



Agenda

REGULAR MEETING OF
THE GOVERNING BODY
JULY 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 7/16/18 TIME 5:00 PM

SERVED BY Wendy E. Ryan

RECEIVED BY John Cullano

4. INVOCATION
5. ROLL CALL
6. APPROVAL OF AGENDA
7. APPROVAL OF CONSENT CALENDAR
8. APPROVAL OF MINUTES: Regular City Council Meeting – June 27, 2018
9. PRESENTATIONS

Muchas Gracias to the City of Santa Fe Fire Department Rapid Extrication Module Team – Rescue of Two Wildland Firefighters at the San Antonio Fire on June 19, 2018. (Chief Litzenberg)

10. CONSENT CALENDAR
 - a) Request for Approval of Amendment No. 6 to Professional Services Agreement in the Amount of \$216,829, Excluding NMGRT, for City ERP System Implementation Project Management Services (RFP 17/13/P); Berry Dunn McNeil & Parker, LLC. (Renee Martinez)
 - b) Request for Approval of Amendment No. 2 to Professional Services Agreement in the Amount of \$107,000 for the Development and Design of the Agua Fria/Cottonwood Intersection; Souder Miller, Inc. (David Quintana)
 - c) Request for Approval of Memorandum of Understanding in the Amount of \$182,943.41 for Project Manager Services Related to Severance Tax Bond Project A15-0170 – Luisa Senior Center; Santa Fe Civic Housing Authority. (Gino Rinaldi)



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- d) Request for Final Approval of the Sale and Vacation of Right-of-Way within Portions of the E. Alameda Right-of-Way Adjoining 1023 E. Alameda, 1109 E. Alameda and 1113 E. Alameda and Being Within Projected Section 30, T. 17 N., R. 10 E., N.M.P.M. Santa Fe County, NM Containing a Total of Approximately 260.65 Square Feet by Mark Little as Management Member of El Bosque Properties, LLC, Kemar Properties LLC, and East Alameda Properties LLC, Owners of the Tracts Respectively. (Matthew O'Reilly)
- e) Request for Approval of Lease Agreement for Telecommunication Use of an Existing, City-Owned Monopole Tower Located at the City of Santa Fe Water Division Property at 801 W. San Mateo Street Consisting of Approximately 184 Square Feet of Ground Space and Associated Air Rights; Verizon Wireless (VAW) LLC d/b/a Verizon Wireless. (Matthew O'Reilly)
- f) Request for Approval of Lease Agreement for Telecommunication Use of an Existing, City-Owned Lattice-Style Tower Located at the City of Santa Fe Fire Station #4 Property at 1130 Arroyo Chamiso Road Consisting of Approximately 180 Square Feet of Ground Space and Associated Air Rights; Verizon Wireless (VAW) LLC d/b/a Verizon Wireless. (Matthew O'Reilly)
- g) Request for Approval of Lease Agreement for Telecommunication Use of an Existing, City-Owned Monopole Tower Located at the City of Santa Fe Water Division Property at 1780 Upper Canyon Road Consisting of Approximately 84 Square Feet of Ground Space and Associated Air Rights; Verizon Wireless (VAW) LLC d/b/a Verizon Wireless. (Matthew O'Reilly)
- h) Request for Approval of Lease Agreement for Parking and Placement of Trash Enclosure on a Parcel of City-Owned Real Property Located Adjacent to the Southern Boundary of 906 S. St. Frances Drive and Containing 6,882 Square Feet; Sanchez Family Enterprises, LLC. (Matthew O'Reilly)
- i) Request for the Approval of Professional Services Agreement in the Total Amount of \$430,000 for 4 Years; Pre-Placement and Pre-Employment Physicals of Candidates Prior to Hiring; IMS Practice Management Group LLC – Dr. Joshua Brown, MD. (Gary Bartlett)



