	X		

Exhibit "2"

CITY OF SANTA FE, NEW MEXICO
PROPOSED AMENDMENT(S) TO RESOLUTION NO. 2017-__
SFUAD Vision

Mayor and Members of the City Council:

I propose the following amendment(s) to Resolution No. 2017-__:

1. On page 5, line 2, after "Property" *insert* ", particularly those buildings and features that are purpose-built"

2. On page 5, Line 13, *insert*

"12. Develop a timeline applicable to the next ninety (90) days through the activities of the working group which, to the greatest extent possible, addresses the actions described above.

BE IT FURTHER RESOLVED that an assessment be performed of the city's aesthetic and artistic assets at SFUAD, including a plan to identify their value, storage, security, or potential disposition."

Respectfully submitted,

Councilor Mike Harris

ADOPTED: _____

NOT ADOPTED: _____

DATE: _____

Yolanda Y. Vigil, City Clerk



CITY COUNCIL MEETING OF
October 25, 2017
BILLS AND RESOLUTIONS SCHEDULED FOR INTRODUCTION
BY MEMBERS OF THE GOVERNING BODY

Mayor Javier Gonzales		
Co-Sponsors	Title	Tentative Committee Schedule
Gonzales Lindell Dominguez Harris Ives Maestas Rivera Trujillo Villarreal	A RESOLUTION ESTABLISHING CITY OF SANTA FE LEGISLATIVE PRIORITIES FOR CONSIDERATION BY THE NEW MEXICO STATE LEGISLATURE DURING THE 53 RD LEGISLATURE - STATE OF NEW MEXICO - SECOND SESSION, 2018.	Public Works Committee - 11/6/17 Finance Committee - 11/13 Public Utilities Committee - 12/6/17 City Council - 12/13/17
	A RESOLUTION DIRECTING THE CITY MANAGER TO ESTABLISH A PROGRAM REPLACING ADMINISTRATIVE CITY FLEETS CURRENTLY RUNNING ON GASOLINE OR DIESEL WITH ELECTRIC VEHICLES BY 2025.	Public Works Committee - 11/6/17 Sustainable Santa Fe Commission - 11/14/17 Finance Committee - 12/4/17 City Council - 12/13/17
	A RESOLUTION SUPPORTING AN ANNUAL SANTA FE JEWISH COMMUNITY CENTER-CHABAD CHANUKAH MENORAH LIGHTING CEREMONY ON ONE SUNDAY OF EACH CHANUKAH SEASON ON THE SANTA FE PLAZA; AUTHORIZING THE CLOSURE OF SAN FRANCISCO STREET FOR THE EVENT TO ALLOW FOR PRODUCTION AND VENDOR PARKING IN THE PLAZA AREA; AND WAIVER OF ANY ASSOCIATED CITY FEES.	Public Works Committee - 11/6/17 Public Safety Committee - 11/21/17 Finance Committee - 12/4/17 City Council - 12/13/17
	A RESOLUTION DIRECTING CITY STAFF TO COLLABORATE WITH THE PUBLIC SERVICE COMPANY OF NEW MEXICO (PNM) TO DEVELOP A SOLAR ENERGY PROJECT THAT WOULD PROVIDE CITY-OWNED FACILITIES WITH SOLAR POWER, IN ACCORDANCE WITH THE CITY OF SANTA FE'S STATED GOAL OF ACHIEVING CARBON NEUTRALITY BY 2040.	Public Works Committee - 11/6/17 Sustainable Santa Fe Commission - 11/14/17 Finance Committee - 12/4/17 City Council - 12/13/17
Councilor Carmichael Dominguez		
Co-Sponsors	Title	Tentative Committee Schedule
Councilor Mike Harris		
Co-Sponsors	Title	Tentative Committee Schedule

Exhibit "4"

Councilor Peter Ives		
Co-Sponsors	Title	Tentative Committee Schedule
	A RESOLUTION RECOGNIZING THE IMPORTANCE OF LIVING RIVER FLOWS TO ALL THE RESIDENTS OF SANTA FE; CALLING FOR THE STUDY OF RIVER AND HYDRO-GEOLOGIC CONDITIONS, AND THE BETTER MANAGEMENT OF BYPASSED FLOWS AND IRRIGATION FLOWS TO INCREASE EFFICIENCIES IN THE DELIVERY OF WATER TO THE ACEQUIAS; AND FOR THE FUTURE MANAGEMENT OF LIVING RIVER FLOWS FOR THE MAXIMUM BENEFIT OF THE CITY OF SANTA FE, ITS CITIZENS, AND THE CITY'S BENEFICIAL USE OF ITS WATERS RIGHTS.	Public Utilities Committee - 11/1/17 Public Works Committee - 11/6/17 Santa Fe River Commission - 11/9/17 Finance Committee - 11/13/17 City Council - 12/13/17
Councilor Signe Lindell		
Co-Sponsors	Title	Tentative Committee Schedule
Villarreal	AN ORDINANCE AMENDING SECTION 14-3.11(B) OF THE LAND USE DEVELOPMENT CODE TO REQUIRE PUBLIC POSTING OF CONSTRUCTION PERMITS FOR PROPERTIES THAT DO NOT ADJUT PUBLIC STREETS OR ROADS.	Planning Commission - 11/16/17 Public Works Committee - 12/11/17 City Council (request to publish) - 12/13/17 Finance Committee - 1/ /17 City Council (public hearing) - 1/10/18
	AN ORDINANCE AMENDING SECTION 11-4 TO INCREASE THE BUDGET ADJUSTMENT AMOUNT THE CITY MANAGER IS AUTHORIZED TO APPROVE; ADOPTING THE STATE OF NEW MEXICO PROCUREMENT CODE AS THE PURCHASING MANUAL FOR THE CITY OF SANTA FE; AND ADOPTING ADDITIONAL EXEMPTIONS FROM THE PROCUREMENT CODE.	Finance Committee - 11/13/17 Public Utilities Committee - 12/6/17 Public Works Committee 12/11/17 City Council (request to publish) - 12/13/17 City Council (public hearing) - 1/10/17
Councilor Joseph Maestas		
Co-Sponsors	Title	Tentative Committee Schedule
	A RESOLUTION CALLING FOR A SPECIAL ELECTION TO BE HELD IN THE CITY OF SANTA FE ON MARCH 6, 2018, IN CONJUNCTION WITH THE REGULAR MUNICIPAL ELECTION, FOR THE PURPOSE OF VOTING IN FAVOR OR AGAINST AN AMENDMENT TO THE SANTA FE MUNICIPAL CHARTER REGARDING THE ESTABLISHMENT OF AN INDEPENDENT OFFICE OF INSPECTOR GENERAL FOR THE CITY OF SANTA FE.	City Council - 11/8/17

