



Agenda

REGULAR MEETING OF
THE GOVERNING BODY
OCTOBER 10, 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
4. INVOCATION
5. ROLL CALL
6. APPROVAL OF AGENDA
7. APPROVAL OF CONSENT CALENDAR
8. APPROVAL OF MINUTES: Regular City Council Meeting – September 26, 2018
9. PRESENTATIONS
 - a) Proclamation – Pat Holmes Day – October 10, 2018; Induction into the New Mexico Boxing Hall of Fame Class of 2018. (Councilor Abeyta)
10. CONSENT CALENDAR
 - a) Request for Approval of Budget Amendment in the Total Amount of \$225,000 for a New and Additional Visual Art and Museum Marketing Program; Tourism Santa Fe. (Randy Randall, Director, Tourism Santa Fe, rrrandall@santafenm.gov, 955-6209)
 - b) Request for Approval of Amendment No. 1 to State Issued Severance Tax Bond Agreement to Streamline the Reporting and Payment Process for Five Legislative Appropriated Grant Agreements: 15-0857, 15-0860, 16-A4088, 16-A2510 and 17-B4106. (David A. Chapman, Grant Administrator – Writer, dachapman@santafenm.gov, 955-6824)
 - c) Request for Approval of Service Agreement Using NM State Price Agreement No. 70-000-16-00014 AJ in the Total Amount of \$100,850, Including GRT, for Repair and Maintenance of City Land Mobile Radio System; Motorola Solutions, Inc. (Larry Worstell, ITT Infrastructure Manager, lfworstell@santafenm.gov, 955-5580)

RECEIVED AT THE CITY CLERK'S OFFICE

DATE: October 5, 2018

TIME: 3:45 p.m.



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- d) Request for Approval to Enter Into a Joint Powers Agreement to Become a Participating Entity to Obtain Competitive Prices and Services; Sourcewell Formerly Known as National Joint Powers Alliance. (Yodel Catanach, ITT Contract Analyst/Office Manager, yocatanach@santafenm.gov, 955-5575)
- e) Request for Approval of Procurement Over the Threshold Amount of \$60,000 for Hardware, Software, Software Subscriptions and Services Using Various Procurement Contracts for Fiscal Year 2018-2019. (David A. Kulb, Financial Analyst, dakulb@santafenm.gov, 955-5569 and Yodel Catanach, ITT Contract Analyst/Office Manager, yocatanach@santafenm.gov, 955-5575)
- f) Request for Approval to Enter Into a Master Intergovernmental Cooperative Purchasing Agreement to Compare Prices and Services; National Intergovernmental Purchasing Alliance Company. (Yodel Catanach, ITT Contract Analyst/Office Manager, yocatanach@santafenm.gov, 955-5575)
- g) Request for Approval of Lease Agreement for Telecommunication Use of a Proposed Replacement Light Pole to be Located at Fort Marcy Park Behind Fire Station No. 1, 200 Murales Road, Consisting of Approximately 204 Square Feet of Ground Space and Associated Air Rights; Verizon Wireless (VAW) LLC. d/b/a Verizon Wireless. (Sean Moody, Asset Development Manager, sxmoody@santafenm.gov, 955-6213)
- h) Request for Approval of Lease Agreement for Telecommunication Use of an Existing, City-Owned Roof Structure Located at the Santa Fe Community Convention Center, 201 W. Marcy Street, Consisting of Approximately 100 Square Feet of Rooftop Space and Associated Air Rights; Verizon Wireless (VAW) LLC d/b/a Verizon Wireless. (Sean Moody, Asset Development Manager, sxmoody@santafenm.gov, 955-6213)
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- j) Request for Approval of Professional Services Agreement in the Amount of \$52,050 for Quarterly Cleanings of the Mechanical Roofs at Genoveva Chavez Community Center; Cooperative Education Services/Keers Remediation, Inc. (Jerry Schilling, Recreation Section Manager, jlschilling@santafenm.gov, 955-4075)
- k) Request to Publish Notice of Public Hearing for October 31, 2018:
 - 1) **Bill No. 2018-20.** An Ordinance Authorizing the Issuance and Sale of the City of Santa Fe, New Mexico Senior Lien Gross Receipts Tax Improvement Revenue Bonds, Series 2018a in an Aggregate Principal Amount Not to Exceed \$20,000,000 for the Purpose of Defraying the Cost of Constructing, Purchasing, Furnishing, Equipping, Rehabilitating, Making Additions to or Making Improvements to Public Buildings and Facilities or Purchasing or Improving any Ground Relating Thereto, or Any Combination of the Foregoing Purposes, and Reconstructing, Resurfacing, Maintaining, Repairing or Otherwise Improving Existing Alleys, Streets, Roads or Bridges or Any Combination of the Foregoing; Provided That Any of the Foregoing Improvements May Include But Are Not Limited to Acquisition of Rights Of Way; Providing That the Bonds Will Be Payable and Collectible From Certain Gross Receipts Tax Revenues Distributed to the City; Approving the Selection of an Underwriter and Forms of a Preliminary Official Statement and Bond Purchase Agreement; Delegating Authority to the Mayor or, in the Mayor's Absence, the City Manager or Finance Director, to Approve the Final Principal Amount, Interest Rates and Other Details of the Bonds Within the Parameters Set Forth in This Authorizing Ordinance, and to Execute and Deliver a Bond Purchase Agreement and Pricing Certificate for the Sale of the Bonds to the Underwriter; Providing for the Collection of Certain Gross Receipts Tax Revenues; Approving Certain Other Agreements and Documents in Connection With the Bonds; Ratifying Action Previously Taken in Connection With the Bonds; Repealing All Ordinances in Conflict Herewith; and Related Matters. (Mary McCoy, Finance Director, mtmccoy@santafenm.gov, 955-6961)