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- j) CONSIDERATION OF RESOLUTION NO. 2018-____. (Councilor Rivera)
A Resolution Amending Resolution 2016-36 to Increase the Fee Waiver for the Santa Fe Summer Series Held at HIPICO Santa Fe to Fifty Percent from Twenty-Five Percent. (Paul Babcock) **(Postponed to July 25, 2018)**
- k) CONSIDERATION OF RESOLUTION NO. 2018-____. (Councilor Rivera, Councilor Villarreal, Councilor Lindell and Councilor Harris)
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. (Porfirio Chavarria and Reynaldo Gonzales)
- l) Request for Approval of Amendment No. 7 to the Project Management and Fiscal Services Agreement for Buckman Direct Diversion Project to Increase the Monetary Authority for Administrative Approval of Contracts from \$50,000 to \$60,000. (Nancy Long)
- m) Request for Approval of Budget Amendment for Northwest Quadrant Trails 2008 Bond Fund. (Leroy Pacheco) **(Postponed to July 25, 2018)**
- 11. Request for Approval of Option for Augmented River Flow in Support of the Santa Fe River Greenway Project. (Andrew Erdmann and Melissa McDonald) **(Postponed on June 13, 2018)**
- 12. CONSIDERATION OF RESOLUTION NO. 2018-____. (Councilor Lindell, Councilor Villarreal, Councilor Rivera and Councilor Ives)
A Resolution Regarding Resolution 2017-77, the Municipal Drug Strategy Task Force, to Extend the Duration of the Task Force for Eight Months from the Date of Appointment of a Majority of Members of the Task Force. (Julie Sanchez)
- 13. Request to Publish Notice of Public Hearing on August 8, 2018:
BILL NO. 2018-14. An Ordinance Relating to the City of Santa Fe Uniform Traffic Ordinance; Amending Section 12-9-3.9 Regarding the Failure to Properly Display a Parking Placard as a Defense Against a Charge of Violation of the Subsection; and Amending Subsection 12-9-4.5(B) to Allow for a Reduced Deposit for First Time Offenders of a Designated ADA Accessible Parking Violation Who Request an Administrative Hearing. (Councilor Lindell, Councilor Romero-Wirth and Councilor Villarreal) (Rick Word)
- 14. Request for Approval of the City of Santa Fe Comprehensive Annual Financial Report for Fiscal Year Ending June 30, 2017, Pursuant to State Audit Rule 2012, 2.2.2. NMAC; CliftonLarsonAllen LLP. (Bradley Fluetsch)



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15. MATTERS FROM THE CITY MANAGER

16. MATTERS FROM THE CITY ATTORNEY

EXECUTIVE SESSION (Geno Zamora)

a) In Accordance with the New Mexico Open Meetings Act §10-15-1(H)(2) NMSA 1978, Discussion Regarding Limited Personnel Matters, Appointment of Yolanda Y. Vigil as the City Clerk.

b) In Accordance with the New Mexico Open Meetings Act §10-15-1(H)(8) NMSA 1978, Discussion Regarding Status of Collective Bargaining Negotiations.

17. Request for Approval of Appointment and Professional Services Agreement for Yolanda Y. Vigil as the City Clerk. (Mayor Webber)

18. Action Regarding Collective Bargaining Negotiations. (Geno Zamora)

19. MATTERS FROM THE CITY CLERK

20. COMMUNICATIONS FROM THE GOVERNING BODY

EVENING SESSION – 7:00 P.M.

A. CALL TO ORDER

B. PLEDGE OF ALLEGIANCE

C. SALUTE TO THE NEW MEXICO FLAG

D. INVOCATION

E. ROLL CALL

F. PETITIONS FROM THE FLOOR

G. APPOINTMENTS



Agenda

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

H. PUBLIC HEARINGS:

- 1) Request from Verde Food Company for a Restaurant Liquor License (Beer and Wine) with On-Premise Consumption Only, to be Located at Verde Organic Café & Juice, 851 W. San Mateo, Suite 7. (Yolanda Y. Vigil)
- 2) Request from Zolo MGL, Inc., for a Restaurant Liquor License (Beer and Wine) with On-Premise Consumption Only, to be Located at Izmi Sushi Bar, 105 E. Marcy Street, Suite A. (Yolanda Y. Vigil)
- 3) CONSIDERATION OF BILL NO. 2018-13: ADOPTION OF ORDINANCE NO. 2018-____. (Councilor Lindell)
An Ordinance Authorizing the Sale of Approximately 0.059 Acres of Real Property Adjoining the Northerly Boundary of 436 Cerrillos Road and 423(425) Sandoval Street and Described as "Tract C" as Shown and Delineated on a Survey Entitled, "Plat of Survey for PBS Limited Liability Co." Prepared by Smith Williamson & Associates, Richard E. Smith, N.M.P.S. No. 5837, Dated February 8, 2000, Lying and Being Situated Within the City and County of Santa Fe, New Mexico. (Matthew O'Reilly)

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
July 11, 2018**

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1. Call to Order	Convened at 5:00 p.m.	1
5. Roll Call	Quorum Present	1
6. Approval of Agenda	Approved as amended	1-2
7. Approval of Consent Agenda	Approved as presented	2
8. Approval of Minutes - June 27, 2018	Approved as amended	2-3
9. Presentations	Postponed to July 25	3
10. Consent Calendar Listing	Listed	3-5
11. Augmented River Flow	Postponed to August 29	5
12. Drug Task Force Term Extension	Approved	5
13. Traffic Ordinance Amendment	Approved	5-6
14. CAFR Report	Approved	6-8
15. Matters from the City Manager	Reported	8
16. Matters from the City Attorney	Executive Session	9
Evening Session at 7:00 p.m.	Quorum Present	9
17. Appointment of Yolanda Vigil as City Clerk	Approved	10
18. Collective Bargaining Negotiations	Not considered	10
19. Matters from the City Clerk	None	10
20. Communications with the Governing Body	Comments	11-12
F. Petitions from the Floor	Petitions made	12-13
G. Appointments	None	13
H. Public Hearings		
1) Verde Food Company Liquor License	Approved	13-14
2) Zolo MGL Liquor License	Approved	14
3) Sale of Land	Approved	15
I. Adjournment	Adjourned at 7:34 pm	16