Councilor Joseph Maestas, continued

Co-Sponsors	Title	Tentative Committee Schedule
	A RESOLUTION REQUESTING THE CITY MANAGER TO WORK WITH SANTA FE COUNTY REGARDING JOINT LEGISLATION TO ADDRESS THE OPIOID CRISIS INCLUDING PARTICIPATING IN LITIGATION.	Finance Committee – 11/13/17 City Council - 12/13/17
	A RESOLUTION TO AMEND THE CITY OF SANTA FE'S FIVE-YEAR CIP PLAN AUTHORIZING SPECIFIC FUTURE ROAD PROJECTS CURRENTLY APPROVED, TO BE ACCELERATED TO THE CURRENT YEAR CIP PROJECT LIST UTILIZING GAS TAX BOND PROCEEDS.	Finance Committee - 12/4/17 Public Works Committee - 12/11/13 City Council - 12/13/17

Councilor Chris Rivera

Co-Sponsors	Title	Tentative Committee Schedule

Councilor Ron Trujillo

Co-Sponsors	Title	Tentative Committee Schedule

Councilor Renee Villarreal

Co-Sponsors	Title	Tentative Committee Schedule

Introduced legislation will be posted on the City Attorney's website, under legislative services. If you would like to review the legislation prior to that time or you would like to be a co-sponsor, please contact Jesse Guillen, (505) 955-6518, 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 Joseph M. Maestas

6
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9
10 **A RESOLUTION**

11 **REQUESTING THE CITY MANAGER TO WORK WITH SANTA FE COUNTY**
12 **REGARDING JOINT LEGISLATION TO ADDRESS THE OPIOID CRISIS INCLUDING**
13 **PARTICIPATING IN LITIGATION.**

14
15 **WHEREAS**, the National Academy of Medicine notes an increase in pain prevalence and
16 assumes an increase in chronic pain, due in part to the risks associated with undermanaged acute
17 postsurgical pain that may evolve into chronic pain; and

18 **WHEREAS**, current pharmaceutical-based treatments for pain commonly rely on two classes
19 of drugs: opioids and nonsteroidal anti-inflammatory drugs. Both have side effects and risk of serious
20 complications; and

21 **WHEREAS**, opioid misuse is a national epidemic in the United States, according to the
22 federal Centers for Disease Control and Prevention; and

23 **WHEREAS**, according to the Journal of Pain & Palliative Care Pharmacotherapy, 95 percent
24 of postsurgical patients receive an opioid; and

25 **WHEREAS**, according to a Substance Abuse and Mental Health Services Administration

Exhibit 5

1 survey, approximately 70 percent of people who misuse opioids report obtaining them from family,
2 friends, or on the street, stressing the need to address unused opioids.

3 **NOW THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE**
4 **CITY OF SANTA FE** that the Governing Body hereby requests the City Manager to work with
5 Santa Fe County regarding joint legislation to address the opioid crisis including participating in
6 litigation.

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

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11 _____
12 JAVIER M. GONZALES, MAYOR

13 ATTEST:

14
15 _____
16 YOLANDA Y. VIGIL, CITY CLERK

17 APPROVED AS TO FORM:

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19 _____
20 KELLEY A. BRENNAN, CITY ATTORNEY

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25 *M/Legislation/Resolutions 2017/Opioid Litigation*

CITY OF SANTA FE, NEW MEXICO

BILL NO. 2017-__

INTRODUCED BY:

Councilor Signe I. Lindell

Councilor Renee D. Villarreal

AN ORDINANCE

AMENDING SECTION 14-3.11(B) OF THE LAND USE DEVELOPMENT CODE TO
REQUIRE PUBLIC POSTING OF CONSTRUCTION PERMITS FOR PROPERTIES
THAT DO NOT ABUT PUBLIC STREETS OR ROADS.

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

Section 1. Subsection 14-3.11(B) of the Land Use Development Code is
amended to read:

(B) General Procedures

(1) Applications and Approvals

- (a) All *applications* for construction *permits* pursuant to this section shall include plans and other documentation as required by the *land use director* that show compliance with the applicable provisions of Chapter 14 as provided in Section 14-3.1(C) (Form of Application).

- (b) A construction *permit* shall not be approved until it is determined

Exhibit "6"

1 that the construction or other *development* activity authorized by
2 the *permit* complies with all applicable provisions of Chapter 14
3 and applicable *state* and federal laws and regulations.

4 (c) The approval of construction *permits* by the *land use director* or
5 other *city* officials shall be coordinated with the approval
6 of *permits* required by other agencies.

7 (d) The *land use director* shall retain one approved set of plans in
8 the *city's* records for not less than ten years, use one set of plans
9 for inspections and enforcement and return one set of plans to
10 the *applicant* after they are reviewed and approved.

11 (2) Amendments to Applications

12 Any change from the approved site plans or floor plans shall first be
13 approved by the *land use director* and shall be submitted in writing and
14 approved prior to commencement of any construction related to the
15 proposed amendment.

16 (3) Expiration, Extension and Renewal

17 For expiration of construction *permits* see Section 7-1.6 SFCC
18 1987. The *land use director* may adopt procedures for the extension and
19 renewal of construction *permits* consistent with the provisions of Section
20 7-1.6 SFCC 1987.