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- 2) **Bill No. 2018-21.** An Ordinance Relating to the Land Development Code, Chapter 14 SFCC 1987; Amending Sections Chapter 14-10.2 and 14-10.3 to Provide Exceptions for Legal Nonconforming Single Family Dwellings; and Making Such Other Changes that Are Necessary to Carry Out the Purpose of this Ordinance. (Councilor Villarreal) (Greg Smith, Planner Supervisor, gtsmith@santafenm.gov, 955-6957)
- l) CONSIDERATION OF RESOLUTION NO. 2018-____. (Councilor Romero-Wirth, Councilor Rivera and Councilor Villarreal)
A Resolution in Support of Renewal of the County Regional Transit Gross Receipts Tax. (Keith Wilson, Transit Division Director of Administration and Grants, kpwilson@santafenm.gov, 955-2223)
- m) CONSIDERATION OF RESOLUTION NO. 2018-____. (Councilor Villarreal and Councilor Rivera)
A Resolution Supporting a State Constitutional Amendment [~~Providing~~ Allowing for a Public Bank in New Mexico; Adding this Resolution to the Legislative Priorities; and [~~Appointing a City Representative to Serve as a Liaison for this Effort~~] Encouraging the Mayor to Support the Statewide Outreach Efforts. (Councilors Villarreal and Rivera) (Jesse Guillen, Legislative Liaison, jbgullen@santafenm.gov, 955-6518) (**Postponed on September 26, 2018**)
- n) Request for Approval of Findings of Fact and Conclusions of Law for Case No. 2017-123: Estancias del Norte Preliminary Subdivision Plat and Variance Request. Appeal by the Greater Callecita Neighborhood Association, et al. of the Planning Commission's Approval of Estancias Del Norte's Request for a Preliminary Subdivision Plat at 702 Hyde Park Road. (Marcos Martinez, Assistant City Attorney, mdmartinez@santafenm.gov, 955-6502)
11. Presentation and Discussion of the Sustainable Santa Fe 25-Year Plan-Suggested Strategies to Help the City of Santa Fe Reach the Goal of Achieving Carbon Neutrality by 2040, With Considerations to Social, Environmental and Economic Factors. (Shirlene Sitton, Environmental Services Division Director, sesitton@santafenm.gov, 955-2209; Beth Beloff, Sustainable Santa Fe Commission Chair; Conor Merrigan, Brendle Group) (**Informational Only**)
12. MATTERS FROM THE CITY MANAGER
13. MATTERS FROM THE CITY ATTORNEY



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14. MATTERS FROM THE CITY CLERK
15. 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
- H. PUBLIC HEARINGS:
 - 1) CONSIDERATION OF BILL NO. 2018-18: ADOPTION OF ORDINANCE NO. 2018-____. (Councilor Romero-Wirth, Councilor Ives and Councilor Villarreal)
An Ordinance Relating to the Santa Fe Election Code, Chapter 9 SFCC 1987; Amending Subsection 9-1.2 to Opt-In to the Local Election Act and to Set the Regular Municipal Election Day as the First Tuesday in November in Odd-Numbered Years; Establishing a New Subsection 9-1.18 to Create a Temporary Transition Period During Which the Terms of the City Councilors Elected in 2016 and the Municipal Judge Will End on December 31, 2019 and the Terms of the Mayor and City Councilors Elected in 2018 Will End December 31, 2021; and Establishing a New Subsection 9-1.19 to Create Effective Date Contingent Upon the Voters' Approval of Santa Fe Municipal Charter Amendments at the November 2018 General Election. (Zachary Shandler, Assistant City Attorney, zashandler@santafenm.gov, 955-6303)



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REGULAR MEETING OF
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- 2) **Case #H-16-109.** Appeal of the Historic Districts Review Board's Decision on March 13, 2018 to Deny Exception Requests for Height and Public Visibility to Construct a Rooftop Elevator on the Property Located at 76 East San Francisco Street, Listed as Contributing in the Downtown and Eastside Historic District. Appellant Peter Komis Requests that the Governing Body Rescind the Denial, Grant the Exception Requests and Approve the Proposed Construction. (Theresa Gheen, Assistant City Attorney, tegheen@santafenm.gov, 955-2976) **(POSTPONED TO DECEMBER 12, 2018)**
- 3) **CONSIDERATION OF BILL NO. 2018-19: ADOPTION OF ORDINANCE NO. 2018-__.** (Councilor Romero-Wirth)
An Ordinance Amending Section 9-3 SFCC 1987, The Public Campaign Finance Code, to Include a Definition for Qualified Small Contribution; Establishing a New Section Regarding Qualified Small Contributions; Establishing a New Section Mandating Matching Payments by the City; Establishing a New Section Regarding Reporting of Qualified Small Contributions and Matching Payments; and Replacing All References in Chapter 9 of Municipal Clerk to City Clerk. (Zachary Shandler, Assistant City Attorney, zashandler@santafenm.gov, 955-6303) **(PUBLIC HEARING CANCELLED DUE TO POSTPONEMENT AT THE OCTOBER 1, 2018, FINANCE COMMITTEE MEETING)**

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.