**MINUTES OF THE
REGULAR MEETING OF THE
GOVERNING BODY
Santa Fe, New Mexico
July 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, July 11, 2018, at approximately 5:01 p.m., in the Santa Fe City Council Chambers, 200 Lincoln Avenue, Santa Fe, New Mexico. 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 Mike Harris
Councilor Peter N. Ives
Councilor Carol Romero-Wirth
Councilor JoAnne Vigil Coppler
Councilor Renee D. Villarreal

Members Excused

Councilor Roman "Tiger" Abeyta
Councilor Christopher M. Rivera

Others Attending

Erik Litzenberg, Interim City Manager
Geno Zamora, Interim City Attorney
Yolanda Y. Vigil, City Clerk
Carl Boaz, Council Stenographer

6. APPROVAL OF AGENDA

Ms. Vigil said Item 9, Presentations, is postponed to July 25 because the team is out on a call now, delete Item k because the recent rain has improved the weather conditions. It will be on the next agenda if needed. Item 11 is postponed to August 29, 2018.

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

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

7. APPROVAL OF CONSENT CALENDAR

There were no consent cases pulled for discussion

MOTION: Councilor Vigil Coppler moved, seconded by Councilor Ives, to approve the following Consent Calendar, as amended with item 10(k) removed.

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

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

Against: None.

8. APPROVAL OF MINUTES: Regular City Council Meeting – June 27, 2018

Councilor Vigil Coppler requested changes in the minutes first on page 12 in the second paragraph where “tribal conversation” should be “Entrada conversation.” The next on page 15, last line which should said Councilor Vigil Coppler was not content with it. On page 18, in the first motion “Harris” should be deleted. On page 20, her pronoun should be “she” and not “he.”

There were no other requested changes to the minutes.

MOTION: Councilor Lindell moved, seconded by Councilor Harris, to approve the Minutes of June 27, 2018 as amended.

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

A woman from the audience (later identified as Nicoletta Munroe) asked to correct the minutes and explained that an address in the minutes was incorrect.

Mayor Webber did not believe it worked that way and asked Mr. Zamora about the process here for amendments from the Floor that the Governing Body just adopted.

Mr. Zamora said it is up to the Governing Body make the amendments to the minutes. It would have been appropriate for the public to bring forward changes to the City Clerk or to one of the Councilors so that the proposed change could be in the packet. It could also be brought up under Petitions from the Floor. At that time, someone who voted in the majority could vote to reconsider the minutes.

Counselor Ives, as the parliamentarian concurred with Mr. Zamora. There really is no opportunity for public comment on those minutes under our rules, unless brought up by a member of the Governing Body. It would also be possible under Petitions from the Floor.

The woman asked if she could bring it up as a petition either at the next meeting or if she was postponed until 7:00. Mayor Webber agreed.

9. PRESENTATIONS

Muchas Gracias to the City of Santa Fe Fire Department Rapid Extrication Module Team – Rescue of Two Wildland Firefighters at the San Antonio Fire on June 19, 2018 (Chief Litzenberg)

This item was postponed under the Approval of the Agenda.

10. CONSENT CALENDAR

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

- a) Request for Approval of Amendment No. 6 to Professional Services Agreement in the Amount of \$216,829, Excluding NMGRT, for City
- b) Request for Approval of Amendment No. 2 to Professional Services Agreement in the Amount of \$107,000 for the Development and Design of the Agua Fria/Cottonwood Intersection; Souder Miller, Inc. (David Quintana)
- c) Request for Approval of Memorandum of Understanding in the Amount of \$182,943.41 for Project Manager Services Related to Severance Tax Bond Project A15-0170 – Luisa Senior Center; Santa Fe Civic Housing Authority. (Gino Rinaldi)