21 (4) Record of Construction Permits

22 The *land use director* shall maintain a record of all construction *permits*,
23 including the *person* to whom the *permit* is issued, the address, the date
24 of issuance, the proposed use, the square footage of *buildings* constructed
25 or altered and the type of construction. The record shall be retained in

1 the city's records for not less than fifty years. *Permit* copies or summary
2 records for secondary construction *permits* such as plumbing, mechanical
3 and electrical *permits* shall be retained for not less than ten years.

4 (5) Posting of Construction Permits

5 Within twenty-four hours after issuance of a construction *permit*,
6 the *applicant* shall post the *property* for which the *permit* has been issued
7 with posters obtained from the *land use director*. One or more posters
8 shall be prominently displayed, readable from each public and private
9 road abutting the *property*, and securely placed on the *property*. If
10 the *property* does not abut a public *street* or road, the *land use*
11 *director* [~~may~~] shall require additional posters within nearby
12 public *streets* or roads to provide effective notice to the
13 public. Placement of the posters shall be in such a manner as not to
14 compromise public safety. The posters shall remain in place until after
15 the completion and final inspection of all work covered by the *permit*.

16 (6) Compliance with Permit Requirements

17 No construction or other *development* for which a *permit* is required shall
18 be done prior to obtaining the *permit*. All work shall comply with the
19 provisions of the approved *permit*.

20 (7) Combined Permits

21 The *land use director* may require separate construction *permits* for each
22 of the categories of *development* identified in this section or may issue a
23 combined construction *permit* for two or more of the categories.
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1 APPROVED AS TO FORM:

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3 _____
4 KELLEY A. BRENNAN, CITY ATTORNEY
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M/Legislation/Bills 2017/Public Posting of Construction Permits

CITY OF SANTA FE, NEW MEXICO

BILL NO. 2016-__

INTRODUCED BY:

Councilor Signe I. Lindell

AN ORDINANCE

**AMENDING SECTION 11-4 TO INCREASE THE BUDGET ADJUSTMENT AMOUNT
THE CITY MANAGER IS AUTHORIZED TO APPROVE; ADOPTING THE STATE OF
NEW MEXICO PROCUREMENT CODE AS THE PURCHASING MANUAL FOR THE
CITY OF SANTA FE; AND ADOPTING ADDITIONAL EXEMPTIONS FROM THE
PROCUREMENT CODE.**

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

**Section 1. Section 11-4 SFCC 1987 (being Ord. #2002-25 (as amended)) is
amended to read:**

11-4 BUDGET ADJUSTMENTS.

When budget adjustments are needed during the fiscal year, the following procedures
shall apply:

A. The finance director has the authority to approve budget increases or decreases in
revenue or transfers-in or in expenditures, expenses or transfers-out, that reflect increases or
decreases in the budget up to and including five thousand dollars (\$5,000.).

1 B. The city manager has the authority to approve budget increases or decreases in
2 revenue or transfers-in or in expenditures, expenses or transfers-out, that reflect increases or
3 decreases in the budget from five thousand dollars and one cent (\$5,000.01) up to and including
4 [~~fifty~~] sixty thousand dollars (~~[\$50,000.]~~\$60,000.).

5 C. The governing body shall approve budget increases or decreases in revenue or
6 transfers-in or in expenditures, expenses or transfers-out, that reflect increases or decreases in the
7 budget that are over [~~fifty~~] sixty thousand dollars (~~[\$50,000.]~~\$60,000.).

8 D. Budget adjustments approved by the city manager and the governing body shall be
9 included by fund in a quarterly budget resolution approved by the governing body.

10 E. Budget adjustment requests will conform to the rules and regulations adopted by
11 the local government division of the department of finance and administration.

12 F. For budgets associated with grants and grant agreements, the following shall
13 apply:

14 (1) The city manager may approve grant applications, awards, grant match
15 requirements, and agreements from five thousand dollars and one cent (\$5,000.01) up to
16 and including [~~fifty~~] sixty thousand dollars (~~[\$50,000.]~~\$60,000.).

17 (2) The city manager may approve budget revenue and related
18 expenditure/expense increases (including budget adjustments or decreases, as applicable),
19 for grants provided that all of the following conditions are met:

20 (a) The governing body has already approved the grant application
21 including the recommended match (if applicable); and

22 (b) The final grant award does not significantly differ from the grant
23 application in the amount, match, requirements, or other requirements on the part
24 of the city; and

25 (3) Any city department receiving a grant shall submit a copy of the final

1 award agreement and documentation for the grant to the finance department for financial
2 tracking, reporting and auditing purposes.

3 **Section 2. Section 11-13 SFCC 1987 (being Ord. #1991-1 (as amended)) is**
4 **amended to read:**

5 **11-13 ADOPTION OF CITY'S [2012] PROCUREMENT CODE.**

6 A. ~~[The city of Santa Fe 2012 Purchasing Manual ("Purchasing Manual") is hereby~~
7 ~~adopted by reference and incorporated as fully as set out herein and shall serve as the city of~~
8 ~~Santa Fe Procurement Code. Copies of the 2012 Purchasing Manual including all amendments~~
9 ~~are on file at the city of Santa Fe clerk's office and the office of the city of Santa Fe procurement~~
10 ~~officer.]~~ The city of Santa Fe hereby adopts the state of New Mexico Procurement Code (§§ 13-1-
11 28 through 13-1-199 NMSA 1978) as the city of Santa Fe Procurement Code ("City Procurement
12 Code"). Pursuant to its home-rule authority, and the city charter, the city may adopt rules specific
13 to the city, which depart from state law. Any departures from the state law shall be adopted by
14 ordinance.

