



Agenda

REGULAR MEETING OF
THE GOVERNING BODY
APRIL 11, 2018
CITY COUNCIL CHAMBERS

AFTERNOON SESSION – 5:00 P.M.

1. CALL TO ORDER
2. PLEDGE OF ALLEGIANCE
3. SALUTE TO THE NEW MEXICO FLAG

CITY CLERK'S OFFICE

DATE 4/6/18 TIME 3:45 PM

SERVED BY Melissa Bays

RECEIVED BY AW

4. INVOCATION
5. ROLL CALL
6. APPROVAL OF AGENDA
7. APPROVAL OF CONSENT CALENDAR
8. APPROVAL OF MINUTES: Regular City Council Meeting – March 28, 2018
9. PRESENTATIONS

a) Muchas Gracias – Melessia Helberg. (Councilor Rivera)

10. CONSENT CALENDAR

- a) Request for Approval of the Design Services Scope of RFP '18/13/P' and Approval to Award Professional Services Agreements in Amounts Between \$5,001.01 and \$50,000, Exclusive of Applicable Gross Receipts, for On-Call Professional Design Services (Each Agreement Shall Not Exceed \$100,000, Inclusive of Gross Receipts Tax); 19 Various Vendors. (Jason Kluck)
- b) Request for Approval of Budget Amendment in the Amount of \$130,000, Inclusive of Applicable Gross Receipts Tax, for Microsoft Office 365 Subscription. (David Kulb and Joshua Elicio)
- c) CONSIDERATION OF RESOLUTION NO. 2018-____. (Mayor Webber)
A Resolution Requesting the City Manager Issue an RFP for an Employee Loan Program to Benefit the Employees of the City of Santa Fe and Reduce Financial Hardship Brought On By a Reliance on Payday Lending Services. (Lynette Trujillo)



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- d) Request for Final Approval of the Grant of an Ingress, Egress and Utility Easement 30 Feet in Width and Approximately 2,290 Feet in Length Across City-Owned, Undeveloped Open Space Along the Northern Boundary of the City Limits Near Camino de Los Montoyas, by the Individual Owners of Twenty Lots Located Within Santa Fe County Adjacent to the City Limits as Shown on Plats of Survey Entitled on "A Family Transfer Replat of Survey of Lands Owned by Conrado C. De Baca Within Sec. 3, T17N R9E, N.M.P.M, Santa Fe County, New Mexico" Recorded In Book 230, Page 025 of the Records of Santa Fe County and "Plat of Survey for the Heirs of Tomas C. De Baca in Sections 3 & 4, T17N, R9E, N.M.P.M., Santa Fe County, New Mexico, Prepared by Cipriano Martinez on July 20 through 31, 1981. (Matthew O'Reilly)
- e) Request for Approval of Public Service Company of New Mexico (PNM) Contract Modification for Nichols to McClure Reservoir Utility Extension (Previously Approved on February 28, 2018). (Alex Gamino, Nick Schiavo and Rick Carpenter)
- f) Request for Approval of Certificate of Correction to Correct An Inconsistency in Section 16-7 SFCC 1987 Regarding the Economic Development Advisory Committee. (Jesse Guillen)
- g) Request for Approval to Publish Notice of Public Hearing on May 9, 2018:
 - 1) **BILL NO. 2018-6.** An Ordinance Granting Broadband Network of New Mexico, LLC a Non-Exclusive Franchise to Operate a Telecommunications Network Within the City of Santa Fe; the Right to Use City Public Rights-of-Way to Provide Telecommunications Services Within the City; and Fixing the Terms and Conditions Thereof. (Councilor Harris) (Larry Worstall and Matt Brown)
 - 2) **BILL NO. 2018-7.** An Ordinance Granting Computer Network Service Professionals, Incorporated dba NMSurf a Non-Exclusive Franchise to Operate a Telecommunications Network Within the City of Santa Fe; the Right to Use City Public Rights-of-Way to Provide Telecommunications Services Within the City; and Fixing the Terms and Conditions Thereof. (Councilor Harris) (Larry Worstall and Matt Brown)
 - 3) **BILL NO. 2018-8.** An Ordinance Granting Conterra Ultra Broadband, LLC a Non-Exclusive Franchise to Operate a Telecommunications Network Within the City of Santa Fe; the Right to Use City Public Rights-of-Way to Provide Telecommunications Services Within the City; and Fixing the Terms and Conditions Thereof. (Councilor Harris) (Larry Worstall and Matt Brown)



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- 4) **BILL NO. 2018-9.** An Ordinance Granting Cyber Mesa Computer Systems, Incorporated A Non-Exclusive Franchise to Operate a Telecommunications Network Within the City of Santa Fe; the Right to Use City Public Rights-of-Way to Provide Telecommunications Services Within the City; and Fixing the Terms and Conditions Thereof. (Councilor Harris) (Larry Worstell and Matt Brown)
- 5) **BILL NO. 2018-10.** An Ordinance Granting Plateau Telecommunications, Incorporated a Non-Exclusive Franchise to Operate a Telecommunications Network Within the City of Santa Fe; the Right to Use City Public Rights-of-Way to Provide Telecommunications Services Within the City; and Fixing the Terms and Conditions Thereof. (Councilor Harris) (Larry Worstell and Matt Brown)
11. Request for Approval of Amendment No. 2 to Professional Services Agreement Between the City of Santa Fe and Brian K. Snyder, City Manager, to Extend the Term of the Agreement to June 15, 2018. (Mayor Webber)
12. Request for Approval of Amendment No. 1 to Professional Services Agreement Between the City of Santa Fe and Yolanda Y. Vigil, City Clerk, to Extend the Term of the Agreement to June 15, 2018. (Mayor Webber)
13. MATTERS FROM THE CITY MANAGER
14. MATTERS FROM THE CITY ATTORNEY
15. MATTERS FROM THE CITY CLERK
16. COMMUNICATIONS FROM THE GOVERNING BODY

EVENING SESSION – 7:00 P.M.

- A. CALL TO ORDER
- B. PLEDGE OF ALLEGIANCE
- C. SALUTE TO THE NEW MEXICO FLAG



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REGULAR MEETING OF
THE GOVERNING BODY
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D. INVOCATION

E. ROLL CALL

F. PETITIONS FROM THE FLOOR

G. APPOINTMENTS

H. PUBLIC HEARINGS:

- 1) Request from Murphy Oil USA, Inc., for a Transfer of Ownership and Change of Location of Canopy Liquor License No. 1362 with Package Sales Only, from Sanbusco 2015, LLC, dba Cost Plus World Market, 550-560 Montezuma Street, to Murphy Express #8862, 3155 Cerrillos Road. (Yolanda Y. Vigil)
- 2) Request from DH Winery – 139 WSF, LLC, for a Winegrower License, with On-Premise Consumption, Patio Service and Package Sales, to be Located at DH Winery – 139 WSF, LLC, 139 West San Francisco Street. (Yolanda Y. Vigil)
- 3) Request from The Alley Santa Fe Properties, LLC, for a Transfer of Location and Ownership of Interlocal Dispenser Liquor License No. 0044, with On-Premise Consumption and Patio Service, from D & A's Pub, Inc., 221 3rd St., Maxwell to The Alley Santa Fe Properties, LLC, dba, The Alley, 153 Paseo de Peralta, Suites A & B (at DeVargas Center). (Yolanda Y. Vigil)
- 4) Request from Premier Distributing Company for a Transfer of Ownership (Change of Stockholders) of Their Beer Distribution Wholesaler Liquor License. This License Will Remain at Premier Distributing Company-Santa Fe, 2680 Sawmill Road. (Yolanda Y. Vigil)
- 5) CONSIDERATION OF BILL NO. 2018-3: ADOPTION OF ORDINANCE NO. 2018-____. (Councilor Harris)
An Ordinance Amending Section 6-5 SFCC 1987 to Provide for the Participation by the Audit Committee in the Selection of the Internal Auditor and Any Contractor Performing Internal Audit Functions; Modifying the Manner in Which Members of the Audit Committee are Appointed; Clarifying and Strengthening the Role of the Audit Committee; and Making Other Such Changes as Necessary. (Jesse Guillen)



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- 6) Hopewell and Mann Streets General Plan Amendments and Rezoning:
(Margaret Ambrosino)
- a) CONSIDERATION OF RESOLUTION NO. 2018-____.
Case #2017-133. General Plan Amendment for Northerly Portion of Housing Authority Hopewell-Mann Lease Tract. Jennifer Jenkins of JenkinsGavin, Inc., Agent for the Santa Fe Civic Housing Authority, Lessee, Requests Approval of a General Plan Amendment to Amend the Existing General Plan Future Land Use Map Designation for Approximately 0.34 Acres from Medium Density Residential to Office. The Area is Located North of 1773-1787 Hopewell Street.
 - b) CONSIDERATION OF BILL NO. 2018-4: ADOPTION OF ORDINANCE NO. 2018-____.
Case #2017-134. Rezoning for Northerly Portion of Housing Authority Hopewell-Mann Lease Tract. Jennifer Jenkins of JenkinsGavin, Inc., Agent for the Santa Fe Civic Housing Authority, Lessee, Requests Approval of Rezoning of Approximately 0.34 Acres from R-5 (Residential - Five Dwelling Units Per Acre) to C-1 (Office and Related Commercial). The Area is Located North of 1773-1787 Hopewell Street.
 - c) CONSIDERATION OF RESOLUTION NO. 2018-____.
Case #2017-140. General Plan Amendment for Housing Authority Hopewell-Mann Lease Tract. Jennifer Jenkins of JenkinsGavin, Inc., Agent for the Santa Fe Civic Housing Authority, Lessee, Requests Approval of a General Plan Amendment to Amend the Existing General Plan Future Land Use Map Designation for Approximately 5.49 Acres from High Density Residential to Office. The Property is Located North and South of Hopewell and Mann Streets, West of Espinacitas Street.
 - d) CONSIDERATION OF BILL NO. 2018-5: ADOPTION OF ORDINANCE NO. 2018-____.
Case #2017-139. Rezoning for Housing Authority Hopewell-Mann Lease Tract. Jennifer Jenkins of JenkinsGavin, Inc., Agent for the Santa Fe Civic Housing Authority, Lessee, Requests Approval of Rezoning of Approximately 5.49 Acres from R-21 (Residential - Twenty-One Dwelling Units Per Acre) to C-1 (Office and Related Commercial). The Property is Located North and South of Hopewell and Mann Streets, West of Espinacitas Street.



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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
APRIL 11, 2018**

ITEM	ACTION	PAGE
1. Call to Order	Convened at 5:00 p.m.	1
5. Roll Call	Quorum Present	1
6. Approval of Agenda	Approved as presented	1-2
7. Approval of Consent Agenda	Approved as amended	2
8. Approval of Minutes - March 28, 2018	Approved as amended	2
9. Presentations		
a. Muchas Gracias for Melessia Helberg	By Councilor Rivera	3-4
10. Consent Calendar Listing	Listed	2-3
Consent Calendar Discussion		
a. PSA for Professional Design Services	Approved	4-5
c. Employee Loan Program	Approved	5-9
g. Broadband Bills (five)	Approved	9-10
11. PSA extending term of City Manager	Approved	10-12
12. PSA extending term of City Clerk	Approved	12
13. Matters from the City Manager	None	13
14. Matters from the City Attorney	None	13
15. Matters from the City Clerk	None	13
16. Communications from the Governing Body	Communications made	13-18
 Evening Session Call to Order	 Called to order at 7:08	 19
F. Petitions from the Floor	Petitions presented	19-20
G. Appointments	None	20
H. Public Hearings		
1. Murphy Oil Liquor License Transfer	Approved	20-21
2. DH Winery License application	Approved	21-22
3. The Alley Liquor Dispenser License	Approved	22-23
4. Premier Distributing License Transfer	Approved	23-24
5. Audit Committee Ordinance	Approved	24-25
6. Hopewell-Mann Rezoning and General Plan Amendments	Approved Approved	25-32
I. Adjournment	Adjourned at 8:16 pm	33

**MINUTES OF THE
REGULAR MEETING OF THE
GOVERNING BODY
Santa Fe, New Mexico
April 11, 2018**

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 Alan Webber, on Wednesday, April 11, 2018, at approximately 5:00 p.m., in the City Hall Council Chambers. Following the Pledge of Allegiance, Salute to the New Mexico flag, and the Invocation, roll call indicated the presence of a quorum, as follows:

Members Present

Mayor Alan Webber
Councilor Signe I. Lindell, Mayor Pro-Tem
Councilor Roman "Tiger" Abeyta
Councilor Mike Harris
Councilor Peter N. Ives
Councilor Christopher M. Rivera
Councilor Carol Romero-Wirth
Councilor JoAnne Vigil Coppler

Members Excused

Councilor Renee D. Villarreal

Others Attending

Brian K. Snyder, City Manager
Geno Zamora, Interim City Attorney
Yolanda Y. Vigil, City Clerk
Carl Boaz, Council Stenographer

Mayor Webber noted that Councilor Villarreal is representing the City at a conference in Chicago regarding neighborhoods and issues of neighborhood gentrification and displacement.

