



Agenda

SPECIAL MEETING OF
THE GOVERNING BODY
DECEMBER 4, 2017
3:30 P.M.
CITY COUNCIL CHAMBERS

1. CALL TO ORDER
2. ROLL CALL
3. APPROVAL OF AGENDA
4. EXECUTIVE SESSION

CITY CLERK'S OFFICE

DATE 12/1/17 TIME 3:00 PMSERVED BY Melanie RyanRECEIVED BY [Signature]

In Accordance with the New Mexico Open Meetings Act §10-15-1(H)(8) NMSA 1978, 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 Rio Grande Foundation v. City of Santa Fe.* (Kelley Brennan)

5. POSSIBLE ACTION

Request for Approval to Waive Rule I.B.3 and Rule IV.A.2 of the City of Santa Fe Governing Body Procedural Rules, Pursuant to IV.A.3(a) to Permit the Items Listed Herein to Bypass Introduction and the Committee Review Process and Be Placed Directly on the Governing Body Meeting Agenda. (Kelley Brennan)

6. REQUEST FOR APPROVAL TO PUBLISH NOTICE OF PUBLIC HEARING ON DECEMBER 20, 2017:

- a) **BILL NO. 2017-32.** An Ordinance Creating a New Subsection 9-1.15 SFCC 1987 to Establish a Ranked Choice Voting Process for Electing Candidates for Municipal Office. (Kelley Brennan)
- b) **BILL NO. 2017-33.** An Ordinance Amending Subsection 9-1.16 SFCC 1987, Plurality of Votes Cast Required for Election, by Deleting the Requirement That a Candidate Who Receives a Plurality of Votes Cast In His or Her District Shall be Elected to the Office for the Term Designated. (Kelley Brennan)

7. ADJOURN

Persons with disabilities in need of accommodations, contact the City Clerk's office at 955-6521.

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GOVERNING BODY
December 4, 2017

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**MINUTES OF THE
SPECIAL MEETING OF THE
GOVERNING BODY
Santa Fe, New Mexico
December 4, 2017**

AFTERNOON SESSION

1. CALL TO ORDER AND ROLL CALL

A special meeting of the Governing Body of the City of Santa Fe, New Mexico, was called to order by Mayor Javier M. Gonzales, on Monday, December 4, 2017, at approximately 3:30 p.m., in the City Hall Council Chambers. Following the Pledge of Allegiance, Salute to the New Mexico flag, and the Invocation, roll call indicated the presence of a quorum, as follows:

Members Present

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

Others Attending

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

3. APPROVAL OF AGENDA

MOTION: Councilor Ives moved, seconded by Councilor Villarreal, to approve the agenda, as presented.

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

4. EXECUTIVE SESSION

IN ACCORDANCE WITH THE NEW MEXICO OPEN MEETINGS ACT §10-15-1(H)(8) NMSA 1978, 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 OR SANTA FE, NEW MEXICO AND MAYOR JAVIER GONZALES, AS THE GOVERNING BODY OF THE CITY OF SANTA FE, NEW MEXICO, AND RIO GRANDE FOUNDATION V. CITY OF SANTA FE. (KELLEY BRENNAN)

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

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

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

Against: None.

Absent for the vote: Councilor Rivera.

The Governing Body went into Executive Session at 3:35 p.m.

Councilor Rivera arrived at the meeting during the Executive Session

MOTION TO COME OUT OF EXECUTIVE SESSION

Mayor Gonzales said, "I want to thank Councilor Dominguez, Chairman Dominguez, for allowing us to move into your Finance Committee meeting this evening. Hopefully, we will be able to conclude the afternoon agenda in a very short period of time and allow you to proceed."

MOTION: At approximately 5:32 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 Gonzales, Councilor Dominguez, Councilor Harris, Councilor Ives, Councilor Lindell, Councilor Maestas, Councilor Rivera, Councilor Trujillo and Councilor Villarreal.

Against: None.