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SUMMARY INDEX
SANTA FE CITY COUNCIL
October 10, 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 amended	1-2
7. Approval of Consent Agenda	Approved as amended	2
8. Approval of Minutes - September 26, 2018	Approved as presented	2
9. Presentations: Pat Holmes Day	Proclamation	2-3
10. Consent Calendar Listing	Listed	3-5
Consent Calendar Discussion		
a. Tourism Santa Fe Marketing	Approved as presented	6-9
b. Severance Tax Bond Agreement	Approved as presented	9-10
c. Motorola Service Agreement	Approved as presented	10-12
m. Public Bank Resolution	Approved as presented	12-14
11 Sustainable Santa Fe 25-year Plan	Information only	14-17
12. Matters from the City Manager	None	17
13. Matters from the City Attorney	Comments	17
14. Matters from the City Clerk	Announcement	18
15. Communications from the Governing Body	Communications made	18-19
Evening Session at 7:15	Quorum Present	19
F. Petitions from the Floor	Petitions Made	19-20
G. Appointments	None	20
H. Public Hearings		
1. Election Code Ordinance	Approved	20-23
2. Case #H-1018-109 Appeal	Postponed	23
3. Public Campaign Finance Amendment	Public Hearing Cancelled	23-24
I. Adjournment	Adjourned at 7:41 pm	24

**MINUTES OF THE
REGULAR MEETING OF THE
GOVERNING BODY
Santa Fe, New Mexico
October 10, 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, October 10, 2018, at approximately 5:00 p.m., in the Council Chambers at City Hall, 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 Roman "Tiger" Abeyta
Councilor Mike Harris
Councilor Peter N. Ives
Councilor Christopher M. Rivera
Councilor Carol Romero-Wirth
Councilor JoAnne Vigil Coppler
Councilor Renee D. Villarreal

Members Excused

Others Attending

Erik Litzenberg, City Manager
Erin McSherry, City Attorney
Yolanda Y. Vigil, City Clerk
Carl Boaz, Council Stenographer

6. APPROVAL OF AGENDA

Ms. Vigil announced that item H-2 is postponed to December 12; H-3 is cancelled because it remains at Finance Committee.

MOTION: Councilor Villarreal moved, seconded by Councilor Lindell, to approve the agenda, as amended.

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

7. APPROVAL OF CONSENT CALENDAR

Councilor Abeyta requested discussion on item 10-(b) in order to recuse.

Councilor Rivera requested discussion on item 10-(c).

Councilor Villarreal requested discussion on item 10-(a)

Councilor Vigil Coppler requested discussion on items 10-(a) and (m).

MOTION: Councilor Villarreal moved, seconded by Councilor Harris, to approve the Consent Agenda, as amended, with items 10 (a), (b), (c) and (m) removed for discussion

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, Vigil Coppler, and Councilor Villarreal.

Against: None.

8. APPROVAL OF MINUTES: Regular City Council Meeting – September 26, 2018

MOTION: Councilor Rivera moved, seconded by Councilor Abeyta, to approve the minutes of September 26, 2018 as presented.

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

9. PRESENTATIONS

- a. Proclamation – Pat Holmes Day – October 10, 2018; Induction into the New Mexico Boxing Hall of Fame Class of 2018. (Councilor Abeyta)

Councilor Abeyta invited Pat Holmes and his family to come forward.

Councilor Abeyta read the proclamation, reviewing the accomplishments of Pat Holmes who trained many young people in boxing and his work with the Boys and Girls Club of Santa Fe upon his induction into the New Mexico Boxing Hall of Fame.

Mayor Webber proclaimed October 10, 2018 as Pat Holmes Day.

Mr. Holmes thanked everyone for the recognition. He said, "This award is a symbol of the support I have received here. You haven't gotten rid of us." He thanked the Mayor and Council for honoring him with it.

10. CONSENT CALENDAR LISTING

- a)** This item was pulled for discussion by Councilor Vigil Coppler and Councilor Villarreal.
- b)** This item was pulled for discussion by Councilor Abeyta.
- c)** This item was pulled for discussion by Councilor Rivera.
- d)** Request for Approval to Enter Into a Joint Powers Agreement to Become a Participating Entity to Obtain Competitive Prices and Services; Sourcewell Formerly Known as National Joint Powers Alliance. (Yodel Catanach, ITT Contract Analyst/Office Manager, yocatanach@santafenm.gov, 955-5575)
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- k) **Request to Publish Notice of Public Hearing for October 31, 2018:**

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

- 1) Bill No. 2018-20. An Ordinance Authorizing the Issuance and Sale of the City of Santa Fe, New Mexico Senior Lien Gross Receipts Tax Improvement Revenue Bonds, Series 2018a in an Aggregate Principal Amount Not to Exceed \$20,000,000 for the Purpose of Defraying the Cost of Constructing, Purchasing, Furnishing, Equipping, Rehabilitating, Making Additions to or Making Improvements to Public Buildings and Facilities or Purchasing or Improving any Ground Relating Thereto, or Any Combination of the Foregoing Purposes, and Reconstructing, Resurfacing, Maintaining, Repairing or Otherwise Improving Existing Alleys, Streets, Roads or Bridges or Any Combination of the Foregoing; Provided That Any of the Foregoing Improvements May Include But Are Not Limited to Acquisition of Rights Of Way; Providing That the Bonds Will Be

Payable and Collectible From Certain Gross Receipts Tax Revenues Distributed to the City; Approving the Selection of an Underwriter and Forms of a Preliminary Official Statement and Bond Purchase Agreement; Delegating Authority to the Mayor or, in the Mayor's Absence, the City Manager or Finance Director, to Approve the Final Principal Amount, Interest Rates and Other Details of the Bonds Within the Parameters Set Forth in This Authorizing Ordinance, and to Execute and Deliver a Bond Purchase Agreement and Pricing Certificate for the Sale of the Bonds to the Underwriter; Providing for the Collection of Certain Gross Receipts Tax Revenues; Approving Certain Other Agreements and Documents in Connection With the Bonds; Ratifying Action Previously Taken in Connection With the Bonds; Repealing All Ordinances in Conflict Herewith, and Related Matters (Mary McCoy, Finance Director, mmccoy@santafenm.gov, 955-6961)