6. APPROVAL OF AGENDA

MOTION: Councilor Lindell moved, seconded by Councilor Harris, to approve the agenda, as published.

VOTE: The motion was approved on a voice vote with Mayor Webber and Councilors Abeyta, Harris, Ives, Lindell, Rivera, Romero-Wirth, and Vigil Copper voting in favor and none voting against.

7. APPROVAL OF CONSENT CALENDAR

Councilor Vigil Coppler requested discussion on item 10 (c).

Councilor Harris requested discussion on item 10 (a).

Councilor Romero-Wirth requested discussion on item 10 (g), 1-5.

MOTION: Councilor Rivera moved, seconded by Councilor Ives, to approve the following Consent Calendar, as amended with discussion on items a, c, and g.

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

For: Mayor Webber, Councilor Abeyta, Councilor Harris, Councilor Ives, Councilor Lindell, Councilor Rivera, Councilor Romero-Wirth, and Councilor Vigil Coppler

Against: None.

10. CONSENT CALENDAR

An Action Sheet from the Public Works/CIP and Land Use Committee meeting of Monday, April 9, 2018, regarding Item 10 (c), is incorporated herewith to these minutes as Exhibit "1."

- a) [removed for discussion by Councilor Harris]
- b) Request for Approval of Budget Amendment in the Amount of \$130,000, Inclusive of Applicable Gross Receipts Tax, for Microsoft Office 365 Subscription. (David Kulb and Joshua Elicio)
- c) [removed for discussion by Councilor Vigil Coppler]
- d) Request for Final Approval of the Grant of an Ingress, Egress and Utility Easement 30 Feet in Width and Approximately 2,290 Feet in Length Across City-Owned, Undeveloped Open Space Along the Northern Boundary of the City Limits Near Camino de Los Montoyas, by the Individual Owners of Twenty Lots Located Within Santa Fe County Adjacent to the City Limits as Shown on Plats of Survey Entitled on "A Family Transfer Replat of Survey of Lands Owned by Conrado C. De Baca Within Sec. 3, T17N R9E, N.M.P.M, Santa Fe County, New Mexico" Recorded In Book 230, Page 025 of the Records of Santa Fe County and "Plat of Survey for the Heirs of Tomás C. De Baca in Sections 3 & 4, T17N, R9E, N.M.P.M., Santa Fe County, New Mexico, Prepared by Cipriano Martínez on July 20 through 31, 1981. (Matthew O'Reilly)

- e) Request for Approval of Public Service Company of New Mexico (PNM) Contract Modification for Nichols to McClure Reservoir Utility Extension (Previously Approved on February 28, 2018). (Alex Gamino, Nick Schiavo and Rick Carpenter)
- f) Request for Approval of Certificate of Correction to Correct an Inconsistency in Section 16-7 SFCC 1987 Regarding the Economic Development Advisory Committee. (Jesse Guillen)
- g) [Removed for discussion by Councilor Romero-Wirth]

END OF CONSENT CALENDAR

8. APPROVAL OF MINUTES: REGULAR CITY COUNCIL MEETING – MARCH 28, 2018.

Councilor Vigil Coppler requested a correction on page 8 where it should say on the vote that she voted in favor and Councilor Abeyta voted against. Councilor Abeyta agreed.

MOTION: Councilor Lindell moved, seconded by Councilor Abeyta, to approve the minutes of the Regular City Council Meeting of March 28, 2018, as amended.

VOTE: The motion was approved on a voice vote with Mayor Webber and Councilors Abeyta, Harris, Ives, Lindell, Rivera, Romero-Wirth, and Vigil Copper voting in favor and none voting against.

9. PRESENTATIONS

a) Muchas Gracias – Melessia Helberg. (Councilor Rivera)

Councilor Rivera provided a "Muchas Gracias" award to Melessia Helberg for her service to the City of Santa Fe. He read, "Thanks for your dedication and commitment to the City of Santa Fe. You have served the City with honor and dignity in various positions since 1985; election consultant for every regular and special election the City has held for the last thirty-three years; member of the Ethics and Rules Committee and as Stenographer for various committees for the last 18 years and City Council Stenographer since 2007 to February 14, 2018. The elected City Officials, City employees, and members of the City committees have been privileged to have the opportunity to collaborate with you in various roles. Your professionalism and expertise are greatly appreciated. Thank you for always performing your duties with a positive attitude and a smile." Signed by Mayor Alan Webber.

Councilor Rivera said, from him, "Thank you for many years of experience here at City Council and other committees I have served with you on."

Ms. Helberg said, "This is a great honor and I wish you all the very best. Thanks to Ms. Vigil for 33 years here at the City."

Councilor Ives said, "What a delight it has been. I only wish our paths had crossed much earlier. I know you served the citizens of New Mexico in many positions and we are better off for your work."

Councilor Lindell said, "We started a very long time ago on Rules and Ethics Committee. Every meeting has been a pleasure with you and the gracious way you have guided and corrected us on many different committees. You are always so gracious in putting us back on track. Thanks for your service and your friendship."

Councilor Harris said he had worked with Ms. Helberg only two years but what a pleasure and we now have these laminated sheets to tell us what to do because you are retiring. I always appreciated what you brought, and I wish you well.

Mayor Webber said, "You are one of the few people about whom people have stopped me on the street to tell me about what a great person you were. You have fans far and wide well beyond this Council and appreciated by the whole City."

Councilor Vigil Coppler said, "We go back to the 1980's and Melessia has always been such a joy and what historical piece of knowledge walking out the door. She has always been quite the party animal and we hung out together at Muni League and Association of Counties. You are a good friend."

10. CONSENT CALENDAR DISCUSSION

- 10 (a)** Request for Approval of the Design Services Scope of RFP '18/13/P' and Approval to Award Professional Services Agreements in Amounts Between \$5,001.01 and \$50,000, Exclusive of Applicable Gross Receipts, for On-Call Professional Design Services (Each Agreement Shall Not Exceed \$100,000, Inclusive of Gross Receipts Tax); 19 Various Vendors. (Jason Kluck)

Councilor Harris thanked Mr. Kluck for his work on the PSA on termination. He got right on it. He appreciated that and a few other changes. In the next round of on-call services, Mr. Kluck should look at things like special inspection protocol and Buckman Direct Diversion on steel fabrication and installation of steel, to look at Chapter 17 of the Uniform Building Code and inspections. If we can look at geo-technical reports and special inspections for those services, they will be better served at the projects. Thanks for the list. Some departments are already looking at the list.

MOTION: Councilor Harris moved, seconded by Councilor Lindell, to approve the Request for Approval of the Design Services Scope of RFP '18/13/P' and Approval to Award Professional Services Agreements in Amounts Between \$5,001.01 and \$50,000, Exclusive of Applicable Gross Receipts, for On-Call Professional Design Services with 19 vendors.

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

For: Mayor Webber, Councilor Abeyta, Councilor Harris, Councilor Ives, Councilor Lindell, Councilor Rivera, Councilor Romero-Wirth, and Councilor Vigil Coppler.

Against: None.

10 (c) CONSIDERATION OF RESOLUTION NO. 2018-22. (Mayor Webber)

A Resolution Requesting the City Manager Issue an RFP for an Employee Loan Program to Benefit the Employees of the City of Santa Fe and Reduce Financial Hardship Brought on By a Reliance on Payday Lending Services. (Lynette Trujillo)

Councilor Vigil Coppler said during Public Works, she had questions on how it would work. Most were answered but she wanted to make sure. One that was not answered was whether temporary employees were eligible for this program.

Ms. Trujillo said it is for any employee but if they are not here for a year term they would not be eligible because they could not pay it back within a year's time.

Mayor Webber added that in other jurisdictions, the loan program does not include temporary employees.

Councilor Vigil Coppler asked if, during that period of time, and depending on the term of the loan - if it was due at the end of the year and they were not able to pay it back, would the City participate in garnishment?

Mayor Webber said no. If you are talking about people who are full-time city employees, in the course of the year, the terms of the loan would be repayable. So that circumstance should not arise. As long as they on salary with the City, they would be able to pay it back.

Councilor Vigil Coppler asked, in the event the employee fails to pay it back, can the institution then come before the City to collect as a garnishment?

Ms. Trujillo said no. There is no obligation to the City at all. It is an automatic withdrawal from their pay for that institution.

Councilor Vigil Coppler said she knew that institutions, from time to time, when loans are defaulted, the institution then goes to the employer to request garnishment through a court order. If there is a court order, then I guess the City would have to do it.

Ms. Trujillo was unsure of the answer. There is only one bank at this point that works with these loans. It is through a company called Prosperity Works. They go through True Connect and deal with a fiduciary in California.

Mayor Webber noted that Ms. Ona Porter is in the audience today.

Mr. Zamora said, to answer Councilor Vigil Coppler's question directly, whether it is this loan program or any other in the community, it is theoretically possible that if the court issues a writ of

garnishment, the City must comply.

Councilor Vigil Coppler said, assuming any financial institution applies, she assumed they could. She was told that Guadalupe Credit Union is a participant in something like this. If there are several who meet the RFP requirements, would it behoove us to have a selection among various financial institutions and have some healthy competition?

Ms. Trujillo said they would go through the regular RFP process forbids bids and look at that selection.

Councilor Vigil Coppler surmised that the aim is to select one institution.

Ms. Trujillo agreed.

Councilor Vigil Coppler was looking for a little healthy competition among financial institutions to better the interest rate for employees.

Ms. Trujillo said if they are interested, they can put in a bid to that RFP and in the process, we look at them and would go with the one that is the best.

Mr. Snyder said with the RFP process, one criterion would be the rate that is charged so the institution might not have the lowest but that would be part of the selection process so there is competition in the bid for interest rate.

Councilor Vigil Coppler recalled that at Public Works, a cap of around 24.9% on the rate was mentioned.

Ms. Trujillo agreed that 24.9% with a maximum loan of \$3,500 to get away from payday loans at 175%.

Mayor Webber said that is exactly right. We are working with our employees, if they are in financial distress where they would have to go out into the market where the payday lending and other companies offer them loans that are regulated by the State and caps the rate at 175%. They are typically very small amounts of money that are being asked for to tide people over from immediate, short-term needs. There is not much money to be made in this market.

Councilor Romero-Wirth understood that the interest rate would be 24.9% for a maximum of \$3500.

Ms. Trujillo corrected herself. The maximum amount is not \$3500 but \$3000.

Councilor Romero-Wirth understood the loan. His up to a year. She asked why the interest rate is so high when it is a relatively small loan amount and a short period of time and we can take it from the paycheck of employees who have a relatively stable employment?