15 B. Exemptions permitted by §§ 13-1-98 through 13-1-98.2 NMSA 1978 are hereby
16 adopted, in addition to the following exemptions:

17 (1) purchases of publicly provided utilities including but not limited to: gas,
18 electricity, water, telecommunications, and cable television;

19 (2) bond attorneys, if approved by the city council as part of the
20 underwriting team involved in the issuance, sale and delivery of public securities for city bonds or
21 city-issued bonds; and

22 (3) legal services for advice, consultation, and representation of the city.

23 C. The city manager's approval for contracts shall be consistent with the statutory
24 "Small Purchases" amount of \$60,000, excluding applicable state and local gross receipts taxes,
25 as defined by NMSA 1978, § 13-1-125(2013), as it may be amended.

1 D. The purchasing officer shall be the "Chief Procurement Officer of the City" as
2 defined by NMSA 1978, § 13-1-38.1(2013).

3 E. Local Preferences. Notwithstanding, NMSA 1978, § 13-1-21(2016), the city
4 shall apply the following definitions and preferences:

5 1) "resident business" means a business that has a valid resident business
6 certificate issued by the taxation and revenue department pursuant to Section 13-1-22, and which
7 shows that the resident business resides within the Santa Fe municipal limits.

8 2) When the city makes a purchase using a formal bid process, the public
9 body shall deem a bid submitted by a resident business to be 3% percent lower than the bid
10 actually submitted. In addition, if the bid includes subcontractors who are also resident
11 businesses, the public body shall deem a bid submitted by a resident business with resident
12 business subcontractors to be 6% lower than the bid actually submitted. If a non-resident business
13 hires all resident business subcontractors, the public body shall deem the bid to be 3% percent
14 lower than the bid actually submitted.

15 3) When the City makes a purchase using a formal request for proposals
16 process, not including contracts awarded on a point-based system, the city shall award an
17 additional:

18 (a) three percent of the total weight of all the factors used in
19 evaluating the proposals to a resident business; and

20 (b) three percent of the total weight of all the factors used in
21 evaluating the proposals to a business with all resident business subcontractors.

22 4) When the City makes a purchase using a formal request for proposals
23 process, and the contract is awarded based on a point-based system, the City shall award
24 additional points equivalent to:

25 (1) three percent of the total possible points to a resident business;

1 and

2 (2) three percent of the total possible points to a business with all
3 resident business subcontractors.

4 5) The maximum available local preference shall be 6%.

5 F. City employees shall endeavor to procure local goods and services that qualify as
6 "small purchases" as defined by NMSA 1978, § 13-1-125.

7 F. The Purchasing Manual may be amended as follows:

8 (1) The procurement officer, finance and budget director or any member of
9 the governing body may propose amendments to the finance committee;

10 (2) The finance committee shall make its recommendation to the governing
11 body;

12 (3) The governing body shall approve, modify or disapprove the proposed
13 amendments.

14 G. At the beginning of each fiscal year, if amendments are made, the Purchasing
15 Manual shall be re-published with the publication date clearly designated, and all amendments
16 shall be incorporated therein.

17
18 APPROVED AS TO FORM:

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20 _____
21 KELLEY A. BRENNAN, CITY ATTORNEY

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25 *M/Legislation/Bills 2017/Procurement Code Adoption*

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

2 **RESOLUTION NO. 2017-__**

3 **INTRODUCED BY:**

4
5 Mayor Javier M. Gonzales

6 Councilor Signe I. Lindell

Councilor Renee D. Villarreal

7 Councilor Peter N. Ives

Councilor Joseph M. Maestas

8 Councilor Carmichael A. Dominguez

Councilor Christopher M. Rivera

9 Councilor Ronald S. Trujillo

Councilor Mike Harris

10 **A RESOLUTION**

11 **ESTABLISHING CITY OF SANTA FE LEGISLATIVE PRIORITIES FOR**
12 **CONSIDERATION BY THE NEW MEXICO STATE LEGISLATURE DURING THE 53RD**
13 **LEGISLATURE - STATE OF NEW MEXICO – SECOND SESSION, 2018.**

14
15 **WHEREAS**, the 30-day session of the 2018 Legislative Session begins on January xx, 2018;
16 and

17 **WHEREAS**, the Governing Body approved the submission of an ICIP plan for 2018 through
18 2022 to the state; and

19 **WHEREAS**, the Governing Body desires to establish City of Santa Fe legislative priorities to
20 be considered by the State Legislature based on the 2016-2020 ICIP approved on August 13, 2014;
21 and

22 **WHEREAS**, the Governing Body has other legislative priorities to be considered by the
23 State Legislature.

24 **NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE**
25 **CITY OF SANTA FE** that the Governing Body hereby establishes the following legislative funding

1 priorities for consideration by the New Mexico Legislature, during the 2018 Legislative Session.
2 Funding is requested, in the total amount of \$1,500,000 for the following citywide
3 improvements, as identified in the City's 2016-2020 ICIP:

- 4 1. Project: Airport Expansion
5 Amount Requested: \$1,500,000
6 Project Description: To design and construct an expansion of the Santa Fe
7 Regional Airport Passenger Parking Facilities and Exterior Improvements
8 within the City of Santa Fe, Santa Fe County.

9 BE IT FURTHER RESOLVED that the Governing Body hereby establishes the following
10 legislative funding priorities by district for consideration by the New Mexico Legislature, during the
11 2017 Legislative Session.

12 Section 1. Funding is requested, in the total amount of \$390,000, for the following
13 City Council District 1 ICIP projects, as identified in the City's 2016-2020 ICIP list:

- 14 A. Project: Fort Marcy Recreation Center
15 Amount Requested: \$250,000
16 Project Description: To replace to HVAC/dehumidification system for
17 the Fort Marcy pool.

18 Section 2. Funding is requested, in the total amount of \$100,000, for the following
19 City Council District 2, ICIP projects, as identified in the City's 2016-2020 ICIP list.

- 20 A. Project: Sandoval/Montezuma Intersection
21 Amount Requested: \$100,000
22 Project Description: To plan, design and construct intersection
23 improvements with in the City of Santa Fe, serving the judicial complex
24 for Santa Fe, Los Alamos and Rio Arriba Counties.