- 2) Bill No. 2018-21. An Ordinance Relating to the Land Development Code, Chapter 14 SFCC 1987; Amending Sections Chapter 14-10.2 and 14-10.3 to Provide Exceptions for Legal Nonconforming Single-Family Dwellings; and Making Such Other Changes that Are Necessary to Carry Out the Purpose of the Ordinance. (Councilor Villarreal) (Greg Smith, Planner Supervisor, gtsmith@santafenm.gov, 955-6957)

- I) CONSIDERATION OF RESOLUTION NO. 2018-61. (Councilor Romero-Wirth, Councilor Rivera and Councilor Villarreal)
A Resolution in Support of Renewal of the County Regional Transit Gross Receipts Tax. (Keith Wilson, Transit Division Director of Administration and Grants, kpwilson@santafenm.gov, 955-6957)

- m This item was pulled for discussion by Councilor Rivera.

- n) Request for Approval of Findings of Fact and Conclusions of Law for Case No. 2017-123: Estancias del Norte Preliminary Subdivision Plat and Variance Request. Appeal by the Greater Callecita Neighborhood Association, et al. of the Planning Commission's Approval of Estancias Del Norte's Request for a Preliminary Subdivision Plat at 702 Hyde Park Road. (Marcos Martinez, Assistant City Attorney, mdmartinez@santafenm.gov, 955-6502)

CONSENT CALENDAR DISCUSSION

- a) Request for Approval of Budget Amendment in the Total Amount of \$225,000 for a New and Additional Visual Art and Museum Marketing Program; Tourism Santa Fe. (Randy Randall, Director, Tourism Santa Fe, rRANDALL@santafenm.gov, 955-6209)

This item was pulled for discussion by Councilor Vigil Coppler and Councilor Villarreal.

Councilor Vigil Coppler said she spoke with Mr. Randall earlier today. She didn't have a problem with the request but wanted information. Is there an issue with lack of high-end art market buyers? Is there a void and what is the goal of this effort?

Mr. Randall said this came out of 3-4 years' work with the galleries in the way we market Santa Fe and the need to be fairly general with it. Over the years, they suggested that we don't really focus on the high-end buyer. So this is a pilot project and he is requesting funds out of fund balances, so we can maintain our regular marketing program. It is pilot project to bring an agency just to target high end art buyers' market. We won't be able to measure success on art purchases and he didn't have a level of art purchases. Times are changing, and their effort is tougher now than in the past with new techniques to reach out on their own budgets. It is one of more important aspects of our city and through the RFP, we will determine what will be done and the measurements.

Councilor Vigil Coppler asked, as a follow-up that she thought Mr. Randall had told her about a group of galleries who very much want to do this. In that relationship, she asked if there is a way to get them to capture GRT amounts that is from the high-end sales - what they sell to see - if it adds to the coffers of the City's GRT.

Mr. Randall it would be voluntary. We could ask them for a way to measure that. GRT , but it is not something they must disclose.

Councilor Vigil Coppler said she understood that and understand some comes from Lodgers' Tax, but it is still money. How would we ever know it made a difference if we didn't see the benefit out of it.

Mr. Randall said they will have a response to the advertising. It will be done through digital and response to a website and also, through a new program called Adara which also could result in lodging booking.

The other part to be recommended in the RFP is a social media influencer component so that art experts that have a large following are brought into town , we compensate to their following about art in Santa Fe and special art that might be available. Those influencer campaigns have some measurements in them. And we

should be able to move the needle on people coming here.

Some of the retail that is uniquely expensive and high end, we will expose to those same visitors.

Councilor Villarreal wanted clarification because the memo was very brief on how this need was analyzed and the fact that the Gallery Association had been working on it for a while.

She asked if the 1% lodgers' tax, which is for advertising, has actually supported non-profits and was not supposed to be for profit businesses for that same purpose.

Mr. Randall said that is funding that comes through the Arts Commission and all of those funds do go to nonprofits to allow them to market.

Councilor Villarreal thought that was the source of funds for this project.

Mr. Randall said \$75,000 comes from the Arts Commission fund balance but there is no restriction on that. Tourism markets for profit organizations every day.

Councilor Villarreal thought the 1% was only for non-profits. And she thought the lodger's tax was for all marketing.

Mr. Randall said the only restriction on the 1% lodgers' Tax is that it must be used for marketing - not just marketing for nonprofits. He listed some of their eight pillars and noted that they often target to one of those eight pillars and this is one of them.

Councilor Villarreal knew there was discussion on how the money was to be spent. She asked if the galleries would match this effort to help leverage funding. The way it is worded now is visual art and museums and she didn't see that connection as part of high-end art. It is more on purchasing on-line rather than in person. She pointed out that in a 2014 study by BBER, looking at state-wide collections of GRT that showed that only 40% of the art being shown in galleries are from New Mexico artists. And 75-90% of sales are not collecting GRT with the sales. That was in 2014 and who knows how that has changed.

She said she was trying to figure out why we need another funding source. We have a large budget for marketing for the eight pillars in general. She was asking for the connection. We have other pilot projects that end up with continuous funding, so she asked if this is one-time funding.

Mr. Randall said it is totally dependent on the success and then would have to come under the regular Tourism budget. It won't be reoccurring unless we can demonstrate a very strong success. I would not take any of our regular marketing for

this narrow target. Our regular funds are to fill the hotels rather than one segment that is struggling.