Ms. Trujillo explained that this program does not conduct credit checks and offers six free credit counseling services annually. The employee might have bad credit or no credit. It is there for them at more reasonable terms.

Councilor Romero-Wirth had a news article from the Los Angeles Times on it titled "Offer Payday Loans as an Employee Benefit him." They indicate that with True Connect, you can apply on line with almost instant approval with very little background check. Is that an issue here? "I would hate to offer a program that contributes to a bigger spiral of debt."

Ms. Trujillo said she did not want to offer anything that would give them a bigger spiral of debt. This is available to them in case of extreme emergency. I understand that Tree Connect does not do a heavy-duty background check. Usually, you can get your funds within 24 hours. What was presented to her as part of this is like a single mom needing new tires who cannot get a loan from a financial institution.

Councilor Romero-Wirth understood we went to get employees away from payday loans and that sometimes there are emergencies and no other place to go. "I just want to be sure we are asking the hard questions to make sure that giving a blessing to something isn't going to make matters worse.

Ms. Trujillo believed that with the counseling service provided and a loan of only \$3000, it will help with that. There are many who go from paycheck to paycheck and we don't want them overwhelmed with debt. A financial advisor makes sure they stay on track.

Councilor Romero-Wirth asked if surveyed employees about the need.

Ms. Trujillo said she didn't investigate the need. But she looked at Doña Ana County and Bernalillo for their experience with it.

Councilor Romero-Wirth asked if the Council will approve the RFP

Ms. Trujillo agreed. It will come back here.

Mr. Snyder said the RFP typically does not come back to the Council prior to release. Recommendation for award comes to Council and in other cases, we brought the RFP with the full scope of work. That could be done in this case if Council wants to do that.

Councilor Romero-Wirth said it sounds almost too good to be true and at those times we should ask these questions.

Mayor Webber said Ona Porter, from Prosperity Works, has worked with others about it. He invited her to speak.

Ms. Porter said, with respect to surveying other employees, we did a broad survey. About 20% of public employees across the state have used storefront loans with average rates 350%. With True Connect, there is no credit check. So we are giving the opportunity to people who have low or poor credit or no credit history to participate in the financial system. Every time there is a payroll deduction to repay the

sum, which is amortized over one year, positive credit is reported. So we are putting them in a better financial position than they were when they started this process.

In the first year, we had four jurisdictions. We are now in 13 jurisdictions in New Mexico and the city of Albuquerque and the city of Bernalillo are launching on May 1 we have had almost 3000 loans to about \$750,000. Comparing 24.9% with the current cap of 175%, you can see the enormous savings.

A \$1,000 title loan with a tracking device, would cost \$3,000 at the end of one year. With True Connect, it would cost \$157 and when you. So it stabilizes their situation. She gave the top four reasons. The number one reason employees take out these loans is to pay off payday loans. The second is for a car repair, number three is for health costs not compensated or covered in their policy and forth is for home repair.

Ms. Porter clarified that she is not speaking for True Connect. We have worked on predatory lending in our state for almost 10 years and finally got some progress with 175%. It is progress, but not victory. With this, the Mexicans will save \$500 million at 175% over the next two years. 57 licensees have left the state and at the next licensing period, we expect to be at 400 down from 700. Prosperity Works removes barriers to financial security with inclusion and opportunity for our clients. True Connect was one we found with a great track record. Not all employers will adopt it.

Councilor Ives said he supports putting it in place. It doesn't cost the City anything. What has disturbed him is to urge the Legislature to cut the interest cap further. Predatory lending has no place here. But it is a little disturbing to put out an RFP without any boundaries. We talked about the maximum of \$3000 and 24.9% cap on interest. It is also limited to 8% of employee's check and one-as year payback. I'm frustrated that we heard the specifics only from asking questions. If it is an open RFP with broad statement of guidelines, please tell us what you would propose. Maybe other institutions locally would like to participate. From a lender's perspective the risk assessment with payroll deduction is reduced a lot. But I'd like to see local competition. That is what I hope is in the RFP - competitive.

Ms. Porter suggested that the others, to participate, probably would want to do a credit check.

Councilor Ives pointed out that there was nothing in this that said no credit checks. It has not been part of our packet.

Councilor Rivera said if he was an employee and this will work to pay it back in a year. But if he decided to leave the city, he would be on the hook for it.

Ms. Porter agreed - and no way to garnish wages.

Councilor Rivera asked if the transfer of a high interest loan be considered for a loan.

Ms. Trujillo said Ms. Porter agreed.

Councilor Rivera agreed that an open RFP would be best with a ceiling on interest rate.

Councilor Vigil Coppler agreed with Councilor Ives that she would like to see an RFP before it goes out. She asked how the City would advertise this for letters of interest.

Mr. Snyder said he has not worked out a process but would his best to get the word out and let them know what our goals are. The RFP would set the framework and guidelines set out some criteria and have institutions bid on that.

Councilor Vigil Coppler knew that many FCU's offer a similar service like this. They offer great service to people in need and it would be unfortunate to not consider them - whatever you do in that regard.

Councilor Ives said thanks to Prosperity Works for your work in this area and the impact on those least able to repay loans.

Ms. Porter said Guadalupe FCU does have a program and so does Sunrise Bank - specifically for low income consumers.

MOTION: Councilor Rivera moved, seconded by Councilor Vigil Coppler, to approve RESOLUTION No. 2018-22 Requesting the City Manager Issue an RFP for an Employee Loan Program to Benefit the Employees of the City of Santa Fe and Reduce Financial Hardship Brought on By a Reliance on Payday Lending Services with the direction to bring the RFP back to Council for review before issuance. He also asked to be listed as a cosponsor as did Councilor Lindell.

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

For: Mayor Webber, Councilor Abeyta, Councilor Harris, Councilor Ives, Councilor Lindell, Councilor Rivera, Councilor Romero-Wirth, and Councilor Vigil Coppler.

Against: None.

10 (g) Request for Approval to Publish Notice of Public Hearing on May 9, 2018:

- 1) **BILL NO. 2018-6.** An Ordinance Granting Broadband Network of New Mexico, LLC a Non-Exclusive Franchise to Operate a Telecommunications Network Within the City of Santa Fe; the Right to Use City Public Rights-of-Way to Provide Telecommunications Services Within the City; and Fixing the Terms and Conditions Thereof. (Councilor Harris) (Larry Worstell and Matt Brown)
- 2) **BILL NO. 2018-7.** An Ordinance Granting Computer Network Service Professionals, Incorporated dba NMSurf a Non-Exclusive Franchise to Operate a Telecommunications Network Within the City of Santa Fe; the Right to Use City Public Rights-of-Way to Provide Telecommunications Services Within the City; and Fixing the Terms and Conditions Thereof. (Councilor Harris) (Larry Worstell and Matt Brown)

- 3) **BILL NO. 2018-8.** An Ordinance Granting Conterra Ultra Broadband, LLC a Non-Exclusive Franchise to Operate a Telecommunications Network Within the City of Santa Fe; the Right to Use City Public Rights-of-Way to Provide Telecommunications Services Within the City; and Fixing the Terms and Conditions Thereof. (Councilor Harris) (Larry Worstell and Matt Brown)
- 4) **BILL NO. 2018-9.** An Ordinance Granting Cyber Mesa Computer Systems, Incorporated A Non-Exclusive Franchise to Operate a Telecommunications Network Within the City of Santa Fe; the Right to Use City Public Rights-of-Way to Provide Telecommunications Services Within the City; and Fixing the Terms and Conditions Thereof. (Councilor Harris) (Larry Worstell and Matt Brown)
- 5) **BILL NO. 2018-10.** An Ordinance Granting Plateau Telecommunications, incorporated a Non-Exclusive Franchise to Operate a Telecommunications Network Within the City of Santa Fe; the Right to Use City Public Rights-of-Way to Provide Telecommunications Services Within the City; and Fixing the Terms and Conditions Thereof. (Councilor Harris) (Larry Worstell and Matt Brown)

A copy of a memo from Matt Brown and Larry Worstell dated April 11, 2018, regarding these telecommunications franchises is attached to these minutes as Exhibit "2".

Councilor Romero-Wirth understood this is a request to publish notice of public hearing. Maybe someone could help her with the process. She asked how it works.

Mr. Snyder said these bills were introduced at Council and they go through committee review, which takes about one month. So the public hearing is set on May 9th. These are ordinances that do change the code and there are resolutions that will hit committee reviews. The public hearings are held during the evening session.

Councilor Romero-Wirth asked if they go to committees in between now and then

Mr. Worstell said this has gone through Public Works with unanimous support. The EDRC unanimously approved it and then it goes to Finance and then will appear on May 9th for Council and public comment. To all City Councilors, he said- offline conversation is welcome.

MOTION: Councilor Vigil Coppler moved, seconded by Councilor Romero-Wirth, to Approve to Publish Notice of Public Hearing on May 9, 2018 for Bills 2018-6, 2018-7, 2018-8, 2018-9 and 2018-10.

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

For: Mayor Webber, Councilor Abeyta, Councilor Harris, Councilor Ives, Councilor Lindell, Councilor Rivera, Councilor Romero-Wirth, Councilor Vigil Coppler.

Against: None.

END OF CONSENT CALENDAR DISCUSSION

11. **REQUEST FOR APPROVAL OF AMENDMENT NO. 2 TO PROFESSIONAL SERVICES AGREEMENT BETWEEN THE CITY OF SANTA FE AND BRIAN K. SNYDER, CITY MANAGER, TO EXTEND THE TERM OF THE AGREEMENT TO JUNE 15, 2018. (MAYOR WEBBER)**

Mayor Webber said this is straightforward. The contract was extended by virtue of the prior Council considering the election and for time to make a transition. In the interim, several things have happened. The Finance Director has taken another job and the budget hearings are starting on April 23. If we don't extend the City Manager's contract for the next sixty days, we would be flying with uncertain wings through the budget process. At the same time, he initiated a process to review the employment of all top managers and asked them to re-apply for their jobs. There is no transition for the election and is part of transition in government. I regard this as a good government measure to maintain continuity and professional knowledge and experience of the current managers. So we need this. The options are not very good. And I would have to appoint an interim and then another City Manager so I'm trying to provide some stability for this. That is the logic behind it. He and Mr. Snyder would answer questions.

Councilor Harris was sure we've all given this plenty of thought and the changes in the charter and what it means. Up until recent changes that are bundled in, the Council was to provide approval. The way it reads now is to provide consent. Under the charter, how do you view this situation? Is it in line with that?

Mayor Webber said he might need to refer to City Clerk and Interim City Attorney, but my responsibility is to bring to Council names to consider. I am accountable for these three positions and we approved the City Attorney this way.

Mr. Zamora said it may be a distinction without a difference. Consent goes through a vote. Withholding consent holds it either way. The intention is to make it more consistent with other instances with this language. It is like a President's appointment with Senate's consent. It's the same with Governor and state senate.

Councilor Harris said it is the same process of motion and vote.

Mayor Webber said Councilor Romero-Wirth helped with the language and asked her opinion.

Councilor Romero-Wirth said the way Mr. Zamora outlined it is exactly what we conceived. It is just like State and Federal levels that we were thinking.

Councilor Rivera said right now we are working with the City Manager and always have approved the contract. With the new charter we only approve by consent the position. We don't approve salary.

Mr. Zamora said the language is quite similar. The practice in the past under old charter was that a Board would get someone to take a high-level position. So the role is to be able to recruit and maintain and that requires a contract. But the Council might not have to approve the contract terms.

So with the appointment and bringing it forward is appointment of an individual and these are the terms of the contract. It is part of practice in Santa Fe and I'm not sure if you are to approve the terms and don't see it in the contract for Council to approve the terms.