25 Section 3. Funding is requested, in the total amount of \$625,000, for the following

1 City Council District 3, ICIP projects, as identified in the City's 2016-2020 ICIP list.

2 A. Project: SWAN Park Cameras

3 Amount Requested: \$250,000

4 Project Description: To continue to plan, design and construct the
5 Southwest Activity Node park for the City of Santa Fe.

6 B. Project: Agua Fria/South Meadows Intersection Improvements

7 Amount Requested: \$375,000

8 Project Description: To plan, design, and construct right-of-way
9 improvements to Agua Fria and South Meadows within the City of
10 Santa Fe.

11 Section 4. Funding is requested, in the total amount of \$170,000, for the following
12 City Council District 4, ICIP projects, as identified in the City's 2016-
13 2020 ICIP list.

14 A. Project: Genoveva Chavez Community Center

15 Amount Requested: \$250,000

16 Project Description: To replace to HVAC/dehumidification system for
17 the Fort Marcy pool.

18 BE IT FURTHER RESOLVED that the Governing Body hereby establishes the following
19 priority water projects for consideration by the New Mexico Legislature, during the 2016 Legislative
20 Session and subsequently by the New Mexico Water Trust Board:

21 1. Project: FY 2017 Water Trust Board Application

22 Amount Requested: \$895,843

23 Project Description: To design and construct a 4 million gallon finished water
24 storage tank for the purpose of storing treated water diverted from the Rio
25 Grande and intended for municipal use within the service area of the City of

1 **Santa Fe and Santa Fe County.**

2 **BE IT FURTHER RESOLVED** that the Governing Body requests that the Legislature,
3 during the 2017 Legislative Session, enact legislation pursuant to the following City of Santa Fe
4 resolutions of the Governing Body:

5 **Section 1. City of Santa Fe Resolution No. 2017-7, attached hereto as Exhibit A:**

6 Calling on the New Mexico legislature to amend chapter 29-1-14(H) NMSA
7 1978 to require the destruction by all New Mexico law enforcement agencies
8 of all firearms in their possession that are no longer necessary for use in
9 obtaining a conviction, or are not needed for any other public purpose.

10 **Section 2. City of Santa Fe Resolution No. 2017-22, attached hereto as Exhibit B:**

11 Supporting legislation regarding competitive resource procurement for
12 electric utilities in the State of New Mexico.

13 **Section 3. City of Santa Fe Resolution No. 2016-70, attached hereto as Exhibit C:**

14 Calling on the New Mexico legislature to reduce gun violence by enacting
15 legislation requiring comprehensive background checks for firearm sales, and
16 strengthening the criminal background check system.

17 **Section 4. City of Santa Fe Resolution No. 2015-75, attached hereto as Exhibit D:**

18 Supporting legislation amending NMSA 1978, § 72-1-9 preservation of
19 municipal, county, and state university water supplies.

20 **Section 5. City of Santa Fe Resolution No. 2015-76, attached hereto as Exhibit E:**

21 Supporting legislation amending NMSA 1978, § 72-6-4 Lessee's application,
22 use before approval.

23 **Section 6. City of Santa Fe Resolution No. 2015-77, attached hereto as Exhibit F:**

24 Supporting legislation amending the OSE's hearing procedures, NMSA
25 1978, § 72-7-1 and NMSA 1978, § 72-2-16.

1 **Section 7. City of Santa Fe Resolution No. 2015-78, attached hereto as Exhibit G:**

2 Supporting legislation amending NMSA 1978, § 72-12-3(D) and 72-5-5(B),
3 to define the standing of protestants.

4 **Section 8. City of Santa Fe Resolution No. 2015-79, attached hereto as Exhibit H:**

5 Supporting legislation amending NMSA 1978, § 72-12-24 supplemental
6 well, and § 72-12-22, replacement wells.

7 **Section 9. City of Santa Fe Resolution No. 2015-109, attached hereto as Exhibit I:**

8 For action beyond prayers, a call for gun purchase reform and support for
9 gun purchase reform from the state legislature during the 2016 legislative
10 session; and in support of Santa Fe public school's resolution 2015/16-11.

11 **Section 10. City of Santa Fe Resolution No. 2016-89, attached hereto as Exhibit J:**

12 Calling on the legislature to take immediate action to enact a municipal
13 telecommunications tax act that would authorize municipalities to collect
14 from telecommunications providers a municipal telecommunications tax on
15 the telecommunications provider's gross receipts from the
16 telecommunications service.

17 **BE IT FURTHER RESOLVED** that the Governing Body requests that the Legislature,
18 during the 2016 Legislative Session, enact legislation in accordance with the following resolutions of
19 the New Mexico Municipal League:

20 **Section 1. New Mexico Municipal League Resolution No. 2016-18, attached hereto**
21 **as Exhibit K – Concerning State and Local Tax Reform and the formation of**
22 a working group to study tax reform.

23 **Section 2. New Mexico Municipal League Resolution No. 2016-32, attached hereto**
24 **as Exhibit L – Concerning an Offender's Possession of Firearms while**
25 Subject to an order of Protection or Following Conviction for a Domestic

1 Violence Offense

2 **Section 3. New Mexico Municipal League Resolution No. 2016-34, attached hereto**
3 **as Exhibit M – Concerning State Grants for Libraries**

4 **BE IT FURTHER RESOLVED** that the Governing Body requests that the following items
5 be monitored by the City’s lobbyist during the 2017 Legislative Session:

6 **Section 1.**

7 **Measures that pertain to alcohol tax that increase revenue for prevention and**
8 **treatment, such as:**

9 A. Creating an alcohol excise tax that will fund the prevention of and the
10 treatment for alcohol abuse and addiction.

11 B. Changing the percent of the liquor tax dedicated to the L-DWI fund.

12 **Section 2.**

13 **Measures comprising women’s reproductive rights.** Rights such as late term
14 abortion bans, and requirements for parental notifications of minors.