The Arts Commission only heard this project once and as it came through the Arts Commission, the total was lowered from \$100,000 to \$75,000 and it passed unanimously with a condition of matching funds and the fund balances from Tourism would be those matching funds.

This is not just for the Gallery Association; it is for all 225 art galleries - not just the 60 members of the Gallery Association. The RFP will request to have a benefit to the galleries that help match the fund and build it bigger. He hoped for about \$50,000 from about fifty galleries would be realized. The galleries that work with us will be more inclined to share information and prove the value of the program.

Councilor Villarreal asked what the budget for marketing is.

Mr. Randall said it is \$1.2 million for all marketing related expenses.

Councilor Villarreal understood the majority of that goes to out-of-state firms.

Mr. Randall said that is not correct.

Councilor Villarreal said the last time Council approved the budget had a hefty out-of-state component.

Mr. Randall said only the agency fees go out of state, but they could have been captured in state if only a local agency would respond to the RFP. The balance is with smaller companies and yes, they are not in the state. But a business operating here in Santa Fe those fees would be in-state. The only fees paid are for advertising and monitoring the success.

Councilor Villarreal -said, since it is smaller, she didn't see why we wouldn't have a local agency. We have five in the city that do this kind of work.

Mr. Randall clarified that the memo indicates our desire is to have a local agency but if a local agency doesn't apply for the funds, we cannot fund them.

Councilor Harris had some follow up questions after the review at Finance Committee. He submitted them to Mr. Randall and he responded to them. He had asked Mr. Randall under what conditions they are exempt from GRT. He also asked if the Gallery Association had an official position on GRT.

Mr. Randall answered that he thought maybe not the next Finance Committee

but the one after that, we should dig into it deeper on galleries being exempt from the GRT. He did ask because he heard that over the years, there are ways to game the system. We should have a better understanding with GRT in our galleries. He supported the request.

MOTION: Councilor Vigil Coppler moved, seconded by Councilor Harris, to approve this request as presented.

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: Councilor Villarreal

Mayor Webber thought the underlying concern is not the expenditure but the condition of our galleries - We are experiencing what other industries have - affected by internet and demographic shifts and will get a better feel for how it happens and not doing that is asking for trouble for what has contributed to the overall wellbeing. It will prove the worth of this undertaking. Please keep us informed of what we need to be aware of.

Mr. Randall said he would add that to the RFP, so they will be aware of that expectation.

- b) Request for Approval of Amendment No. 1 to state Issued Severance Tax Bond Agreement to Streamline the Reporting and Payment Process for Five Legislative Appropriated Grant Agreements: 15-0847, 15-086, 16-A4088, 16-A2510 and 17-B4106. (David A. Chapman, Grant Administrator – Writer, dchapman@santafenm.gov, 955-6824)

Councilor Abeyta recused himself from this request and left the room.

MOTION: Councilor Lindell moved, seconded by Councilor Vigil Coppler, to approve this request as presented.

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

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

Against: None

Recused: Councilor Abeyta

Councilor Abeyta returned to the bench after the vote.

- c) Request for Approval of Service Agreement Using New Mexico State Price Agreement No. 70-000-16-00014 AJ in the Total Amount of \$100,850, Including GRT, for Repair and Maintenance of City Land Mobile Radio System; Motorola Solutions, Inc. (Larry Worstell, ITT Infrastructure Manager, lfworstell@santafenm.gov, 955-5580)

This item was pulled for discussion by Councilor Rivera.

Councilor Rivera asked Mr. Worstell what the \$100,850 would be used for.

Mr. Worstell said it is a yearly maintenance agreement with Motorola for servicing all transmitters, repeaters and antennas that are on existing prime sites with on-call repair. Within reasonable expense, all is covered.

Councilor Rivera asked if all of this equipment will remain part of the system once the \$3.5 million is paid to upgrade the new system.

Mr. Worstell said no. Most of it will be shipped back to Motorola. There is a chance that some of the repeaters will be used.

Councilor Rivera heard at the Public Safety Committee that all of this equipment will be obsolete after the first of the year.

Mr. Worstell said it won't be supported after 2020. This Motorola support goes through the end of 2020. The support covers consoles at RECC until the end of 2019.

Councilor Rivera asked if the agreement would cover the new equipment once it is in place.

Mr. Worstell said no. That will be free in the first year and at the prime site, approximately \$41,000 in the first year.

Councilor Rivera asked how long we anticipate that we will need this equipment.

Mr. Worstell said that is partly up to the County in their support of our RECC. I can put in a backup system and conferring with Motorola right now to do. But the IT core and consoles, the County has proposed at Public Safety - to put it under a project they

have to improve and upgrade the RECC. We are limited on options with the repeaters, depending on the core. It won't be complete until the core is in.

Councilor Rivera asked how long it takes to upgrade.

Mr. Worstell said the County's plan to upgrade the RECC is scheduled for December 2019.

Councilor Rivera remembered hearing it will soon be obsolete.

Mr. Worstell agreed but Motorola will support it until the end of 2019.

Councilor Rivera thought it is confusing. If the GRT bonds pass, and we have the \$3.5 million to upgrade, why not just upgrade this equipment instead of continuing to maintain it?

Mr. Worstell briefly explained that right now, something could happen. Last January, three repeaters went out. The system is almost 18 years old now. We are really on borrowed time. The original discussion before the County came up with a plan was to purchase all equipment this year. Motorola came out with two hours and found some used boards and did it all in the maintenance agreement. Replacement boards were reprogrammed and finalized in about three months.