Councilor Ives noted that as the Governing Body, we still approve the budget that does include all those salaries.

Mr. Zamora said to supplement his answer, to take it down one level beyond consent, it is the Council that has authority to approve contracts over a certain amount. These contracts that are being entered into exceed that level for administrative authority, and therefore require Council approval.

MOTION: Councilor Lindell moved, seconded by Councilor Ives, to approve Amendment No. 2 – a Professional Services Agreement between the City of Santa Fe and Brian K. Snyder, City Manager, to extend the term of the Agreement to June 15, 2018.

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

For: Mayor Webber, Councilor Abeyta, Councilor Harris, Councilor Ives, Councilor Lindell, Councilor Rivera, Councilor Romero-Wirth, and Councilor Vigil Coppler.

Against: None.

12. REQUEST FOR APPROVAL OF AMENDMENT NO. 1 TO PROFESSIONAL SERVICES AGREEMENT BETWEEN THE CITY OF SANTA FE AND YOLANDA Y. VIGIL, CITY CLERK, TO EXTEND THE TERM OF THE AGREEMENT TO JUNE 15, 2018. (MAYOR WEBBER)

Mayor Webber said these are the same considerations with the same logic and rationale. We are dealing with transition process. We do not want to see a vacancy while we are going through this process. It is pretty straightforward.

MOTION: Councilor Ives moved, seconded by Councilor Lindell, to approve AMENDMENT NO. 1 TO PROFESSIONAL SERVICES AGREEMENT BETWEEN THE CITY OF SANTA FE AND YOLANDA Y. VIGIL, CITY CLERK, TO EXTEND THE TERM OF THE AGREEMENT TO JUNE 15, 2018.

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

For: Mayor Webber, Councilor Abeyta, Councilor Harris, Councilor Ives, Councilor Lindell, Councilor Rivera, Councilor Romero-Wirth, and Councilor Vigil Coppler.

Against: None.

13. MATTERS FROM THE CITY MANAGER

There were no matters from the City Manager.

14. MATTERS FROM THE CITY ATTORNEY

There were no matters from the Interim City Attorney.

15. MATTERS FROM THE CITY CLERK

There were no matters from the City Clerk.

16. COMMUNICATIONS FROM THE GOVERNING BODY

A copy of "*Bills and Resolutions scheduled for introduction by members of the Governing Body*," for the Council meeting of April 25, 2018, is incorporated herewith to these minutes as Exhibit "3."

Councilor Harris introduced a resolution supporting the AOPA fly in event at the Santa Fe Regional Airport on September 14, 2018 and introduced a resolution supporting the seventh annual neighbor to neighbor food drive, authorizing the use of city vehicles and manpower to assist with the collection of donations.

Councilor Harris also asked the City Manager Re: Ordinance 2015-06 that talks our youth leagues and waiving various fees. It has a long list of our parks for little league and MRC for soccer. The ordinance says that in lieu of payment of those fees that they would generate a lot of volunteers for the Great American Cleanup day as well as keep Santa Fe Beautiful. It is now three years later, and he was curious on how well the leagues are performing. They should be reminded that it is coming up next weekend and they need to pitch in. That is a requirement by ordinance.

Next is that at the Public Works, earlier in the week, when we had this loan program discussion, and as Councilor Vigil Coppler was thinking it through, we did ask to review the RFP. I'm glad to see we are going to do that. But it reminded him that under Ordinance 2017-17 that has to do with traffic operations program. As everyone remembers, that is camera and speed devices. CSD was the acronym used in the ordinance. That ordinance was signed off a year ago. He asked that the City Manager check with Chief Padilla on its status. Councilor Harris advocated for it and we had a good discussion but didn't think it was unanimous, but it passed. He would like to know that it is about to be implemented.

His last item was Long Range Planning. He heard the Mr. Liming retired and that he left behind

some recommendations about how to modify the General Plan. He asked where the recommendations or now. He asked if Mr. McPherson will follow up on them as they relate to the General Plan.

Councilor Ives asked to cosponsor the resolution regarding the RFP for the employee loan program. He would join as a cosponsor for both of Councilor Harris' resolutions introduced this evening.

He also introduced to resolutions in which Councilor Lindell as joined as cosponsor. We worked on them together and similarly, talked with the folks in the community who are interested in them one is a resolution in support of condemning coyote killing contests and urging the New Mexico Legislature to pass legislation prohibiting such contests of killing coyotes for prizes or entertainment. The second is a resolution supporting the elimination of the use of plastic drinking straws in the City of Santa Fe.

It would also join in the matter to be introduced by Councilor Lindell, as well as the two that are to be introduced by Councilor Rivera.

He thanked Mayor Webber for doing this and was happy to wait until he had an opportunity to talk about it.

Councilor Lindell introduced a resolution expressing support for the Santa Fe Civic Housing authority's application for affordable housing program funds from the Federal Home Loan Bank for the renovation of its Villa Consuelo property. She also had numerous cosponsor requests on forms that she submitted to the City Clerk. She handed them in paper form to Ms. Vigil.

Councilor Rivera had a resolution pertaining to real or extreme drought conditions that may exist in the City of Santa Fe, imposing fire restrictions and restricting the sale of fireworks within the City of Santa Fe and prohibiting other fire hazard activities. Unfortunately, State Law requires us to renew this every 30 days, so the Council will be seeing this quite a bit in the next couple of months.

Also, he is supporting a resolution requesting the Mayor and City Manager to create a task force for reinforcing a safe pedestrian and bicycle friendly community; looking into immediate changes that strengthen the commitment and identification of long-term safety changes and the potential law changes that can improve safety for all pedestrians and bicyclists in the City.

Councilor Romero-Wirth let everyone know that the NCRTD is getting rid of some buses that are no longer of use to them because they are either too old or have too many miles on them, and they are looking to sell them. She wanted to let everyone in the City and nonprofits in the area to know about them. It might be something people are interested in.

She is also interested in this document handed out. She asked if the Mayor is going to speak on it

Mayor Webber said he had not planned to use this time as a forum for it.

Councilor Romero-Wirth that the Councilors need to say a few things but to do it in a way that is comfortable. It is a report on temporary raises for certain staff. We were handed this memo right before the meeting and I am glad you did so and the nature of the raises and how they came to be. I think it is important for this is an enormously important project and Deputy City Manager Martinez helped us at last meeting for the 84 recommendations of the McHard report that exposed some practices that demonstrate our systems are outdated. I completely support this work. The timing and process by which the raises occurred is troublesome and glad to have the Mayor's memo on how it came to be. It answers most of the questions that I was going to bring up about that process and trying to understand the perspective from the people who were responsible for these raises. This is something we need to pay attention to because the perception is problematic.

Councilor Ives, on this point, I appreciate the effort and time spent to put together this discussion on the raises and it points out industry standard practices used in other jurisdictions to incentivize a bureaucracy that otherwise is slow to change and hard to move. It helps to know the rationale behind it. Our computing systems have been near and dear to my heart putting our new enterprise-wide system is critical.

Mayor Webber said he didn't want to derail the normal order of business. We can deal with it but are there other items to address also.

Councilor Abeyta. I'm grateful for the debrief with Staff. He spoke with the Deputy City Manager as the Chair of Finance Committee. His concern was that whenever things come before the Finance Committee with a contingency fund, do we have to ask the question if they are going to involve temporary raises in this. It was poor timing on the part of management due to the timing with the election and not at least advising the Council of the \$400,00 of temporary increases in there.

At the same time, having been in their seat, with such a critical project, they need to ask will it slow down the project if they take it to the Council. They would get eight or nine different opinions about it. It could've been handled differently, but it is also a lesson to be learned. There may be changes that need to be made, especially since we have a City Manager and a strong Mayor. We need to put it behind us. Thank you, Mayor forgiving the report and hopefully, there is something we can learn from it not just for this administration but on down the line.

Councilor Vigil Coppler I was very disheartened to learn about what transpired. At the last meeting, with the presentation about modernization of our systems, I was excited about what was happening. I do remember asking, and it is in the minutes, being very concerned about employees who will be put upon to work the extra hours and remember asking very pointedly to not forget to keep them in the fold. It is going to be a greater amount of work on them. It was at that point, in retrospect, that Staff could have said – "Oh, by the way, we did compensate them for the extra work they are doing." That might've put this all to bed. Had I known the raises were given, it would have felt better. The lack of communication to

this Governing Body by Staff at that point is disingenuous and I will be on the lookout in the future to overturn every stone. This has been my bailiwick within the past, having been the HR Director here. I have many concerns and I thank you for the report. I appreciate it very much.

I appreciate the Mayor investigating it right away. What do the personnel rules say about it? Were the rules violated? Why 10-15%? Why not 5%? Is this setting precedent for the future? What about what happened in the past?

At the Public Utilities Committee, we just recently talked about systems implementation regarding collections and the amount of work that employees are seeing in that regard. I wondered if any of them get additional money for extra hours of work. They have had tremendous results. We went from terrible customer service to very good customer service for water bills and answering the phone out there. In the short term that I've been here, less than \$400,000 has come to us for approval, but I just can't believe that \$400,000 was not brought before us. A temporary increase such as this does affect PERA and accrual of such unless the rules have changed. So the City is going to pay a little bit more to the PERA for this. I'm concerned for the future how we do things and concerned about Staff morale. I have to say the right now, I don't trust a lot and be asking more questions than you want to hear.

The BTAC is going to be looking for more members.

I would like to join in sponsoring Councilor Harris's resolution on the Fly into Santa Fe event and join in Councilor Ives' resolution condemning coyote killing and in Councilor Lindell's affordable housing program fund.

Mayor Webber - I've had comments on streamlining the hearings on alcohol licenses to put it under a Hearing Examiner to clean up the docket. It will be referred to all the committees.

I didn't intend to discuss the issue because it is important for the essential software upgrade. There is no doubt that this one decision to temporarily increase some city employees, and for the Governing Body, and for those who have worked on it, and that has touched the nerve of everyone. That was not the intent. Having spent significant time with the management team and documentation for the entire project, what Councilor Abeyta said is correct. This is a very complicated project. Implementing projects like his is not good either in terms of picking the right software or having it implemented on time and on budget. My conviction is that the people in charge were keeping the budget and calendar foremost in mind, and that was driving their decision-making process to get the upgrade implemented so we could be the beneficiaries. We should not lose sight of what Councilor Romero-Wirth said in her initial comment. We received the McHard report that laid bare the deficiencies and what the city has been doing for a long time. We have left our City employees to work with systems that are either ill fitted or obsolete or nonexistent. So if we are really concerned about City morale and the capacity of our hard-working employees to do their jobs and to meet my request that we become the most user-friendly city in the country, we must equip them with tools they need to do the job. Most of the tools in the 21st century are information technology tools and our staff has not had them. That is not to lose sight of the real point of this exercise. The real point is to modernize City government in Santa Fe to the benefit of the people who live here and the people who work in the government. That is why this project is so fundamental and essential. It is literally a mission critical

project. At the same time, it is a massive culture change project. We need to alter the practices, the beliefs, and the culture of the City of Santa Fe so that our employees are incentivized in ways that do not include money, to take risks, to take on more responsibilities, and to see this opportunity to work in the City of Santa Fe as something they are enormously proud about and eager to participate in. Historically, for whatever reasons, that hasn't been the case. So we have in our hands the opportunity to be present at the creation of a fundamentally different City government ; a transformed city government.

The team driving it has taken on work that is very complicated and enormously difficult. We have all witnessed in our own lives programs like this that have faltered along the way has been either substantially late or substantially over budget and that also loses the trust and confidence of the City and the people who live here, if we can't deliver the project as promised.