- d) Request for Final Approval of the Sale and Vacation of Right-of-Way within Portions of the E. Alameda Right-of-Way Adjoining 1023 E. Alameda, 1109 E. Alameda and 1113 E. Alameda and Being Within Projected Section 30, T. 17 N., R. 10 E., N.M.P.M. Santa Fe County, NM Containing a Total of Approximately 260.65 Square Feet by Mark Little as Management Member of El Bosque Properties, LLC, Kemar Properties LLC, and East Alameda Properties LLC, Owners of the Tracts Respectively. (Matthew O'Reilly)
- e) Request for Approval of Lease Agreement for Telecommunication Use of an Existing, City-Owned Monopole Tower Located at the City of Santa Fe Water Division Property at 801 W. San Mateo Street Consisting of Approximately 184 Square Feet of Ground Space and Associated Air Rights; Verizon Wireless (VAW) LLC d/b/a Verizon Wireless. (Matthew O'Reilly)
- f) Request for Approval of Lease Agreement for Telecommunication Use of an Existing, City-Owned Lattice-Style Tower Located at the City of Santa Fe Fire Station #4 Property at 1130 Arroyo Chamiso Road Consisting of Approximately 180 Square Feet of Ground Space and Associated Air Rights; Verizon Wireless (VAW) LLC d/b/a Verizon Wireless. (Matthew O'Reilly)
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- h) Request for Approval of Lease Agreement for Parking and Placement of Trash Enclosure on a Parcel of City-Owned Real Property Located Adjacent to the Southern Boundary of 906 S. St. Frances Drive and Containing 6,882 Square Feet; Sanchez Family Enterprises, LLC. (Matthew O'Reilly)
- i) Request for the Approval of Professional Services Agreement in the Total Amount of \$430,000 for 4 Years; Pre-Placement and Pre-Employment Physicals of Candidates Prior to Hiring; IMS Practice Management Group LLC – Dr. Joshua Brown, MD. (Gary Bartlett)
- j) CONSIDERATION OF RESOLUTION NO. 2018-45. (Councilor Rivera) A Resolution Amending Resolution 2016-36 to Increase the Fee Waiver for the Santa Fe Summer Series Held at HIPICO Santa Fe to Fifty Percent from Twenty-Five Percent. (Paul Babcock) **(Postponed to July 25, 2018)**
- k) Deleted from the Agenda
- l) Request for Approval of Amendment No. 7 to the Project Management and Fiscal Services Agreement for Buckman Direct Diversion Project to Increase

the Monetary Authority for Administrative Approval of Contracts from \$50,000 to \$60,000. (Nancy Long)

m) Request for Approval of Budget Amendment for Northwest Quadrant Trails 2008 Bond Fund. (Leroy Pacheco) **(Postponed to July 25, 2018)**

11. Request for Approval of Option for Augmented River Flow in Support of the Santa Fe River Greenway Project. (Andrew Erdmann and Melissa McDonald) **(Postponed on June 13, 2018)**

This item was postponed to August 29, 2018 under Approval of the Agenda.

12. CONSIDERATION OF RESOLUTION NO. 2018-46. (Councilor Lindell, Councilor Villarreal, Councilor Rivera and Councilor Ives)
A Resolution Regarding Resolution 2017-77, the Municipal Drug Strategy Task Force, to Extend the Duration of the Task Force for Eight Months from the Date of Appointment of a Majority of Members of the Task Force. (Julie Sanchez)

MOTION: Councilor Lindell moved, seconded by Councilor Ives, to approve the Resolution.

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

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

Against: None.

13. Request to Publish Notice of Public Hearing on August 8, 2018:
BILL NO. 2018-14. An Ordinance Relating to the City of Santa Fe Uniform Traffic Ordinance; Amending Section 12-9-3.9 Regarding the Failure to Properly Display a Parking Placard as a Defense Against a Charge of Violation of the Subsection; and Amending Subsection 12-9-4.5(B) to Allow for a Reduced Deposit for First Time Offenders of a Designated ADA Accessible Parking Violation Who Request an Administrative Hearing. (Councilor Lindell, Councilor Romero-Wirth and Councilor Villarreal) (Rick Word)

MOTION: Councilor Lindell moved, seconded by Councilor Vigil Coppler, to approve the amendments to be published.

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

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

Against: None.

- 14.** Request for Approval of the City of Santa Fe Comprehensive Annual Financial Report for Fiscal Year Ending June 30, 2017, Pursuant to State Audit Rule 2012, 2.2.2. NMAC; CliftonLarsonAllen LLP. (Bradley Fluetsch)

Mr. Fluetsch introduced Ms. Laura Beltran-Schmitz from the Auditors to present the CAFR Audit report.

Ms. Laura Beltran Schmitz thanked the Governing Body for allowing her to present this report. She said the Counselors should have a copy of her summary report in front of them. She said this includes the required communication auditors are required to present as the Governing Body. The formal exit conference was accomplished on June 24. A couple of Counselors and others were at the exit conference. She met with the Finance Committee last Monday on July 2. With this meeting we have complied with the New Mexico Audit Statute.

She stated the purpose, which is to render an opinion on the City's CAFR in their review and findings, significant policies, etc. she reported that there were significant audit adjustments that were made to discuss. She commented on the significant delay in finishing the audit due to delays in providing information from the City. The information provided resulted in numerous journal entries but also required additional test work. The increase amounted to about \$49 million of entries they were required to record and test.

She explained that past entries meant they were not material and required no adjustments. There was one that they plan to revisit this coming year. Removal of that injury resulted in about \$184,000 difference. It is not reflected in the statements because it was from the past. She was required to disclose that.

Using a power point presentation, she reviewed other details of the audit. She identified in the findings that there were multiple trial balances. There were delays in the PBC tasks and schedules that had to constantly change and impacted their audit work. It also caused the auditors to have to do much of that work that they had already done and caused them to be late with the report. She read the other required statements that conformed with the Audit Statute. The City did sign a statement that they had provided everything requested by the auditors.