Councilor Rivera said three months doesn't seem very efficient.

Mr. Worstell explained that the boards are no longer manufactured, and they had to find used boards. Those boards have not been produced for 7 years.

Councilor Rivera thought this request sounds like a \$100,000 band aid for a system that can't go much longer.

Mr. Worstell agreed and unfortunately, Motorola is our only choice for a maintenance agreement. We cannot operate without a maintenance agreement. Replacing equipment takes a month. Repeaters stay on continually.

Councilor Rivera asked if the agreement takes us to 2020.

Mr. Worstell said it is to the end of this fiscal year. Motorola gets the agreement to us until September and it is for one fiscal year.

Mayor Webber asked what other option we have, if we really want safety and communication.

Mr. Worstell said there is no other option.

MOTION: Councilor Lindell moved, seconded by Councilor Vigil Coppler, to approve this request as presented.

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, and Councilor Villarreal

Against: None

Mayor Webber hoped we can propel ourselves into the 21st century and we would not be in this position .

- m) CONSIDERATION OF RESOLUTION NO. 2018-62.** (Councilor Villarreal and Councilor Rivera)
A Resolution Supporting a State Constitutional Amendment [~~Providing~~ Allowing for a Public Bank in New Mexico; Adding this Resolution to the Legislative Priorities; and [~~Appointing a City Representative to Serve as a Liaison for this Effort~~] Encouraging the Mayor to Support the Statewide Outreach Efforts. (Councilors Villarreal and Rivera) (Jesse Guillen, Legislative Liaison, jbgullen@santafenm.gov, 955-6518) **(Postponed on September 26, 2018)**

Councilor Vigil Coppler pulled this item because she was perplexed. She asked where this is coming from and what about our legislative priorities. "There has been some work on it and our Task Force let us know that at this time, they didn't recommend it but did ask to have a person on the committee. That was proposed and eventually, the staff position was amended out of this resolution.

My reason for thinking this is premature, is that everything is going to be new, starting January 1 with a new governor, new legislators and we are already talking about introducing a constitutional amendment. Where is this coming from? Is there something afoot? I haven't heard anything Maybe I've got my head in the sand. So I'm open for hearing something. But is there something afoot? Let's talk.

All of us got an email from someone who doesn't support this and some reasons why. I don't know if that person was a task force member or not. This resolution goes a little too far. We seem to spend a lot of time and energy on this without knowing that someone will even introduce it at the Legislature. Don't we have enough to do? I'm being a little sarcastic. I have said repeatedly that we need to get our act together on the legislative priorities. Many things need to be addressed buildings that need repair, etc. We have one lobbyist and to ask the lobbyist to have this as a priority - our priority plate is already full. And, those things will compete with each other.

I am a registered lobbyist and volunteered to lobby for our priorities. But, to ask for this to be priority. This should not be a priority and if someone could tell me something great will help it to be a priority for others, I'd be open to hearing that. But, I cannot support it. It is premature and competes with the priorities we have already, and I am not willing to risk that.

Councilor Villarreal commented that Public Banking does evoke lots of passion for or against. For background, the task force, after much research and outreach, came up with a few recommendations. They realized the capitalization was not enough for our City but would like to explore a state public bank. They also said that they completed their task but there are more things to tackle at the state level. They went to the State Treasurer's Office who recommended the constitutional amendment process and wanted to do that to even consider it at the state level. So, that's why the constitutional amendment came in.

As it stands with legislative priorities, we all know there is a whole list of things. There are things we need to track including the district projects, regional projects. They have regional support in some cases. But what is interesting is that list of priorities is part of a whole list of options for values we share. And there are things on that list that some of us care about. But, the lobbyist is not to go to all committees on every bill but will also help us know the facts. The constitutional amendment is just one of many steps to be taken at the state level and will go through committees and come up maybe with things that need to be analyzed. We have nothing to lose if we support this at the state level. We need to find financial mechanisms to support economic development rather than the conventional.

Councilor Ives joined as a cosponsor.

Councilor Harris acknowledged the hard work of the task force and like most of the Councilors, had a session with Mayne and Sullivan. They are approaching it sensibly and making an argument that Treasurer Eichenberg has responsibility for 20 different funds and can make that process more efficient. But for Councilor Vigil Coppler's statement, I have some of the same thoughts about priorities. With a new governor, new legislature, we have a lot of things for priorities. I just think it is a bit premature and until the election is over, I have a hard time supporting it now. He questioned if the draft constitutional amendment will really be introduced.

Councilor Villarreal said she didn't know yet.

Councilor Harris thought if someone had already introduced it, it would be okay but now it is premature.

Councilor Villarreal said revisions were made and the Mayor supported the effort to encourage from other mayors how it could help us with efforts that could be possible

and can actually support municipal efforts to find projects like Sustainable Santa Fe through a public bank.

MOTION: Councilor Villarreal moved, seconded by Councilor Rivera, to approve this request as presented, adding this resolution to the legislative priorities.

Mayor Webber said he has looked at public banking since he was in the Governor's race four years ago and small business collaborating with one another in an agenda for keeping New Mexico money in New Mexico. It is a chicken and egg thing regarding being premature. In Albuquerque is another group exploring this and in North Dakota which is a state like us that depends on oil and gas revenue.

He said, "I'm personally interested in this. These things often take several years so putting it on the radar is like putting a mark in the sand - we are interested in it to gain control over our own financial interests. It is worth holding up our hand to say we are interested and please keep us informed.