At the same time, the people I spent time with want to own the problems and failures. In the process including the communications piece that was significantly missing. With those who are part of the City, that lack is at the heart of the matter. At the same time, the way the Governing Body was not brought into the discussion have questions. The City does have other incentives. But, the pay raises are typically in budgets and often that is where changes in compensation occur. In the report, getting it done on time, meant they had to hit the work hard. Sometimes it means they hire consultants; hire more people as employment; or temporary pay raises to recognize added responsibility. To derail the project now is to risk the larger purpose we have to transform the way City government works.

Councilor Harris said he would never impugn this project. It was started before I was elected and would agree with the importance even before the McHard report. As one Councilor that carries over, this cuts to the quick - it just does. I assume you talked with all the members of the Governing Body and with Staff. I brought up the extraordinary circumstance that it was in last December with the old Commission related to ranked choice voting. When it was clear we had to move forward, the full circumstances are analogous. These were extraordinary circumstances in the RFP and should have been identified to the Governing Body. Just as we dealt with ranked choice voting, we supported it. It was really \$300k that was approved and roughly half went the City Clerk's office and the other half went to Matt Ross's office for voter education.

I have a hard time, I'm really struggling and don't know when I'll get to the point of accepting this on why it was not brought forward. And as Councilor Vigil Coppler said, there was an opportunity two weeks ago to do that. In my reading of the minutes, I thought I asked the question of Deputy City Manager Martinez about acceleration and if it was necessary because we had already delayed the critical finance package. The minutes say "compress" but however it is reflected and whether it is in answer to my questions of those of Councilor Vigil Coppler, there were opportunities to identify. It is a ministry to be an offensive to me quite frankly. I provided by consent on the City Manager's contract because of the critical nature now of budget hearings. Governing Bodies, in my experience rise to the occasion. We rose to the occasion with the circumstances we have right now and extending the contract for our City Manager and I think that was important. Let's move on. We have a lot of work to do. But I have to say this one rankled me.

Councilor Rivera The ERP project is important, and no one wants it derailed. But the lack of transparency not only for the public, but for this Governing Body, as well not being part of a process and

mistakes with billing just recently, we appreciated the ownership of the mistake and moved the forward. We saw that with other things that have come up regarding the RFP at the golf club where we reset and started over. I don't know if that's a possibility still, to reset, move it forward in a process that is transparent and would allow the public to at least see and hear what is going on and for the Governing Body to have it say about the \$400,000. I don't think anyone has questions about the project, itself. We realize the importance of it but is the lack of transparency with the \$400,000. That would be my recommendation if there is an option to reset and start over. I haven't read the memo completely yet so I'm looking forward to doing that. But that would be a recommendation if it is at all possible.

Mayor Webber said the Council is legitimately concerned about both the substance of the project in the process in this case. In my memo, I have said that high, as Mayor under this new charter now has a different role to play. In my report I said that I believe it is my responsibility to be on point with this project because it is so fundamental to what we are trying to do. I take it upon myself to be a point of communication, information, and ongoing briefing to the Governing Body as a whole, so that you are not left wondering about the project or its administration.

As Councilor Lindell said, "Let's not throw the baby out with the bath water."

The overall report on the status of the project is that we are moving along and seeing the program implemented. We are seeing it moving in a very good way. But these things are not guaranteed. There may be times when we will be coming back to you, saying or to brief you on news less about money and more about the way the program is going forward and the actual software implications of getting all the pieces to fit together so we have the system we need to be the modern and responsible government we want to be. So I appreciate your comments and the issue is obviously still alive because the project is so important. So we need to be on top of it managerially and in terms of its implications for the City. So I will be on top of that has the Mayor.

END OF AFTERNOON AGENDA AT APPROXIMATELY 6:43 P.M.

EVENING SESSION

A. CALL TO ORDER AND ROLL CALL

The Evening Session was called to order by Mayor Alan Webber, at approximately 7:08 p.m. There was the presence of a quorum as follows:

Members Present

Mayor Alan Webber
Councilor Signe I. Lindell, Mayor Pro-Tem
Councilor Roman "Tiger" Abeyta
Councilor Mike Harris
Councilor Peter N. Ives
Councilor Christopher M. Rivera
Councilor Carol Romero-Wirth
Councilor JoAnne Vigil Coppler

Members Excused

Councilor Renee D. Villarreal

Others Attending

Brian K. Snyder, City Manager
Kelley Brennan, City Attorney
Yolanda Y. Vigil, City Clerk
Carl G. Boaz, Council Stenographer

F. PETITIONS FROM THE FLOOR

Dave McQuarie said I would like to talk to you. You received a letter from me on behalf of the Mayor's committee on disability. I asked for clarification of one item. We had a request to review and advise the Council on aspects of the ADA Connect. I'm hoping we would get a good answer because currently, some of the Staff are very delinquent and our present Governing Body can do what they want.

He reported that the District Courthouse has blocked access with no curb cut there and I was told by the Public Works Director blamed the Governing Body.

Stefanie Beninato, P.O. 1601, I am echoing in some ways Dave's remarks about Staff. I have brought to your attention that your life guards are not being straight with us about the testing and then using it as an excuse in blocking the outside doors. I felt like I was having this conversation in which it was going like this (bypassing each other) with your email exchange with me, Mayor. We were missing each other with emails. You just talked about staff accomplishments and I was talking about how they were undermining the facility. If you don't address the issues it might be somewhat difficult - especially about not honest representation, then you won't build much trust, whether for what happened before you in the past or just slightly in the past for the day you came into office or I'm going. Transparency about these things are

not going to be, "well that was just in the past. Let's just go on" You have to deal with what happened in the past to engender trust. I'll wait to see what happens, I see it is a problem and I see that your staff, again, is not particularly responsive and there is not any reason for it. The test results for the chlorine so there's no reason for that. It's called combined chlorine. For several weeks, I asked for a test and there are no readings for the combined chlorine. Why are they making things up? That is a block to engendering trust. Thank you

Amber Morningstar Byers I am a senior at the Institute of American Indian Arts. Santa Fe. I'll be graduating in four very short weeks and I've come here today to tell you about my senior projects - an effort to eliminate plastic straws in our beautiful City of Santa Fe. Every day in the United States, 500 million straws are thrown out. If Santa Fe's 83,875 residence used just one straw a day at an average rate of 1 g each it would equal 189 pounds of garbage that we are throwing into our local landfills every single day - just straw waste. I know an ordinance to ban such things as straws might seem difficult and far-fetched. I know that no one wants to be told what to do. But, the children of this world don't like being told they are going to be responsible for cleaning up the mess we have made of our land environment. I ask people who resist such change how they look their children and grandchildren in the eye and telling them that bringing a bag to the store was a little too inconvenient for them. Or to the restaurant and bar owners in this town, how will you tell them that you didn't want to pony up a few extra dollars to pay for more sustainable options like paper straws. The future is not tomorrow, it is today, right now and we are not doing enough in the fight for environmental justice. Do you Councilors, please consider the proposed resolution by Councilor Ives or perhaps in ordinance that would read our city of as much plastic as possible. Thank you very much for your time

There were no other petitions.

G. APPOINTMENTS

There were no appointments.

H. PUBLIC HEARINGS

- 1) Request from Murphy Oil USA, Inc., for a Transfer of Ownership and Change of Location of Canopy Liquor License No. 1362 with Package Sales Only, from Sanbusco 2015, LLC, dba Cost Plus World Market, 550-560 Montezuma Street, to Murphy Express #8862, 3155 Cerrillos Road. (Yolanda Y. Vigil)**

Ms. Vigil described the request for transfer by reading the caption. The applicant has not begun construction so, as a condition of approval, the Applicant will be required to obtain permits and licenses and comply with all fire, building, and Land Use Code requirements. Once in operation, they will be required to comply with all City ordinances.

Public Hearing

Mr. Maurice Bonal, former City Councilor, was sworn. He had nothing to add but stood for questions.

Ms. Stefanie Beninato, P.O. Box 1601, was sworn. She said it would be nice if the City would either have a way to indicate where liquor stores should be; what kind of traffic is around this location. If there are accidents already around that location. I'm sure this will be approved but it could be incorporated into a map for what you are deciding to do. Instead of just having it on the south side of town, the map should include how many restaurants have liquor license and where are they and what kind of density we have. We have a DWI problem and this could help you make more informed decisions.

There were no other speakers from the public regarding this case and the public hearing portion was closed.

The Public Hearing was closed

Councilor Rivera said this looks like the old Village Inn. Ms. Vigil agreed.

MOTION: Councilor Vigil Coppler moved, seconded by Councilor Harris, to approve the Request from Murphy Oil USA, Inc., for a Transfer of Ownership and Change of Location of Canopy Liquor License No. 1362 with Package Sales Only, from Sanbusco 2015, LLC, dba Cost Plus World Market, 550-560 Montezuma Street, to Murphy Express #8862, 3155 Cerrillos Road with the conditions stated by the City Clerk.

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

For: Mayor Webber, Councilor Abeyta, Councilor Harris, Councilor Ives, Councilor Lindell, Councilor Rivera, Councilor Romero-Wirth, and Councilor Vigil Coppler.

Against: None.

2) Request from DH Winery – 139 WSF, LLC, for a Winegrower License, with On-Premise Consumption, Patio Service and Package Sales, to be Located at DH Winery – 139 WSF, LLC, 139 West San Francisco Street. (Yolanda Y. Vigil)

Ms. Vigil described it the request for license. She stated that the winery is located at 139 W. San Francisco Street. The Applicant has not completed construction on their interior remodel. Therefore, as a condition of Approval, the Applicant will be required to obtain the necessary permits and licenses and comply with all fire, building, and Land Use Code requirements. Once they are in business, they will be required to comply with all City ordinances.

Public Hearing

Ms. Sandra Pacheco, National Sales Director with the Winery, was sworn. She thanked the Council for hearing their project and hoped they will see it as a valuable asset to Santa Fe. We are located

in the southern part of the state and wanted for a long time to come north. This is my home where I grew up and I hope the information is sufficient to explain what we are doing and how we are doing it.

Mr. Christopher Goblet 518 Old Santa Fe Trail, was sworn. He thanked the Council for the opportunity today. He represents the New Mexico Wine Growers Association and works with all 52 wineries across the state. Recently, the City approved a tasting room for Noisy Water Winery, which is not open on San Francisco Street. They enjoy their new home here. They are from Ruidoso. This would make the third winery in downtown. He referred to them as clusters where they work with each other to promote them and the craft. He supported this proposal.

Ms. Stefanie Beninato said, "same comment as before."

There were no other speakers from the public regarding this case and the public hearing portion was closed.

The Public Hearing was closed

MOTION: Councilor Lindell moved, seconded by Councilor Ives, to approve the Request from DH Winery – 139 WSF, LLC, for a Winegrower License, with On-Premise Consumption, Patio Service and Package Sales, to be Located at DH Winery – 139 WSF, LLC, 139 West San Francisco Street subject to the conditions of approval stated by the City Clerk.

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

For: Mayor Webber, Councilor Abeyta, Councilor Harris, Councilor Ives, Councilor Lindell, Councilor Rivera, Councilor Romero-Wirth, and Councilor Vigil Coppler.

Against: None.

- 3) Request from The Alley Santa Fe Properties, LLC, for a Transfer of Location and Ownership of Interlocal Dispenser Liquor License No. 0044, with On-Premise Consumption and Patio Service, from D & A's Pub, Inc., 221 3rd St., Maxwell to The Alley Santa Fe Properties, LLC, dba, The Alley, 153 Paseo de Peralta, Suites A & B (at DeVargas Center). (Yolanda Y. Vigil)**

Ms. Vigil described the transfer of license from 221 3rd -n Maxwell to the DeVargas Center. The Applicant has not begun construction, the Applicant will be required to obtain all necessary permits and licenses and comply with all fire, building and Land Use Code requirements. When they are in business, they must comply with all City Ordinances.

Public Hearing

Mr. Karl Sommer, P.O. Box 2476, was sworn. He spoke on behalf of the applicant. We are all very excited and there are many people in the entourage here who are in support and will not speak.