15 **Section 3.**

16 **Matters concerning immigrant rights such as sanctuary status efforts.** To
17 regulate smaller cities and counties and require them to collaborate with Immigration
18 and Customs Enforcement (ICE); and the Real ID and immigration driver’s license
19 implementation changes with the New Mexico Motor Vehicle Division.

20 **Section 4.**

21 **Matters concerning the lesbian, gay, bisexual, transgender, and queer (LGBTQ)**
22 **community.** Issues such as “religious freedom” legislation that affords protection to
23 business owners who refuse business services to the LGBTQ community; and
24 legislation that relates to “conversion therapy” directed at the LGBTQ community.

25 **Section 5.**

1 **Matters pertaining to enhanced funding and program development for early**
2 **childhood learning.**

3 **BE IT FURTHER RESOLVED** that the Governing Body requests that the Legislature,
4 during the 2017 Legislative Session, enact an Amendment to HB 641 that would:

- 5 1. Prohibit the acceleration of declining hold harmless payments to any
6 Municipality that has not enacted an increment of the Hold Harmless Gross
7 receipts tax; and
- 8 2. In order to keep tax rates competitive and local government revenues
9 equitable, reduce the amount a County can collect to the unincorporated
10 areas of the County in the event a municipality enacts an increment of the
11 Hold Harmless GRT, to the extent that revenue bonds are not impacted

12 **BE IT FURTHER RESOLVED** that through the Santa Fe City Council Committee and City
13 Council process, general operating fund and other statutory changes may be established for
14 consideration by the State Legislature.

15 **BE IT FURTHER RESOLVED** that the City of Santa Fe lobbying team is directed to work
16 with the Santa Fe Legislative Delegation on any unencumbered capital outlay funds to be used
17 towards identified City of Santa Fe projects.

18 **BE IT FURTHER RESOLVED** that while this resolution represents a majority of the intent
19 of the Governing Body as to 2017 New Mexico legislative priorities, other timely priorities that that
20 may be approved by the Governing Body, incorporated into the City's 2017 state legislative agenda,
21 and forwarded to the City's lobbying team for action.

22 **BE IT FURTHER RESOLVED** that the City Clerk is directed to forward a copy of this
23 resolution to the City of Santa Fe lobbyist and the City of Santa Fe State Legislative Delegation.

24 PASSED, APPROVED, and ADOPTED this 14th day of December, 2016.
25

JAVIER M. GONZALES, MAYOR

ATTEST:

YOLANDA Y. VIGIL, CITY CLERK

APPROVED AS TO FORM:

KELLEY A. BRENNAN, CITY ATTORNEY

M/Legislation/Resolutions 2017/Legislative Priorities (2018)

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

2 **RESOLUTION NO. 2017-__**

3 **INTRODUCED BY:**

4
5 Mayor Javier M. Gonzales
6
7
8
9

10 **A RESOLUTION**

11 **DIRECTING THE CITY MANAGER TO ESTABLISH A PROGRAM REPLACING**
12 **ADMINISTRATIVE CITY FLEETS CURRENTLY RUNNING ON GASOLINE OR**
13 **DIESEL WITH ELECTRIC VEHICLES BY 2025.**
14

15 **WHEREAS**, the City of Santa Fe has committed to become carbon neutral by 2040 and
16 is developing a 25-year sustainability plan to achieve this and other sustainability goals; and

17 **WHEREAS**, fossil fuel based transportation comprises nearly 30% of all US greenhouse
18 gas (GHG) emissions that contribute to global warming; and

19 **WHEREAS**, the largest GHG emissions sector in the City of Santa Fe comes from on-
20 road transportation (48%), according the Sustainable Santa Fe Commission's 2015 Greenhouse
21 House Gas Inventory; and

22 **WHEREAS**, the impacts of human induced climate change are becoming increasingly
23 dangerous, posing grave harm to ecological well-being, economic growth, public health, quality
24 of life and the safety of our fellow inhabitants; and

25 **WHEREAS**, locally this can be seen by the growing risks of prolonged high

1 temperatures and drought, increased wildfire, shrinking snow pack, and associated economic
2 dislocation; and

3 **WHEREAS**, several large automakers such as Ford, Nissan and GM recently announced
4 they would introduce new electric vehicle models within the next five years and stating that
5 electric vehicles will be more affordable to the public for purchase; and

6 **WHEREAS**, Resolution #2014-81 directed city staff to balance the cost of the City's
7 needs with that of producing the lowest carbon footprint the City would create when using fuel-
8 powered equipment including vehicles, and to investigate the possibility of purchasing or leasing
9 electric vehicles as part of the City's fleet.

10 **NOW THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE**
11 **CITY OF SANTA FE** that the City Manager is hereby directed to develop a vehicle replacement
12 plan to convert administrative city fleets to all electric vehicles by 2025 and to develop the
13 necessary charging infrastructure to accommodate such vehicles.

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

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18 ATTEST:

JAVIER M. GONZALES, MAYOR

19
20 _____
21 YOLANDA Y. VIGIL, CITY CLERK

22 APPROVED AS TO FORM:

23
24 _____
25 KELLEY A. BRENNAN, CITY ATTORNEY *M/Legislation/Resolutions 2017/City Electric Fleet by 2025*

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

2 **RESOLUTION NO. 2017-__**

3 **INTRODUCED BY:**

4
5 Javier M. Gonzales, Mayor
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9

10 **A RESOLUTION**

11 **SUPPORTING AN ANNUAL SANTA FE JEWISH COMMUNITY CENTER-CHABAD**
12 **CHANUKAH MENORAH LIGHTING CEREMONY ON ONE SUNDAY OF EACH**
13 **CHANUKAH SEASON ON THE SANTA FE PLAZA; AND WAIVER OF ANY**
14 **ASSOCIATED CITY FEES.**
15

16 **WHEREAS**, the Governing Body adopted Resolution 2014-49 that called for a People to
17 the Plaza initiative to increase local and public use of the downtown area; and