The auditors render the opinions on balances and statements in the CAFR. They issued a modified opinion related to capital assets and a clean opinion on the remainder. The balances for capital assets prevented them from giving a clean opinion to the City.

There were other schedules provided that supported the balances on the statement.

Ms. Beltran-Schmitz went through the findings with the Councilors that began on page 238 in the full audit report. She identified the findings that included failure to reconcile on a regular basis. Another section was material weaknesses that began on page 244 regarding accounts receivable, many of which affected the rest of the audit. It resulted in balances that were quite large. They identified an adjustment in public utilities of about \$1 million where customer accounts were overstated by \$1 million. Findings on capital assets began on page 243. Although project balances are satisfactory, there was inadequate tracking from beginning to the completion of projects in multiple places.

In the physical observation, there were assets that could not be located. Management refused to sign the letter that stated that management had reviewed assets and that became part of the basis for the modified opinion.

There were three significant deficiencies found and those start on page 246. The included internal controls over information technology processes. Federal funding was a deficiency regarding cash management, lack of our ability to test and verify that there was a review process submitted to the federal government. There needs to be evidence for review and testing. Allowable costs that included payroll and non-payroll disbursements were another deficiency. Some of them were not allowable costs that could be charged to this program. Others should have been included in indirect costs.

She described the other findings that did not rise to significant status. They took the absence of staff in the parking booth as a serious one. She was aware that the city is taking steps to improve cash handling by staff members through training and policies.

She also identified Lodgers Tax and Purchasing as other concerns, as well as payroll time sheets not being reviewed and signed off. Budgeting was also a finding.

She shared definitions of terms used in the audit process. The Federal portion of the audit had an unmodified opinion.

She welcomed questions on her report.

Councilor Ives asked Mr. Fluetsch about overages paid out whether they were corrected with the fourth quarter BARs.

Mr. Fluetsch said no. He explained that the fourth quarter BAR had to be done by July 31st and given to DFA by State Statute. The City was still making adjustments in August. Once turned into DFA, the City cannot go back and make any adjustments to fix it. This has been a finding every year since 2006. It is a structural issue because of the DFA reporting. He is working on finding a way to make that finding go away.

MOTION: Councilor Ives moved, seconded by Councilor Lindell, to approve the report

VOTE: The motion was approved on a roll call vote as follows:

FOR: Mayor Webber, Councilor Harris, Councilor Ives, Councilor Lindell, Councilor Romero-Wirth, Councilor Vigil Coppler and Councilor Villarreal.

Against: None

15. MATTERS FROM THE CITY MANAGER

Mr. Litzenberg had two matters, both of which had been communicated by email to the Governing Body. The first was an organizational assessment that will be done with Mr. Robert Gertha. A preliminary schedule was sent out and feedback to Ms. Valentine was received for changes to be made. He asked those who needed changes to let Ms. Valentine know quickly.

The second matter was the concept of early notification for agenda items to get the best answers at the meetings. It is a work in progress and will begin soon.

16. MATTERS FROM THE CITY ATTORNEY

EXECUTIVE SESSION (Geno Zamora)

Mr. Zamora recommended the Governing Body go into Executive Session for the following two purposes.

- a) In Accordance with the New Mexico Open Meetings Act §10-15-1(H)(2) NMSA 1978, Discussion Regarding Limited Personnel Matters, Appointment of Yolanda Y. Vigil as the City Clerk.
- b) In Accordance with the New Mexico Open Meetings Act §10-15-1(H)(8) NMSA 1978, Discussion Regarding Status of Collective Bargaining Negotiations.

MOTION: Councilor Lindell moved, seconded by Councilor Ives, that the Governing Body go into executive session to discuss the matters listed on the agenda, in accordance with the recommendation of the City Attorney

VOTE: The motion was approved on a roll call vote as follows:

FOR: Mayor Webber, Councilor Harris, Councilor Ives, Councilor Lindell, Councilor Romero-Wirth, Councilor Vigil Coppler and Councilor Villarreal.

Against: None

The Governing Body entered into executive session at approximately 5:44 p.m.

The executive session ended at 6:48 p.m.

EVENING SESSION – 7:00 P.M.

A-E. CALL TO ORDER AND ROLL CALL

The regular meeting of the Governing Body of the City of Santa Fe, New Mexico, was called back to order by Mayor Alan Webber, on Wednesday, June 27, 2018, at approximately 7:00 p.m., in the City Council Chambers.

Present at the meeting were:

Members Present

Mayor Alan Webber
Councilor Mike Harris
Councilor Peter N. Ives
Councilor Carol Romero-Wirth
Councilor JoAnne Vigil Coppler
Councilor Renee D. Villarreal

Members Excused

Councilor Roman "Tiger" Abeyta
Councilor Signe I. Lindell, Mayor Pro-Tem
Councilor Christopher M. Rivera

Others Attending

Erik Litzenberg, Interim City Manager
Geno I. Zamora, Interim City Attorney
Yolanda Y. Vigil, City Clerk
Carl G. Boaz, Council Stenographer

RETURN TO OPEN SESSION

MOTION: Councilor Villarreal moved, seconded by Councilor Ives, to return to open session. Councilor Villarreal stated for the record that the only matters discussed in closed session were those listed on the agenda and no actions were taken.