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

For: Mayor Webber, Councilor Abeyta, Councilor Ives, Councilor Lindell, Councilor Rivera, Councilor Romero-Wirth, and Councilor Villarreal

Against: Councilor Harris and Councilor Vigil Coppler

END OF CONSENT CALENDAR

11. Presentation and Discussion of the Sustainable Santa Fe 25-Year Plan-Suggested Strategies to Help the City of Santa Fe Reach the Goal of Achieving Carbon Neutrality by 2040, With Considerations to Social, Environmental and Economic Factors. (Shirlene Sitton, Environmental Services Division Director, sesitton@santafenm.gov, 955-2209; Beth Beloff, Sustainable Santa Fe Commission Chair; Conor Merrigan, Brendle Group) (Informational Only)

Ms. Sitton introduced Conor Merrigan as the Brendle consultant and Beth Beloff, Chair of the Santa Fe Sustainable Commission to give the presentation. She asked the members of the Sustainability Commission present to stand and be recognized. She asked Seth Roffman from Green Fire Times to also stand.

Ms. Beloff began sharing the 25- Year Plan which reflects a significant work in progress , prompted by numerous resolutions from Council to join with the rest of the world in efforts to sustain our world. It is a road map for the future and continuing path

to reduce greenhouse gas in less than ten years to avoid destruction and our plan to be carbon neutral by 2040 and how to strengthen our community in ways that don't compromise our ecosystem and are restorative.

So not only to short term but a vision for the long term. It requires courage to change in the way we think and act.

We can't act responsibly without system and knowledge. This plan looks at the way to share knowledge on the why and how. It is pragmatic to offer strategies and the need to act in partnership to do the heavy lift together. It moves us forward with a living, planning process. And it can put us within reach of being the most sustainable city in America.

Ms. Beloff share the processes used in developing the plan and explained the Zia diagram showing the four pathways that have interacting elements. The planning approach is to lead by example - walk the talk here in City government; to employ a regional perspective and have no political boundaries but must not do it alone. A lot of planning has already taken place with good practices put in place.

Lastly, it is engaging the community, and without stakeholder buy-in, we cannot succeed. There are 11 working groups with experts and city staff. The Commission had four community conversations; websites on the plan; All in all - over 200 community members engaged in the process.

She reviewed the table of contents from the Plan which represents all the elements in the plan . It is an attempt to integrate all the pathways for a robust synergy to move us forward. There are 91 strategies in the plan and the how-to and evaluation in the appendix.

Mr. Merrigan, who has done these plans in other places, said he was amazed at the expertise Santa Fe has in this community and it is a challenge to harness all of it. He provided some of the how's for the plan to make it easier to comprehend. He started with a busy graphic for planning the pathways Ms. Beloff mentioned. The carbon neutrality is in the middle emanating out with the key components and each working group is included with an icon and title. Within each element is a singular objective and a number of targets and down to the 91 strategies in the plan that was vetted from a much larger list. It was not intended to all be done this year. As a body of knowledge that is what they intend. And the working groups became elements in the plan. He shared water as an example and said they are also a means for evaluation.

In the appendix, the strategies deal with nitty gritty - time line, etc. Each of the 91 strategies was scored on its relationship with the others.

Ms. Sitton thanked Mayor Webber and Councilors for making sustainability a top focus. She thanked all the Commissioners for their hard work and the community

volunteers who were participants in working groups. She thanked Keith Wilson, Kathryn Mortimer, Cynthia Borchert with the county for their dedicated service to the Commission. This represents Sustainable Santa Fe in our efforts to get it done and partnering with the County on projects, public and private institutions and residences and businesses. Hopefully we will give people the right tools. We will continue to look at the strategies as it goes along. It will be a road map into the future. There are a lot of metrics in the plan. It has a dashboard in the plan for incorporating it into the metrics we have right now in each department's and divisions plans. We are already doing a lot and many strategies are underway. You can see that in the appendix.

One of first things to do is hire a sustainability planner. That person can support efforts for funding. We develop metrics around the goals. We will help start a training program for all employees to clarify what carbon neutrality means. We will coordinate public outreach. We have lots of outreach started - coordinated branding – with a consistent message. We will do annual reporting on the model. As people become more familiar with the plan, email questions will produce more answers.

Mayor Webber thank them for this thoughtful presentation to put Santa Fe in a leadership position for sustainability for us and for the globe.

Councilor Ives said it was wonderful to see the plan coming forward and the hard work involved. It is of particular interest to me. Thanks for getting it that much closer to a solid reality in how we plan for the future. I like the notion for integrating it into the RBA process to evaluate everything we do at the City and eventually will lead us in spending scarce resources. Councilor Villarreal has a significant matrix already -

Ms. Sitton thanked the Council and Mayor. We are in a stage where staff across the departments are continuing to input their goals.

Councilor Ives also noted that in the past, we have passed a measure asking for carbon neutral programs Mayor Webber's Task Force on Equity recommended a plan for that and was grateful for his leadership in that regard. He pledged to spend some time considering where our gaps are and add significance beyond sustainability.

Councilor Harris thanked them for the presentation. it is a significant effort that went into it. I see the Mayor's is going to introduce the resolution to adopt the plan and it will impact all three of the Council committees. It is impossible to comprehend on this screen. Get it into our hands so we can study and analyze it and be more appreciative of the accomplishment and thanks for what all of you have worked hard on.

Councilor Villarreal said thanks to all who have put it together. I like how it is organized. The structure is new to me. I did attend a community conversation. It was not intimidating but with lots of hands-on activity and there are all kinds of levels for it.

She appreciated the social equity section. Most of my work involves tackling the root causes. There are sections I'll be very interested in on strategies to engage more locally grown produce and also senior activities.

Councilor Villarreal asked if they could just increase the font. She was hoping to engage more in it.