There were no other speakers from the public regarding this case and the public hearing portion was closed.

The Public Hearing was closed

Councilor Lindell stated how excited she is that Hannah and Joey Padilla who were operating a dog-related business and thankful for the work they have done and thrilled for their new adventure.

MOTION: Councilor Lindell moved, seconded by Councilor Ives, to approve the Request from The Alley Santa Fe Properties, LLC, for a Transfer of Location and Ownership of Interlocal Dispenser Liquor License No. 0044, with On-Premise Consumption and Patio Service, from D & A's Pub, Inc., 221 3rd St., Maxwell to The Alley Santa Fe Properties, LLC, dba, The Alley, 153 Paseo de Peralta, Suites A & B (at DeVargas Center), subject to the conditions stated by the City Clerk.

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

For: Mayor Webber, Councilor Abeyta, Councilor Harris, Councilor Ives, Councilor Lindell, Councilor Rivera, Councilor Romero-Wirth, and Councilor Vigil Coppler.

Against: None.

- 4) Request from Premier Distributing Company for a Transfer of Ownership (Change of Stockholders) of Their Beer Distribution Wholesaler Liquor License. This License Will Remain at Premier Distributing Company-Santa Fe, 2680 Sawmill Road. (Yolanda Y. Vigil)**

Ms. Vigil provided a description of the transfer of ownership but said, in reality, it is just a change in stockholders. It includes the condition that they be required to comply with all City ordinances.

Public Hearing

Mr. Jimmy Bates, Vice President of Premier Distributing, was sworn and stood for questions.

There were no other speakers from the public regarding this case and the public hearing portion was closed.

The Public Hearing was closed

MOTION: Councilor Ives moved, seconded by Councilor Lindell, to approve the Request from Premier Distributing Company for a Transfer of Ownership (Change of Stockholders) of Their Beer Distribution Wholesaler Liquor License. This License Will Remain at Premier Distributing Company-Santa Fe, 2680 Sawmill Road. (Yolanda Y. Vigil), subject to the conditions stated by the City Clerk.

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

For: Mayor Webber, Councilor Abeyta, Councilor Harris, Councilor Ives, Councilor Lindell, Councilor Rivera, Councilor Romero-Wirth, and Councilor Vigil Coppler.

Against: None.

**5) CONSIDERATION OF BILL NO. 2018-3: ADOPTION OF ORDINANCE NO. 2018-9.
(Councilor Harris)**

An Ordinance Amending Section 6-5 SFCC 1987 to Provide for the Participation by the Audit Committee in the Selection of the Internal Auditor and Any Contractor Performing Internal Audit Functions; Modifying the Manner in Which Members of the Audit Committee are Appointed; Clarifying and Strengthening the Role of the Audit Committee; and Making Other Such Changes as Necessary. (Jesse Guillen)

A copy of the proposed amendment to Bill 2018-3 by Councilor Harris, is attached to these minutes as Exhibit "4."

Mr. Guillen yielded to Councilor Harris.

Councilor Harris said he was glad to get to this, having worked on it with the Audit Committee before the McHard Report. As it says, this clarifies the role of the Audit Committee. There are a couple of mechanical things to work out but more importantly, it strengthens the role of the Audit Committee. It had a lot of participation of the Audit Committee for which they are to be commended. But everyone agrees that we should move forward with this.

Councilor Vigil Coppler noted that some of the other items have explicitly stated without compensation. So will this committee not be compensated.

Councilor Harris agreed they will not be compensated now or ever.

Councilor Vigil Coppler noticed on page 7 that it said the members shall reside in the State of New Mexico.

Councilor Harris said the current Chair of the Audit Committee resides in Española. He is an attorney which is one of the requirements for membership. It would be pretty far afield for any member to come from Los Lunas. There is no per diem or other compensation and none requested.

Councilor Vigil Coppler past about terms. When adding it all up, after the first appointment, a person can serve as long as a 12-year term. Is that too long? Sometimes we need to infuse more ideas.

Councilor Harris thought it could be. It is just like BTAC. There are all current terms and no expired terms ever. I'd be surprised they would hang in for 12 years.

Councilor Harris noted just a couple of small grammatical errors which can be corrected.

Public Hearing

Ms. Beninato, previously sworn, appreciated that they are being more transparent in fiscal matters and the Audit Committee for what was not as clear as it could have been.

There were no other speakers from the public regarding this case and the public hearing portion was closed.

The Public Hearing was closed

MOTION: Councilor Harris moved, seconded by Councilor Ives, to approve Bill No. 2018-3: Adoption of Ordinance No. 2018-9 - An Ordinance Amending Section 6-5 SFCC 1987 to Provide for the Participation by the Audit Committee in the Selection of the Internal Auditor and Any Contractor Performing Internal Audit Functions; Modifying the Manner in Which Members of the Audit Committee are Appointed; Clarifying and Strengthening the Role of the Audit Committee; and Making Other Such Changes as Necessary, with the conditions stated by the City Clerk.

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

For: Mayor Webber, Councilor Abeyta, Councilor Harris, Councilor Ives, Councilor Lindell, Councilor Rivera, Councilor Romero-Wirth, and Councilor Vigil Coppler,

Against: None.

6) Hopewell and Mann Streets General Plan Amendments and Rezonings: (Margaret Ambrosino)

- a) **CONSIDERATION OF RESOLUTION NO. 2018-23. Case #2017-133. General Plan Amendment for Northerly Portion of Housing Authority Hopewell-Mann Lease Tract. Jennifer Jenkins of JenkinsGavin, Inc., Agent for the Santa Fe Civic Housing Authority, Lessee, Requests Approval of a General Plan Amendment to Amend the Existing General Plan Future Land Use Map Designation for Approximately 0.34 Acres from Medium Density Residential to Office. The Area is Located North of 1773-1787 Hopewell Street.**

Public Hearing

There were no speakers from the public regarding this case and the public hearing portion was closed.

This one public hearing covered all portions of Item #6.

The Public Hearing was closed

Ms. Ambrosio noted that Jennifer Jenkins represents the Applicant for each of these ordinances.

MOTION: Councilor Ives moved, seconded by Councilor Rivera, to approve Resolution 2018-23, General Plan Amendment for northerly portion of Housing Authority Hopewell-Mann Lease Tract.

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

For: Mayor Webber, Councilor Abeyta, Councilor Harris, Councilor Ives, Councilor Lindell, Councilor Rivera, Councilor Romero-Wirth, and Councilor Vigil Coppler.

Against: None.

b) CONSIDERATION OF BILL NO. 2018-4: ADOPTION OF ORDINANCE NO. 2018-____. Case #2017-134. Rezoning for Northerly Portion of Housing Authority Hopewell-Mann Lease Tract. Jennifer Jenkins of JenkinsGavin, Inc., Agent for the Santa Fe Civic Housing Authority, Lessee, Requests Approval of Rezoning of Approximately 0.34 Acres from R-5 (Residential - Five Dwelling Units Per Acre) to C-1 (Office and Related Commercial). The Area is Located North of 1773-1787 Hopewell Street.

MOTION: Councilor Ives moved, seconded by Councilor Rivera, to approve Bill No. 2018-4, Rezoning for Northerly Portion of Housing Authority Hopewell-Mann Lease Tract.

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

For: Mayor Webber, Councilor Abeyta, Councilor Harris, Councilor Ives, Councilor Lindell, Councilor Rivera, Councilor Romero-Wirth, and Councilor Vigil Coppler.

Against: None.

c) CONSIDERATION OF RESOLUTION NO. 2018-24. Case #2017-140. General Plan Amendment for Housing Authority Hopewell-Mann Lease Tract. Jennifer Jenkins of JenkinsGavin, Inc., Agent for the Santa Fe Civic Housing Authority, Lessee, Requests Approval of a General Plan Amendment to Amend the Existing General Plan Future Land Use Map Designation for Approximately 5.49 Acres from High Density Residential to Office. The Property is Located North and South of Hopewell and Mann Streets, West of Espinacitas Street.

MOTION: Councilor Ives moved, seconded by Councilor Rivera, to approve Resolution No. 2018-24, General Plan Amendment for Housing Authority Hopewell-Mann Lease Tract.

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

For: Mayor Webber, Councilor Abeyta, Councilor Harris, Councilor Ives, Councilor Lindell, Councilor Rivera, Councilor Romero-Wirth, and Councilor Vigil Coppler.

Against: None.

d) CONSIDERATION OF BILL NO. 2018-5: ADOPTION OF ORDINANCE NO. 2018-9. Case #2017-139. Rezoning for Housing Authority Hopewell-Mann Lease Tract. Jennifer Jenkins of JenkinsGavin, Inc., Agent for the Santa Fe Civic Housing Authority, Lessee, Requests Approval of Rezoning of Approximately 5.49 Acres from R-21 (Residential – Twenty-One Dwelling Units Per Acre) to C-1 (Office and Related Commercial). The Property is Located North and South of Hopewell and Mann Streets, West of Espinacitas Street.

MOTION: Councilor Ives moved, seconded by Councilor Rivera, to approve Ordinance No. 2018-9, rezoning for Housing Authority Hopewell-Mann Lease Tract.

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

For: Mayor Webber, Councilor Abeyta, Councilor Harris, Councilor Ives, Councilor Lindell, Councilor Rivera, Councilor Romero-Wirth, and Councilor Vigil Coppler.

Against: None.

Margaret Ambrosio said Jennifer Jenkins is the agent for each of these requests for approval. The first is Case #2017-133. General Plan Amendment for Northerly Portion of Housing Authority Hopewell-Mann Lease Tract. Jennifer Jenkins of JenkinsGavin, Inc., Agent for the Santa Fe Civic Housing Authority, Lessee, Requests Approval of a General Plan Amendment to Amend the Existing General Plan Future Land Use Map Designation for Approximately 0.34 Acres from Medium Density Residential to Office. The Area is Located North of 1773-1787 Hopewell Street.

The next case is Case #2017-134. Rezoning for Northerly Portion of Housing Authority Hopewell-Mann Lease Tract. Jennifer Jenkins of JenkinsGavin, Inc., Agent for the Santa Fe Civic Housing Authority, Lessee, Requests Approval of Rezoning of Approximately 0.34 Acres from R-5 (Residential - Five Dwelling Units Per Acre) to C-1 (Office and Related Commercial). The Area is Located North of 1773-1787 Hopewell Street.

The third case is Case #2017-140. General Plan Amendment for Housing Authority Hopewell-Mann Lease Tract. Jennifer Jenkins of JenkinsGavin, Inc., Agent for the Santa Fe Civic Housing Authority, Lessee, Requests Approval of a General Plan Amendment to Amend the Existing General Plan Future Land Use Map Designation for Approximately 5.49 Acres from High Density Residential to Office. The

Property is Located North and South of Hopewell and Mann Streets, West of Espinacitas Street.

The fourth case is Case #2017-139. Rezoning for Housing Authority Hopewell-Mann Lease Tract. Jennifer Jenkins of JenkinsGavin, Inc., Agent for the Santa Fe Civic Housing Authority, Lessee, Requests Approval of Rezoning of Approximately 5.49 Acres from R-21 (Residential – Twenty-One Dwelling Units Per Acre) to C-1 (Office and Related Commercial). The Property is Located North and South of Hopewell and Mann Streets, West of Espinacitas Street.

Ms. Ambrosio said the Santa Fe Civic Housing Authority has a 99-year lease with the City of Santa Fe for this city tract of land. The total acreage is 5.83 acres and early on, the Civic Housing Authority met with Land Use Staff on the plans for this property for medical clinics. There are currently 8 vacant units that have been vacant for a long time on Hopewell Street south of the arroyo. There are some graphics in the packet and the Applicant had even better graphics. They came to Staff and wanted to talk through what could be done with zoning. Their plans are to demolish the 8 units and rebuild two medical clinics while maintaining the 40 units of long-term housing on the southern portion and on a northern portion for a single-family residential use. C-1 preserves high-density use and the other proposed uses. It was R-5 zoning to north of the arroyo and R-21 to the south. This rezoning will allow the proposed uses and not lose any Affordable Housing units on the property. And it will bring medical services to this neighborhood.