5. **POSSIBLE ACTION: REQUEST FOR APPROVAL TO WAIVE RULE 1.B.3 AND RULE IV.A.2 OF THE CITY OF SANTA FE GOVERNING BODY PROCEDURAL RULES, PURSUANT TO IV.A.3(a) TO PERMIT THE ITEMS LISTED HEREIN TO BYPASS INTRODUCTION AND THE COMMITTEE REVIEW PROCESS AND BE PLACED DIRECTLY ON THE GOVERNING BODY MEETING AGENDA. (KELLEY BRENNAN)**

MOTION: Councilor Harris moved, seconded by Councilor Ives, to waive the executive privilege for the limited purpose of disclosing the consensus of the Governing Body as to the implementation of Ranked Choice Voting and the appeal from the decision of the District Court.

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

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

Against: None.

Mayor Gonzales said, "I would like to ask the public to conclude the statement before there is any reaction. The Governing Body by a unanimous vote [consensus] has given direction to proceed forward with ranked choice voting and the upcoming action, and by a [consensus] decision of 5-4, has agreed to simultaneously appeal the ruling to the Supreme Court. So each of the individuals on the Governing Body have agreed to be able to speak individually and off this Council

dais so that Councilor Dominguez can proceed forward with the Finance Committee meeting, as to how those [consensus] votes actually occurred, but Ranked Choice Voting will proceed forward and we will be in that process of publishing the Notice of the Public Hearing on December 20, 2017, for Bill No. 2017-32, which will be 'An Ordinance creating a new Subsection 9-1.15, SFCC 1987, to establish a ranked choice voting process for electing candidates for Municipal Office. Do we need a vote on each one of these."

Ms. Vigil asked, "Back up to #5 please."

MOTION: Councilor Harris moved, seconded by Councilor Ives, to approve the request for approval to waive Rule 1.B.3 and Rule IV.A.2 of the City of Santa Fe Governing Body Procedural Rules, pursuant to IV.A.3(a), to permit the items listed herein to bypass introduction and the committee review process and be placed directly on the Governing Body Meeting Agenda.

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

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

Against: None.

6. REQUEST FOR APPROVAL TO PUBLISH NOTICE OF PUBLIC HEARING ON DECEMBER 20, 2017:

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- b) **BILL NO. 2017-33. AN ORDINANCE AMENDING SUBSECTION 9-1.16 SFCC 1987, PLURALITY OF VOTES CAST REQUIRED FOR ELECTION, BY DELETING THE REQUIREMENT THAT A CANDIDATE WHO RECEIVES A PLURALITY OF VOTES CAST IN HIS OR HER DISTRICT SHALL BE ELECTED TO THE OFFICE FOR THE TERM DESIGNATED. (KELLEY BRENNAN)**

Mayor Gonzales asked Ms. Brennan when the drafts of the proposed will be available for public review.

Kelley Brennan, City Attorney, said, "Those draft Ordinances will be advertised on Wednesday, and should be put on the website shortly thereafter."

MOTION: Councilor Ives moved, seconded by Councilor Rivera, to approve Items 6(a) and (b).

DISCUSSION: Councilor Maestas said he believes the members of the Governing Body were free to describe their sentiments regarding the legal strategy.

Mayor Gonzales said, "Individually, we agreed that we would be able to communicate independently after the meeting. So everybody up here is available to talk to whomever when we're done here, because they will be continuing their Finance Committee Meeting."

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

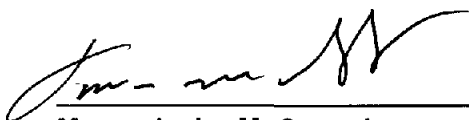
For: Mayor Gonzales, Councilor Dominguez, Councilor Harris, Councilor Ives, Councilor Lindell, Councilor Maestas, Councilor Rivera, Councilor Trujillo and Councilor Villarreal.

Against: None.

7. ADJOURN

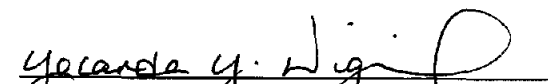
There was no further business to come before the Governing Body, and upon completion of the Agenda, the meeting was adjourned at approximately 5:36 p.m.

Approved by:



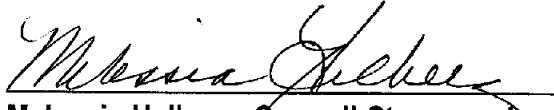
Mayor Javier M. Gonzales

ATTESTED TO:



Yolanda Y. Vigil, City Clerk

Respectfully submitted:


Melessia Helberg, Council Stenographer