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

For: Mayor Webber, Councilor Harris, Councilor Ives, Councilor Romero-Wirth, Councilor Vigil Coppler and Councilor Villarreal.

Against: None.

17. Request for Approval of Appointment and Professional Services Agreement for Yolanda Y. Vigil as the City Clerk. (Mayor Webber)

MOTION: Councilor Ives moved, seconded by Councilor Villarreal to approve the appointment and PSA for Yolanda Y. Vigil as Santa Fe City Clerk.

DISCUSSION ON THE MOTION:

Councilor Ives asked about the salary and what increase there would be.

Mr. Litzenberg explained that the salary is \$100,500 and stated how that amount was reached. The previous year's salary was increased by 2% which was the increase given to other City employees.

There was no other discussion on the motion.

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

FOR: Councilor: Mayor Webber. Councilor Harris, Councilor Romero-Wirth, Councilor Vigil Coppler and Councilor Villarreal.

Against: None.

18. Action Regarding Collective Bargaining Negotiations. (Geno Zamora)

No action was taken on this item.

18. MATTERS FROM THE CITY CLERK

There were no matters from the City Clerk.

19. COMMUNICATIONS FROM THE GOVERNING BODY

A listing of the Bills and Resolutions Scheduled for Introduction by Members of the Governing Body is incorporated herewith to these minutes as Exhibit "2."

Councilor Harris acknowledged the success of the Fourth of July celebration in Santa Fe on the South Side from neighborhoods including Nava Adé with support from the Police Department and changes in the firing zone. He shared the comments from a neighbor lauding the City for support, time and dedication on the holiday. Ray Sandoval also thanked him for the positive feedback (Kiwanis Club).

Councilor Romero-Wirth introduced a resolution for the City election to be held concurrently with the County election on November 6, 2018 for the purpose of voting on a charter amendment that would hold elections in November of odd numbered years. She added that Councilor Lindell had also wanted to be included as a co-sponsor of her resolution on the election.

Councilor Ives joined in Councilor Romero-Wirth's item, the item to be introduced by the Mayor and the item by Councilor Villarreal.

Councilor Vigil Coppler said she received feedback on the rest rooms at Ft. Marcy Park and didn't know how long they would be out of commission. She asked the City to do a better job in having the rest rooms available for the events that include people from out of town to the games. Perhaps portables could be utilized during the time they are closed and some communication to the public about when they will be completed and reopened.

Councilor Ives, in response to that communication, had a conversation with senior staff this morning and heard that the t-shirt that was jammed into a toilet had been removed so the two restrooms are now open, and they will make sure the portables are cleaned within 24 hours after an event there.

Councilor Villarreal expressed her concern on the Fort Marcy restrooms also. She is co-sponsoring the item brought by Councilor Romero-Wirth and Mayor Webber's resolution. She is introducing a resolution for the reauthorization and full funding of the Land and Water Conservation Fund.

Mayor Webber will introduce a resolution putting the City firmly in opposition to President Trumps intention to put an item regarding citizenship in the 2020 Census. There are a large number of issues that will affect us directly. He attended the Immigration Committee last night and we continue to deal with the enforcement by ICE in Santa Fe, upsetting many Santa Fe residents. He will be asking the Governing Body to put it on record of opposition. He also seconded the comments of the great events on

July 4th, starting with Pancakes on the Plaza by Rotary; then to the Kiwanis concert with fireworks that came off very well. He was thankful for the great spirit of Santa Fe citizens and thanks to the people who did such a great job on planning and putting on the events.

Councilor Villarreal echoed those comments. She received a lot of very positive feedback regarding July Fourth events.

Councilor Harris announced the first event at the mid-town (former SFAUD) campus. He and Councilor Vigil Coppler will be there. The movie, *Willie Wonka*, will be shown in the band shell. It is a good family event to attend.

Mayor Webber agreed. He noted that 300 people attended the movie, *Jumanji*, at SWAN Park and is evidence of the way people are connecting with good entertainment in a good atmosphere.

F. PETITIONS FROM THE FLOOR

Mayor Webber explained that Petitions from the Floor are limited to matters that are not on the agenda. He gave a two-minute time limit to each petitioner.

Ms. Linda Frances added her feedback on July 4th. The downtown staff fell down on the job at Marcy and Lincoln where stacks of cardboard (broken down) had been put in the street to be picked up, but they were not picked up and looked bad for the City.