Public Hearing

Ms. Jennifer Jenkins, 130 Grant Avenue, was sworn and spoke on behalf of Santa Fe Civic Housing Authority. She shared some important points. This property is owned by the City and the Housing Authority has leased it since 1963 for low-income residents and it was recently renewed in 2013 for a 99-year term and a condition of that lease is that the current residential units are retained on the site. The Low-Income Tax Credit financing also mandate the 40 units are retained for 45 years. So it has double layers of regulation. The purpose of rezoning is to provide much needed services to this community. The beauty of C-1 is that it is a great category for mixed-use zoning. The vacant parcels are now being developed for residential and C-1 incorporates residential and allows a mix of uses on the same land. The current zoning doesn't have that flexibility but C-1 and C-2 allows the residential use.

That is a very important point because we can't lose Affordable Housing property. It is about not isolating housing and having services as part of the project. We are working with Presbyterian Medical Services and Villa Therese Clinic for medical services on this property. And as Ms. Ambrosino mentioned prohibition of split zoning. It creates an opportunity to repurpose this. The 8 units have already been replaced on this property. They need to go since they are old and substandard. They total about 5,600 square feet and the new building is about 5,600 square feet.

She stood for questions.

Mr. Larry Martínez, with Presbyterian Medical Services was sworn. I am speaking on behalf of my organization regarding our basic motivation for occupying one of the clinics. We are private nonprofit serving Santa Fe since 1969. We have seen significant increase of those needing services but not an increase of providers.

The establishment of the New Mexico Health Insurance Exchange means many people can have insurance with subsidies. Approximately 300 families live in this area who don't have adequate access to health care. As a federally qualified health center, we will not turn anyone away and help them get enrolled and offer a sliding fee scale if they have no payor source with a discount up to 80%. If they can't pay the 20%, we do nothing about that either. We hope this project will go forward and we will be a partner in providing primary health service. We also provide behavioral services elsewhere and have no plans for that service at this location.

Mr. Ron Aldridge was sworn. He introduced himself as Chair of the Board Villa Therese Clinic and teach health care administration at UNM. The Villa Therese Clinic has been at same location behind the Cathedral for 83 years and not very accessible to the population we attempt to serve. So this is an attraction. It would be much closer to the population we want to serve. It has a lot of undocumented persons who need care. So despite the leadership of Larry Martínez and others, a large population has no access to health care.

This Clinic is the only free clinic in New Mexico. We are supported by grants and fund raising, etc. We have a \$150,000 grant from Cristus Health supporting our expansion. As a free clinic, there are no charges and they can donate if they wish to.

We also provide medical and pediatric care and dental services. A recent event was for children needing braces and got providers to donate their services.

Oral health is very important because New Mexico lacks such services This location will provide better access and looking out to other clinics to provide other support - testing to identify health care needs and volunteer physicians. We have had a longtime partnership with Presbyterian Medical Services and will find areas where we can collaborate. He offered to answer questions.

Ms. Stefanie Beninato, previously sworn, said her biggest concern was the question of having AH housing yet without space for it and this lot of land was underutilized. A medical clinic is not close by, but Cristus St. Vincent is available and not too far away and accessible by bus. She was afraid they would be attractive to more commercial and office and a shame for the City to lose residential housing. The lease was renegotiated recently. So she asked why this wasn't done at that time. Could there be some inclusions that the rest of C-1 would be devoted to AH housing so that use of the land will not be lost and not just rely on market for that.

There were no other speakers from the public regarding this case and the public hearing portion was closed.

The Public Hearing was closed

Councilor Rivera disclosed that he is a manager at St. Vincent, but he didn't think there was a conflict of interest here.

Councilor Ives noted that in the past, we have adopted central elements of a renter's declaration of rights and in Hopewell-Mann, Chainbreaker has a significant presence. He asked if they have been

involved in these discussions?

Ms. Ambrosino didn't recall that Chainbreaker was present at the ENN, but several community members there had concerns that this property not be given out for commercial use. She made it very clear to them that the Affordable Housing on this site is substantial. It is pretty built out. Residents of Civic Housing were there, and their concerns were addressed.

Councilor Ives thought it was odd for it to get this far without Chainbreaker being involved. It is great to see providers coming to underserved areas and he praised the great work of both providers.

Councilor Abeyta said one of his earliest memory was to go to Villa Therese for a pair of glasses that his parents couldn't afford from an optometrist. With Mr. Martinez and PMS, you have done a great job in our community and glad that you are partnering with the people and hoping that you are moving closer with it to also provide services in District 3.

Councilor Rivera hoped they could get the technology to have the monitors working.

He asked about page 58 of our packet. It has Espinacitas with St. Michael's toward the bottom and a lot of yellow and red and then on page 61 it has some red areas. He asked what it meant.

Ms. Jenkins took her laptop to show Councilor Rivera the site that was outlined on the Future Use Site Map. She showed Hopewell Street - and the little line between R5 and the sliver of land zoned with remainder at R-21; access from Quapaw Street, and showed where the clinics will be.

Councilor Rivera thanked her.

Councilor Harris, just to clarify, said the small sliver will have one affordable house on it.

Ms. Jenkins agreed, and the single-family residence is for the Quapaw neighborhood.

Councilor Rivera asked if they did a separate study for adequate parking and traffic.

Ms. Jenkins said they have not done a separate study, but with the small clinics, there is not a need for a traffic study. Most of them will be walking. As we go through the permit process, Traffic has not had concerns.

Councilor Rivera asked if the requirement for staff is to have separate spots for employee parking.

Ms. Jenkins said no. The requirement is one space for every 500 sq. ft. for both staff and clients.

Councilor Rivera asked them to think about a traffic study.

Mayor Webber said we spend a lot of time talking about housing, but I think we need to talk about neighborhoods and be very supportive of having health care where the people live. Any other amenities to add to it for a real neighborhood for livability?

Ms. Jenkins said, as part of the Hopewell-Mann neighborhood, is a community center which was once the Boys and Girls Club. They moved to focus more on the south side of town. We haven't found the partnership yet and it is a generous size. The building is there and just seeking for the best partnership. Lots of rehabilitation happened there and now it looks wonderful so that can focus on the right partnership.

Councilor Ives noted for Villa Therese and PMS that St. Vincent DePaul has been interested in aggregating provider organizations to provide service there. Hopefully you will hear from them before long.

Mr. Aldridge said he and Mr. Martinez are both former board members at Cristus St. Vincent. He saw a list of those volunteering for our clinics. The reason they are supportive is that the very worst place for primary care is a hospital setting. There is a strong focus on determinations of health - housing, education, etc. While there is a close proximity, the goal is not to bring people to the hospital but to the clinic close by.

Mr. Martinez reminded everyone that Presbyterian also provides Head Start through Santa Fe Community Foundation on the early childhood located at Kaune School just north of this site. Specialized early childhood services are a good complement to that.

Mayor Webber said if Councilor Villarreal was here, she would talk about the conference where she is for neighborhood development without displacement to improve quality of life. We've seen many circumstances where a catalyst to make it a beginning for something is much more cohesive and positive. That is the way I hear you speaking to it.

Councilor Harris said Council, as we look at the bigger picture, should remember that the mid-town link that is a block away, has not happened yet, but will be a much more vibrant part of town with entertainment and jobs. This is a great project.

Ms. Vigil said a separate motion is needed for each one.

- a) CONSIDERATION OF RESOLUTION NO. 2018-23. Case #2017-133. General Plan Amendment for Northerly Portion of Housing Authority Hopewell-Mann Lease Tract. Jennifer Jenkins of JenkinsGavin, Inc., Agent for the Santa Fe Civic Housing Authority, Lessee, Requests Approval of a General Plan Amendment to Amend the Existing General Plan Future Land Use Map Designation for Approximately 0.34 Acres from Medium Density Residential to Office. The Area is Located North of 1773-1787 Hopewell Street.**

MOTION: Councilor Ives moved, seconded by Councilor Rivera, to approve Resolution No. 2018-23, Case #2017-133, General Plan Amendment for Northerly Portion of Housing Authority Hopewell-Mann Lease Tract.

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

For: Mayor Webber, Councilor Abeyta, Councilor Harris, Councilor Ives, Councilor Lindell,

Councilor Rivera, Councilor Romero-Wirth, and Councilor Vigil Coppler.

Against: None.

b) CONSIDERATION OF BILL NO. 2018-4: ADOPTION OF ORDINANCE NO. 2018-10. Case #2017-134. Rezoning for Northerly Portion of Housing Authority Hopewell-Mann Lease Tract. Jennifer Jenkins of JenkinsGavin, Inc., Agent for the Santa Fe Civic Housing Authority, Lessee, Requests Approval of Rezoning of Approximately 0.34 Acres from R-5 (Residential - Five Dwelling Units Per Acre) to C-1 (Office and Related Commercial). The Area is Located North of 1773-1787 Hopewell Street.

MOTION: Councilor Ives moved, seconded by Councilor Vigil Coppler, to approve Bill No. 2018-4: Adoption of Ordinance No. 2018-10, Case #2017-134, Rezoning for Northerly Portion of Housing Authority Hopewell-Mann Lease Tract.

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

For: Mayor Webber, Councilor Abeyta, Councilor Harris, Councilor Ives, Councilor Lindell, Councilor Rivera, Councilor Romero-Wirth, and Councilor Vigil Coppler.

Against: None.

c) CONSIDERATION OF RESOLUTION NO. 2018-24. Case #2017-140. General Plan Amendment for Housing Authority Hopewell-Mann Lease Tract. Jennifer Jenkins of JenkinsGavin, Inc., Agent for the Santa Fe Civic Housing Authority, Lessee, Requests Approval of a General Plan Amendment to Amend the Existing General Plan Future Land Use Map Designation for Approximately 5.49 Acres from High Density Residential to Office. The Property is Located North and South of Hopewell and Mann Streets, West of Espinacitas Street.

MOTION: Councilor Ives moved, seconded by Councilor Vigil Coppler, to approve Resolution No. 2018-24, Case #2017-140, General Plan Amendment for Housing Authority Hopewell-Mann Lease Tract.

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

For: Mayor Webber, Councilor Abeyta, Councilor Harris, Councilor Ives, Councilor Lindell, Councilor Rivera, Councilor Romero-Wirth, and Councilor Vigil Coppler.

Against: None.

d) CONSIDERATION OF BILL NO. 2018-5: ADOPTION OF ORDINANCE NO. 2018-11. Case #2017-139. Rezoning for Housing Authority Hopewell-Mann Lease Tract. Jennifer Jenkins of JenkinsGavin, Inc., Agent for the Santa Fe Civic Housing Authority, Lessee,

Requests Approval of Rezoning of Approximately 5.49 Acres from R-21 (Residential – Twenty-One Dwelling Units Per Acre) to C-1 (Office and Related Commercial). The Property is Located North and South of Hopewell and Mann Streets, West of Espinacitas Street.

MOTION: Councilor Ives moved, seconded by Councilor Rivera, to approve Bill No. 2018-5: Adoption of Ordinance 2018-11, Case #2017-139, Rezoning for Housing Authority Hopewell-Mann Lease Tract.

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

For: Mayor Webber, Councilor Abeyta, Councilor Harris, Councilor Ives, Councilor Lindell, Councilor Rivera, Councilor Romero-Wirth, and Councilor Vigil Coppler.

Against: None.