18 **WHEREAS**, Santa Fe Bandstand, picnic tables, vehicle vendors, and cordoned-off
19 streets have all contributed to a much more walkable and community-oriented atmosphere that
20 benefits residents, tourists and businesses alike; and

21 **WHEREAS**, it is the desire of the Governing Body to promote initiatives that drive
22 community oriented programs and encourage citizens to engage in public events; and

23 **WHEREAS**, the City of Santa Fe sees Chanukah as an opportune time for residents and
24 tourists to come together to celebrate multi-ethnic holidays, while enjoying food and
25 entertainment; and

1 **WHEREAS**, the holidays are a time to be with family close to home, or visiting from
2 afar, and an event on the Plaza will provide a fun and unique way for families to enjoy
3 celebrating the lighting of the Chanukah Menorah in the City of Holy Faith(s); and

4 **WHEREAS**, a local Jewish community center, the Santa Fe Jewish Center-Chabad, has
5 been hosting a free family friendly Chanukah Menorah Lighting celebration on the Plaza, each
6 year, sponsored by the City for 18 years, and it has become part of Santa Fe's seasonal celebration
7 for all faiths; and

8 **WHEREAS**, the Santa Fe Jewish Center-Chabad (SFJCC) mission statement is: "Santa
9 Fe Jewish Center-Chabad Building a Caring Community Together. Chabad believes
10 that community is vital for the growth of the human spirit. We, therefore, provide a space where
11 people come together to celebrate, to study, to care, to heal and to mourn. Chabad's goal is to
12 encourage people to live a more meaningful life by sharing their passions, ideas and inspirations
13 with others. To care for others in their community and to be cared for by others in turn. We
14 provide Jewish oriented programs, events, lectures, prayer services, study groups, outings and
15 meals that bring people together in a shared interdependent space where they can grow together.";
16 and

17 **WHEREAS**, the SFJCC hosts the Chanukah Menorah Lighting ceremony on the Plaza
18 providing entertainment, live music, free refreshments, education, and a public lighting of the
19 Chanukah Menorah; and

20 **WHEREAS**, the annual event takes place on a Sunday during Chanukah for a few hours
21 before sundown; and

22 **WHEREAS**, the event utilizes the City's Plaza bandstand gazebo and electricity for the
23 music, performances, and speeches, along with the SFJCC provision of food, refreshments, tables
24 and chairs.

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

1 **CITY OF SANTA FE** the desire to sponsor an annual Chabad Chanukah Menorah Lighting
2 Ceremony one Sunday during each Chanukah.

3 **BE IT FURTHER RESOLVED** that the Governing Body authorizes the waiver of all
4 fees associated with this event.

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

6
7
8
9 _____
10 JAVIER M. GONZALES, MAYOR

11 ATTEST:

12
13 _____
14 YOLANDA Y. VIGIL, CITY CLERK

15 APPROVED AS TO FORM:

16
17 _____
18 KELLEY A. BRENNAN, CITY ATTORNEY

19
20
21
22
23 *M/Legislation/Resolutions 2017/Chanukah Celebration*

CITY OF SANTA FE, NEW MEXICO

RESOLUTION NO. 2017-_____

INTRODUCED BY:

Mayor Javier M. Gonzales

A RESOLUTION

DIRECTING CITY STAFF TO COLLABORATE WITH THE PUBLIC SERVICE COMPANY OF NEW MEXICO (PNM) TO DEVELOP A SOLAR ENERGY PROJECT THAT WOULD PROVIDE CITY-OWNED FACILITIES WITH SOLAR POWER, IN ACCORDANCE WITH THE CITY OF SANTA FE'S STATED GOAL OF ACHIEVING CARBON NEUTRALITY BY 2040.

WHEREAS, the City of Santa Fe is committed to protecting the long-term health and viability of our community through strategies designed to improve the environment by reducing greenhouse gas emissions, water use, and mitigating the effects of and adapting to climate change; and

WHEREAS, the Governing Body, through the adoption of Resolution 2014-85, declared its intention of having 50 percent of energy used by facilities come from renewable sources by 2025, and becoming carbon neutral by the year 2040; and

WHEREAS, the Governing Body, through the adoption of Resolution No. 2015-30, directed the Sustainable Santa Fe Commission to draft a comprehensive 25-year sustainability plan to annually

Exhibit "11"

1 reduce Santa Fe's carbon emissions and energy consumption through a variety of strategies in order
2 to achieve the City's goal of becoming carbon neutral by 2040; and

3 **WHEREAS**, the majority of energy that is used at City of Santa Fe facilities is generated by
4 fossil fuels that pollute the land, air, and water, and alters the climate; and

5 **WHEREAS**, the City of Santa Fe has already taken action to reduce its carbon emissions by
6 making energy efficient equipment retrofits at municipal buildings and by installing approximately 5
7 megawatts of solar power on city facilities which provides approximately 23 percent of the total
8 amount of electricity consumed by city facilities; and

9 **WHEREAS**, the Governing Body, through the adoption of Resolution No. 2015-30, directed
10 the City Manager to research, develop and draft a feasibility study related to city facilities
11 transitioning to 100 percent renewable energy by 2025 and collaborate with key community
12 stakeholders on the study's research; and

13 **WHEREAS**, the City of Santa Fe has historically been a leader in the fight against global
14 warming and has a responsibility to continue to set a positive example for other cities, states and
15 countries to follow;

16 **NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE**
17 **CITY OF SANTA FE** that the City Manager is directed to collaborate with the Public Service
18 Company of New Mexico (PNM) to develop a solar energy project that would provide city-owned
19 facilities with solar power, in accordance with the City of Santa Fe's stated goal of achieving carbon
20 neutrality by 2040.