Ms. Nicoletta Munroe addressed the problem with the last minutes, on page 21, she noted an address of 632 Agua Fria for the Railyard Art Gallery, which was incorrect in the minutes. She also commented regarding the College of Santa Fe a concern about asset management (1874). She shared a history of the college there and is the oldest college in New Mexico. The City owns the property and has a debt obligation. She suggested continuing the college with an emphasis on film making and writing, preserving the facility as a private traditional college. Preserving the school is the most cost-effective solution and doesn't require an architect or demolition of buildings. Please consider preserving the college.

Ms. Stefanie Beninato wanted to thank Mr. Rodriguez for the City's repair of the sewer line at her right-of-way. He came back the next day and assured her that they would provide a permanent repair soon, after making a temporary repair. She also asked for a meeting with the new City Attorney and the City Manager to prove her claim against the City of common nuisance and condemnation. Her lawsuit was against an unethical support of unethical things done. It was at the Challah Center. She had been accused of hiring Drainworks to camera her drain which was a lie. The problem was not on her property. She held up a receipt that showed a different address. There was no copy of the original report and she believed Josh Harris and David Pike had used a fraudulent document. We are wasting tax payers' money with this.

Mr. Loveless Johnson III said he was here to help Santa Fe get ahead of the curve, given the efforts of law enforcement who engage in racist behavior removing people of color from neighborhoods. He said it costs extra money for them to do it and was unfair. We have to stop subsidizing racist efforts and requested that a Councilor introduce an ordinance to prevent it from happening and set an example to the nation for real justice.

There were no other petitions.

G. APPOINTMENTS

There were no appointments.

H. PUBLIC HEARINGS

- 1) Request from Verde Food Company for a Restaurant Liquor License (Beer and Wine) with On-Premise Consumption Only, to be Located at Verde Organic Café & Juice, 851 W. San Mateo, Suite 7. (Yolanda Y. Vigil)

Ms. Vigil described this request, explaining that the license is only for beer and wine for on-premise consumption and is located at 851 W. San Mateo, Suite 7. The location is not within 300 feet of church or school. The applicant is required to comply with all City regulations and ordinances.

Mayor Webber opened the public hearing.

Ms. Stefanie Beninato, P. O. Box 1601, was sworn. She requested a city map that shows all license locations and indicates the type of license they have. She hoped a Councilor would make the request for a map, so the Governing Body could look at the map when a new applicant files for a liquor license. She commented an almost collision with a motorist driving through an intersection against a red light and she was on her bicycle and was lucky to avoid getting hit. We have a huge DWI problem. In terms of distributing resources, such a map would not be onerous.

The Applicant, Ms. Kelly Egoff, owner, said they have been in Santa Fe for over four years making juice and opened an eating establishment and now want to serve wine or beer with their meals.

There were no other speakers from the public and the public hearing was closed.

MOTION: Councilor Ives moved, seconded by Councilor Villarreal to approve the license application of Verde Foods.

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

FOR: Councilor: Mayor Webber. Councilor Harris, Councilor Romero-Wirth, Councilor Vigil Coppler and Councilor Villarreal.

Against: None.

- 2) Request from Zolo MGL, Inc., for a Restaurant Liquor License (Beer and Wine) with On-Premise Consumption Only, to be Located at Izmi Sushi Bar, 105 E. Marcy Street, Suite A. (Yolanda Y. Vigil)

Ms. Vigil described the request and explained that the license is for beer and wine on-premise consumption only. There are no churches or schools within 300 feet of the location at 105 E. March Street, Suite A. She recommended approval, subject to the condition that the applicant comply with all City regulations and ordinances.

Mayor Webber opened the public hearing.

There were no speakers from the public and the public hearing was closed.

MOTION: Councilor Vigil Coppler moved, seconded by Councilor Ives, to approve the request for liquor license as presented.

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

FOR: Councilor: Mayor Webber. Councilor Harris, Councilor Romero-Wirth, Councilor Vigil Coppler and Councilor Villarreal.

Against: None.

- 3) **CONSIDERATION OF BILL NO. 2018-13: ADOPTION OF ORDINANCE NO. 2018-14.** (Councilor Lindell)
An Ordinance Authorizing the Sale of Approximately 0.059 Acres of Real Property Adjoining the Northerly Boundary of 436 Cerrillos Road and 423(425) Sandoval Street and Described as "Tract C" as Shown and Delineated on a Survey Entitled, "Plat of Survey for PBS Limited Liability Co." Prepared by Smith Williamson & Associates, Richard E. Smith, N.M.P.S. No. 5837, Dated February 8, 2000, Lying and Being Situated Within the City and County of Santa Fe, New Mexico. (Matthew O'Reilly)

Mr. O'Reilly explained the request for sale was provisionally approved by the Finance Committee earlier. He recommended approval.

Mayor Webber opened this matter for public hearing.

Ms. Stefanie Beninato was again sworn. She believed \$83/acre was more appropriate as an appraisal for a commercial property. She made comments about the prices of property in Santa Fe and guessed this price was okay.

There were no other comments from the public and the public hearing was closed.

MOTION: Councilor Ives moved, seconded by Councilor Vigil Coppler, to approve the ordinance as presented.