END OF PUBLIC HEARINGS

I. ADJOURN

Mayor Webber thanked members of the Governing Body for comments on his memo. They were very helpful, and he hoped we can push forward on the project and our collaboration to be fully informed.

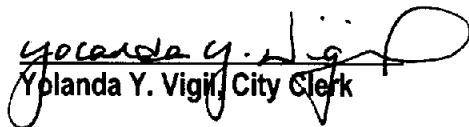
There was no further business to come before the Governing Body, and upon completion of the Agenda, the meeting was adjourned at approximately 8:16 p.m.

Approved by:



Mayor Alan Webber

ATTESTED TO:


Yplanda Y. Vigil, City Clerk

Respectfully submitted:


Carl G. Boaz, Council Stereographer

ACTION SHEET
ITEM FROM THE
PUBLIC WORKS/CIP AND LAND USE COMMITTEE MEETING
OF
MONDAY, APRIL 9, 2018

ITEM # 10(c)**ITEM 11**

REQUEST FOR APPROVAL OF A RESOLUTION REQUESTING THE CITY MANAGER ISSUE AN RFP FOR AN EMPLOYEE LOAN PROGRAM TO BENEFIT THE EMPLOYEES OF THE CITY OF SANTA FE AND REDUCE FINANCIAL HARDSHIP BROUGHT ON BY A RELIANCE ON PAYDAY LENDING SERVICES (**MAYOR WEBBER**) (**LYNETTE TRUJILLO**)

PUBLIC WORKS COMMITTEE ACTION: Approved

FUNDING SOURCE: N/A

SPECIAL CONDITIONS / AMENDMENTS / STAFF FOLLOW UP: Add Councilor Villarreal as a co-sponsor

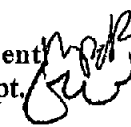
VOTE	FOR	AGAINST	ABSTAIN
CHAIRPERSON IVES			
COUNCILOR ABEYTA	X		
COUNCILOR VIGIL COPPLER	X		
COUNCILOR HARRIS	X		
COUNCILOR VILLARREAL	X		


City of Santa Fe, New Mexico

memo

DATE: April 11, 2018

TO: Santa Fe City Council

FROM: Matt Brown, Director of the Office of Economic Development
Larry Worstell, Infrastructure Services Manager, ITT Dept. 

VIA: Renée Martinez, Deputy City Manager 

RE: Five new telecommunications franchises

BACKGROUND & SUMMARY:

Five proposed new telecommunications franchises are presented for governing body consideration. Each is proposed as a separate ordinance which, if enacted, will become an appendix in city code. The applicants are:

Broadband Network of New Mexico, LLC., which plans to install poles in public rights-of-way for lease to telecommunications providers for antenna and fiber optic cable installations. The applicant must obtain a franchise before it may apply for city approval of any above-ground facilities in the rights-of-way.

Computer Network Service Professionals, dba NMSURF, a locally owned competitive telephone and Internet provider in Santa Fe. CNSP/NMSURF intends to provide fiber-to-the-premise at speeds ranging from 100 megabits per second to one gigabit per second to homes and businesses throughout the city.

Conterra Ultra Broadband LLC, which has entered an agreement with Santa Fe Public Schools to build and operate a fiber optic network connecting the district's 26 schools to central administration offices on Alta Vista Street. The project will be constructed under the auspices of the federal E-Rate grant program. Conterra also plans to operate the network commercially, providing Internet, Ethernet and dark fiber to telecom providers, businesses, schools, and governmental and non-governmental organizations.

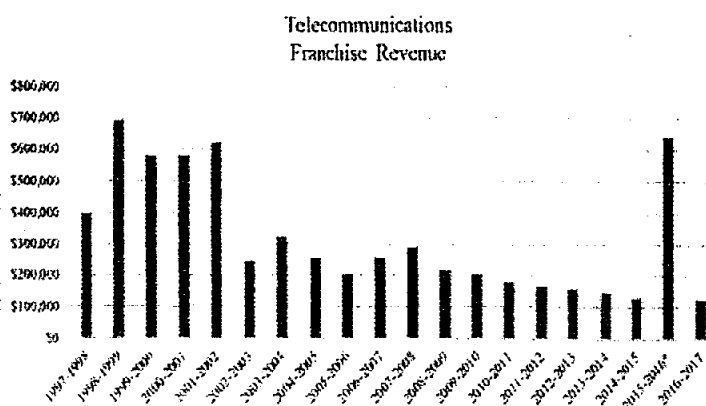
Cyber Mesa Computer Systems, Inc., a locally owned competitive telephone and Internet provider in Santa Fe. Cyber Mesa currently administers Santa Fe Fiber, a fiber optic network owned by the city and built under the 2012 CIP Bond program. Cyber Mesa offers wholesale and retail telephone, Internet, and Ethernet services.

Plateau Telecommunications, Inc., a rural cooperative based in Clovis with incumbent carrier status in eastern New Mexico. In 2011-12 Plateau installed underground fiber optic cable to Santa Fe under a grant from the federal Broadband Technologies Opportunities Program. Plateau currently provides wholesale backhaul services to REDI-Net and will provide wholesale and retail telephone, Internet and Ethernet services to businesses, schools and governmental and non-governmental institutions.

Under federal law the city must allow non-discriminatory access to telecommunications carriers to install facilities in the public rights-of-way. The proposed franchises are required under 27.2 SFCC 1987 and are consistent with the city's economic development goals of expanding commercial options for telecommunications throughout the city. Telecommunications facilities shall be installed underground to the maximum extent feasible (Section 27-2.19 SFCC 1987). However, the requirement to underground is subject to federal law. Thus, the requirement cannot have the purpose or effect of prohibiting telecommunications services.

The new franchises will require no new capital or operating expenditures and will generate no net increase in franchise fee revenue. Administration and enforcement of the new franchises will be performed by existing city staff; and total franchise fee revenue will continue to decline as new competition lowers the retail rates on which most of the fees are based.

As a baseline for evaluating fiscal impacts please see the bar chart below. It reveals a long downward trend in franchise fee revenue*. Much of the trend is explained by the gradual obsolescence of land line telephones. Up until now, cellular carriers have not installed facilities in the rights of way, hence have not been liable for franchise fees. Recently enacted state legislation will preempt the City's use of franchises for small wireless facilities effective September 1, 2018. Once the law is effective, the City and Broadband Network of New Mexico have agreed to treat the franchise as an agreement between the parties setting forth the rates, fees, and terms of the provider's use of the public rights of way, subject to the terms of the "Wireless Consumer Advanced Infrastructure Investment Act", Section 7. It is anticipated that the decline in franchise fee revenue will not reverse as a result of the new franchises.



RECOMMENDATION

Staff recommends adoption of the five draft ordinances described and attached.

* An exception is FY 2015-16 revenue which includes a one-time payment from Century Link for past-due amounts.



Council on April 11, 2018

Exhibit 3

**CITY COUNCIL MEETING OF
April 11, 2018
BILLS AND RESOLUTIONS SCHEDULED FOR INTRODUCTION
BY MEMBERS OF THE GOVERNING BODY**

Mayor Alan Webber		
Co-Sponsors	Title	Tentative Committee Schedule
	AN ORDINANCE AMENDING SECTION 4-2.1 SFCC 1987 TO REQUIRE A HEARING OFFICER CONDUCT HEARINGS ON ALCOHOL LICENSES AND PERMITS PRIOR TO CONSIDERATION BY THE GOVERNING BODY.	Public Works Committee - 4/23/18 Economic Development Advisory Committee - 5/1/18 Finance Committee - 4/30/18 City Council (request to publish) - 5/9/18 City Council (public hearing) - 6/13/18
Councilor Roman Tiger Abeyta		
Co-Sponsors	Title	Tentative Committee Schedule
Councilor Mike Harris		
Co-Sponsors	Title	Tentative Committee Schedule
	A RESOLUTION SUPPORTING THE AOPA FLY-IN EVENT AT THE SANTA FE REGIONAL AIRPORT ON SEPTEMBER 14-15, 2018.	Public Works Committee - 4/23/18 Finance Committee - 4/30/18 City Council - 5/9/18
	A RESOLUTION SUPPORTING THE SEVENTH ANNUAL NEIGHBOR TO NEIGHBOR FOOD DRIVE; AUTHORIZING THE USE OF CITY VEHICLES AND MANPOWER TO ASSIST WITH COLLECTION OF THE DONATIONS.	Finance Committee - 4/30/18 City Council - 5/9/18
Councilor Peter Ives		
Co-Sponsors	Title	Tentative Committee Schedule
Lindell	A RESOLUTION IN SUPPORT OF CONDEMNING COYOTE KILLING CONTESTS AND URGING THE NEW MEXICO LEGISLATURE TO PASS LEGISLATION PROHIBITING CONTESTS FOR THE PURPOSE OF KILLING COYOTES FOR PRIZES OR ENTERTAINMENT.	Finance Committee - 4/30/18 City Council - 5/9/18
	A RESOLUTION SUPPORTING THE ELIMINATION OF THE USE OF PLASTIC DRINKING STRAWS IN THE CITY OF SANTA FE.	Finance Committee - 4/30/18 City Council - 5/9/18

Councilor Signe Lindell		
Co-Sponsors	Title	Tentative Committee Schedule
	A RESOLUTION EXPRESSING SUPPORT FOR THE SANTA FE CIVIC HOUSING AUTHORITY'S APPLICATION FOR AFFORDABLE HOUSING PROGRAM FUNDS FROM THE FEDERAL HOME LOAN BANK FOR THE RENOVATION OF ITS VILLA CONSUELO PROPERTY.	Community Development Committee - 4/19/18 City Council - 4/25/18
Councilor Chris Rivera		
Co-Sponsors	Title	Tentative Committee Schedule
	A RESOLUTION PROCLAIMING SEVERE OR EXTREME DROUGHT CONDITIONS MAY EXIST IN THE CITY OF SANTA FE; IMPOSING FIRE RESTRICTIONS; RESTRICTING THE SALE OR USE OF FIREWORKS WITHIN THE CITY OF SANTA FE AND PROHIBITING OTHER FIRE HAZARD ACTIVITIES	Finance Committee - 4/16/18 Public Safety Committee - 4/17/18 City Council - 4/25/18
	A RESOLUTION REQUESTING THE MAYOR, CITY MANAGER TO CREATE A TASK FORCE REINFORCING A SAFE BICYCLE AND PEDESTRIAN FRIENDLY COMMUNITY; LOOKING INTO IMMEDIATE CHANGES THAT STRENGTHEN THE COMMITMENT AND IDENTIFICATION OF LONG TERM SAFETY CHANGES AND POTENTIAL LAW CHANGES THAT CAN IMPROVE SAFETY FOR ALL PEDESTRIANS AND BICYCLISTS IN THE CITY.	Bicycle and Trails Advisory Board – 4/18/18 Finance Committee – 4/30/18 Public Works Committee – 4/23/18 City Council - 5/9/18
Councilor Carol Romero-Wirth		
Co-Sponsors	Title	Tentative Committee Schedule
Councilor Renee Villarreal		
Co-Sponsors	Title	Tentative Committee Schedule
Councilor JoAnne Vigil-Coppler		
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 Linda Vigil at (505) 955-6501, lfvigil@santafenm.gov.

Council on April 11, 2018
Exhibit 4

CITY OF SANTA FE, NEW MEXICO
PROPOSED AMENDMENT(S) TO BILL NO. 2018-3
Internal Audit Department and Committee Changes (Substitute)

Mayor and Members of the City Council:

I propose the following amendment(s) to Bill No. 2018-3:

1. On page 2, line 9 *delete* "or" and *insert* "and" in lieu thereof
2. On page 4, line 19 *delete* "either"

Respectfully submitted,

Mike Harris, Councilor

ADOPTED: _____
NOT ADOPTED: _____
DATE: _____

Yolanda Y. Vigil, City Clerk