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

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23 _____
24 JAVIER GONZALES, MAYOR
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ATTEST:

YOLANDA Y. VIGIL, CITY CLERK

APPROVED AS TO FORM:

KELLEY BRENNAN, CITY ATTORNEY

1 | *M/Legislation/Resolutions 2017/PNM Solar Power Project*

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

2 **RESOLUTION NO. 2017-__**

3 **INTRODUCED BY:**

4
5 Councilor Peter N. Ives

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9
10 **A RESOLUTION**

11 **RECOGNIZING THE IMPORTANCE OF LIVING RIVER FLOWS TO ALL THE RESIDENTS OF**
12 **SANTA FE; CALLING FOR THE STUDY OF RIVER AND HYDRO-GEOLOGIC CONDITIONS,**
13 **AND THE BETTER MANAGEMENT OF BYPASSED FLOWS AND IRRIGATION FLOWS TO**
14 **INCREASE EFFICIENCIES IN THE DELIVERY OF WATER TO THE ACEQUIAS; AND FOR**
15 **THE FUTURE MANAGEMENT OF LIVING RIVER FLOWS FOR THE MAXIMUM BENEFIT**
16 **OF THE CITY OF SANTA FE, ITS CITIZENS, AND THE CITY'S BENEFICIAL USE OF ITS**
17 **WATERS RIGHTS.**

18
19 **WHEREAS,** the City of Santa Fe wishes to conserve its water resources, maximize its
20 beneficial use of surface water rights, and utilize this water in the best possible manner; and

21 **WHEREAS,** the City has obligations under state law to release and deliver water for the
22 Acequia Madre and Acequia Cerro Gordo fed by the Santa Fe River; and

23 **WHEREAS,** the City has recognized both the historic and environmental benefits of "Living
24 River" flows and formalized this recognition through its adoption of the "Santa Fe River Target Flow
25 Ordinance" in 2012; and

1 **WHEREAS**, the City must meet its obligations to provide specific delivery amounts of water
2 to Acequia Madre and Acequia Cerro Gordo; and

3 **WHEREAS**, the City wishes to make these deliveries in the most efficient manner
4 achievable to avoid wasting water; and

5 **WHEREAS**, the City desires to decrease the loss of water during the delivery of irrigation
6 water and the bypass of "Living River" flows, while maximizing any credits which could be obtained
7 from the State of New Mexico for water infiltrated to the aquifer underlying the Santa Fe River
8 through aquifer storage and recovery; and

9 **WHEREAS**, the City recognizes that infiltrated water can provide benefit to the City through
10 such storage and recovery; and

11 **WHEREAS**, the City wishes to demonstrate, document, and maximize this benefit through
12 appropriate hydrologic study and appropriate application to the Office of the State Engineer to obtain
13 a Groundwater Storage and Recovery Permit, pursuant to NMSA 1978, § 72-5A-1 through 72-5A-17;
14 and

15 **WHEREAS**, the City Attorney's Office together with the Water Division prepared a Report
16 on the legal rights and obligations, the physical supply, and the community interests in the Santa Fe
17 River and presented the Report to the Governing Body on December 14, 2016; and

18 **WHEREAS**, the Santa Fe River Commission similarly considered the Report of the City
19 staff and made complementary recommendations to the Governing Body; and

20 **WHEREAS**, the Water Division can provide funding through its CIP and operational
21 budgets for the completion of these studies and to design and construct the diversions, metering
22 stations and other infrastructure necessary to efficiently and effectively deliver both irrigation water
23 and bypassed "Living River" flows, as well as to demonstrate the viability of an ASR permit; and

24 **WHEREAS**, the governing body of the City of Santa Fe support the use of funds for these
25 purposes; and

1 **WHEREAS**, the City and other land owners, stakeholders and community members all see
2 opportunities to work together so that more of the public can enjoy the Santa Fe River.

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

5 Requests that the City of Santa Fe staff perform the aforementioned studies as necessary to
6 efficiently and effectively deliver irrigation water to Acequia Madre and Acequia Cerro Gordo in
7 accordance with their rights; and to support bypassed "Living River" flows to benefit all City of Santa
8 Fe residents;

9 **BE IT FURTHER RESOLVED** that the Governing Body hereby:

- 10 1. Directs Water Division staff to study the hydrogeologic factors influencing and
11 affecting irrigation flows, "Living River" bypass flows, and other releases or bypass
12 flows of water into the Santa Fe River.
- 13 2. Supports the Water Division's use of CIP funds in the design and construction of
14 infrastructure necessary to improve the diversion and delivery of water for irrigation
15 and "Living River" flows, and other uses. This infrastructure includes, but is not
16 limited to, diversion structures, flow metering stations, Acequia metering, and all
17 necessary and associated automation and security needs.
- 18 3. Supports all actions and applications necessary by the City Attorney's Office and the
19 Water Division to obtain credit for water releases into the Santa Fe River and
20 infiltrated into the aquifer fed by the river including irrigation releases, "Living
21 River" bypass flows and other releases to the river from the City's two municipal
22 reservoirs;
- 23 4. Directs staff to explore whether the City could host the annual fishing derby at the
24 site of the former two-mile dam, so that more citizens of Santa Fe have more
25 opportunities to enjoy the Santa Fe River.

1 **BE IT FURTHER RESOLVED** that the Governing Body recognizes the legitimate, legal,
2 and beneficial uses of the Santa Fe River for municipal uses, irrigation purposes and to fulfill the
3 ecological, cultural and recreational goals established by the Santa Fe River Target Flow Ordinance
4 (2012-10).

5 **BE IT FURTHER RESOLVED** that the Governing Body directs the Water Division to
6 identify and include all necessary operational and CIP funds necessary to achieve the actions and
7 objectives of this resolution for approval by the Council; as well as provide regular updates on
8 actions, construction and studies implemented to achieve these objectives and their resultant benefits.

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

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11
12 _____
13 JAVIER GONZALES, MAYOR

14 ATTEST:

15 _____
16 YOLANDA Y. VIGIL, CITY CLERK

17 APPROVED AS TO FORM:

18
19 _____
20 KELLEY A. BRENNAN, CITY ATTORNEY
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1 | *M/Legislation/Resolutions 2017/Santa Fe River Study & Management of River Flows*