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

FOR: Councilor: Mayor Webber, Councilor Harris, Councilor Romero-Wirth, Councilor Vigil Coppler and Councilor Villarreal.

Against: None.

Councilor Ives asked to reconsider the approval of the June 27, 2018 minutes.

MOTION: Councilor Ives moved, seconded by Commissioner Villarreal, to reconsider the minutes of June 27, 2018 on page 21 under comments by Nicoletta Munroe where it references 1602 Agua Fria and should state "632 Agua Fria."

Ms. Vigil clarified that the motion to reconsider is a roll call motion.

VOTE: The motion to reconsider the minutes passed by the following roll call vote:

For: Mayor Webber, Councilor Harris, Councilor Ives, Councilor Romero-Wirth, Councilor Vigil Coppler and Councilor Villarreal.

Against: None.

Councilor Ives asked Mr. Zamora if a separate motion to reconsider is required.

Mr. Zamora agreed.

MOTION: Councilor Ives moved, seconded by Councilor Villarreal, to approve the minutes of June 27, 2018 as amended in his previous motion to change the address on page 21 to "632 Agua Fria."

VOTE: The motion to approve the minutes passed by the following roll call vote:

For: Mayor Webber, Councilor Harris, Councilor Ives, Councilor Romero-Wirth, Councilor Vigil Coppler and Councilor Villarreal.

Against: None.

I. ADJOURN

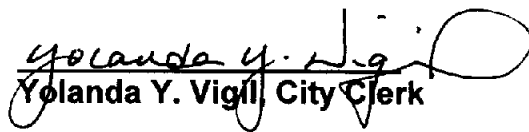
Having completed the agenda and with no further business to come before the Governing Body, the meeting was adjourned at approximately 7:34 p.m.

Approved by:



Mayor Alan Webber

ATTESTED TO:



Yolanda Y. Vigil, City Clerk

Respectfully submitted:



Carl G. Boaz, Council Stenographer

ACTION SHEET ITEM # 10(b)
 ITEM FROM THE
 PUBLIC WORKS/CIP AND LAND USE COMMITTEE MEETING
 OF
 MONDAY, JULY 9, 2018

ITEM 9

CIP PROJECT #853B – AGUA FRIA ST./COTTONWOOD DRIVE INTERSECTION SAFETY IMPROVEMENTS PROJECT – RFP NO. 16/16/P

- REQUEST FOR APPROVAL OF THE SECOND AMENDMENT TO COOPERATIVE PROJECT AGREEMENT WITH THE NEW MEXICO DEPARTMENT OF TRANSPORTATION TO INCREASE DESIGN FUNDING BY \$57,000 AND INCREASE RIGHT OF WAY FUNDING BY \$50,000 FOR A TOTAL OF \$107,000
- REQUEST FOR APPROVAL TO EXTEND THE TERMINATION DATE OF COOPERATIVE PROJECT AGREEMENT FROM SEPTEMBER 30, 2018, TO DECEMBER 31, 2018 (DAVID QUINTANA)

PUBLIC WORKS COMMITTEE ACTION: Approved as discussed

FUNDING SOURCE:

SPECIAL CONDITIONS / AMENDMENTS / STAFF FOLLOW UP:

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



EXHIBIT "2"

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

Mayor Alan Webber		
Co-Sponsors	Title	Tentative Committee Schedule
	A RESOLUTION IN OPPOSITION TO THE TRUMP ADMINISTRATION'S EFFORTS TO INCLUDE A QUESTION REGARDING CITIZENSHIP ON THE 2020 CENSUS; ENCOURAGING CONCERNED CITIZENS TO EXPRESS THEIR OPINION DURING THE PUBLIC COMMENT PERIOD; AND FORWARDING A COPY OF THIS RESOLUTION TO THE NEW MEXICO CONGRESSIONAL DELEGATION URGING THEM TO OPPOSE THE INCLUSION OF A CITIZENSHIP QUESTION ON THE 2020 CENSUS.	Finance Committee – 7/30/18 City Council – 8/8/18
Councilor Roman Tiger Abeyta		
Co-Sponsors	Title	Tentative Committee Schedule
Councilor Mike Harris		
Co-Sponsors	Title	Tentative Committee Schedule
Councilor Peter Ives		
Co-Sponsors	Title	Tentative Committee Schedule
Councilor Signe Lindell		
Co-Sponsors	Title	Tentative Committee Schedule
Councilor Chris Rivera		
Co-Sponsors	Title	Tentative Committee Schedule
Councilor Carol Romero-Wirth		
Co-Sponsors	Title	Tentative Committee Schedule

Councilor Renee Villarreal		
Co-Sponsors	Title	Tentative Committee Schedule
	A RESOLUTION IN SUPPORT OF REAUTHORIZATION OF AND FULL FUNDING FOR THE LAND AND WATER CONSERVATION FUND.	Public Works Committee – 7/23/18 City Council – 8/8/18
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.