Ms. Sitton explained that was electronic sharing and we have a different version and will get you some printed copies.

Councilor Romero-Wirth congratulated the Commission for leadership; your team and everyone who participated. I am excited and looking forward to getting involved and how we can move it forward.

Mayor Webber added his thanks. The effort puts Santa Fe at the head of the changes moving across our city, state and globe. The City has not waited until this was completed. There is a great confidence in City government to move on sustainability and how fundamental it is to our well-being. This is a place that was always aware of sustainability for hundreds of years before us that we have to work with nature instead of against it.

You touched earlier on banking and it is interesting to note that Wall Street made it a point to say that cities with a sustainability plan will be favored in the market versus those who don't. So thanks for your hard work. We all want to read it, reflect on it, and move on the recommendations .

12. MATTERS FROM THE CITY MANAGER

There were no matters from the City Manager.

13. MATTERS FROM THE CITY ATTORNEY

Ms. McSherry announced New Land Use Attorney is here tonight and started with us yesterday. He is Gregory Chakalian, most lately a First Judicial Attorney and graduate of New York University with an urban planning background.

Ms. McSherry said she spoke to the legality of our ballot question and it will be on the website.

14. MATTERS FROM THE CITY CLERK

Ms. Vigil said we now have our ballot question. Absentee voting started yesterday and early voting on October 20.

15. 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 - We all received a letter from Sarah Noss – Executive Director of the Santa Fe Community Trust. She made some very good points on the work going on there. But we are lagging in getting her contract in place. It is happening too often. We need a process in place, so we are not backdating as many contracts as we do .

Mayor Webber said that is duly noted. At the recent planning, Mr. Garza pointed out our need to get our own house in order. As our number one priority.

Councilor Ives echoed those comments. It is true for the Watershed contract as well. He had questions on the H-1 item and was really concerned about what our campaign is putting out there. I have not seen much of anything. For rank choice voting, it was all hands on deck but this is just as significant as that was. So I'm curious to hear.

Councilor Lindell - I'm introducing Resolution for renaming Torreon Park after Mike T. Jaramillo and appreciate the Council and Mayor for cosponsoring it.

Councilor Villarreal - shared her concern that Councilor Ives raised for a Staff plan for outreach and media coverage regarding the ballot question. Will there be a plan?

Councilor Romero-Wirth said there is a plan and we can talk about it at that agenda item.

Councilor Vigil Coppler – asked to be added as a cosponsor to Councilor Lindell's resolution. She also introduced a resolution for the MPO - NMDOT administered funding from TAP funds for FFY 2020-2021. We will be asking to apply for grants.

Mayor Webber introduced a resolution asking the State to adopt a law on gun violence prevention; adopting the 25-year Sustainability Plan; and to urge Legislation to decriminalize cannabis.

Councilor Harris – asked to have his name added as cosponsor the gun legislation and add his name to the resolution on legalization of cannabis.

Councilor Ives would join on the mayor's three measures.

Councilor Vigil Coppler asked to cosponsor on cannabis as well.

The Governing Body recessed at 7:00, to reconvene at 7:15 p.m.

EVENING SESSION – 7:15 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 for the evening session by Mayor Alan Webber, on Wednesday, October 10, 2018, at approximately 7:20 p.m., in the Council Chambers at City Hall, 200 Lincoln Avenue, Santa Fe.

Present at the meeting were:

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
Councilor Renee D. Villarreal

Members Excused

Others Attending

Erik Litzenberg, City Manager
Erin McSherry, City Attorney
Yolanda Y. Vigil, City Clerk
Carl G. Boaz, Council Stenographer

F. PETITIONS FROM THE FLOOR

Stefanie Beninato - understood there would be an informational session on the alley problem at 1008 Don Cubero. She was not going to be here, so she asked that her questions are entered into the record now and addressed at the meeting. The setbacks

were never proper, and she asked (put in a complaint) for a revocation of the permit which I sent to all Councilors. The permit is void because the City Manager did not have the authority to change a boundary or put a restrictive easement on the alley, etc. She asked to have it revoked so that a process could be undertaken with neighbors, owner, and City meeting to review it and work out a solution. She understood from talking with a planner, that it is the same as an accessory dwelling unit and the coverage must be no greater than 50% of the original footprint and this one is way over 50%. So, it needs an adjustment . I'm giving you a copy, Manager, Clerk and Mayor.

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

G. APPOINTMENTS

There were no appointments.

H. PUBLIC HEARINGS

A Fiscal Impact Report (FIR) for this Bill is incorporated herewith to these minutes as Exhibit 3.

- 1) **CONSIDERATION OF BILL NO. 2018-18: ADOPTION OF ORDINANCE NO. 2018-24.** (Councilor Romero-Wirth, Councilor Ives and Councilor Villarreal)
An Ordinance Relating to the Santa Fe Election Code, Chapter 9 SFCC 1987; Amending Subsection 9-1.2 to Opt-In to the Local Election Act and to Set the Regular Municipal Election Day as the First Tuesday in November in Odd-Numbered Years; Establishing a New Subsection 9-1.18 to Create a Temporary Transition Period During Which the Terms of the City Councilors Elected in 2016 and the Municipal Judge Will End on December 31, 2019 and the Terms of the Mayor and City Councilors Elected in 2018 Will End December 31, 2021; and Establishing a New Subsection 9-1.19 to Create Effective Date Contingent Upon the Voters' Approval of Santa Fe Municipal Charter Amendments at the November 2018 General Election. (Zachary Shandler, Assistant City Attorney, zashandler@santafenm.gov, 955-6303)

Councilor Romero-Wirth said this is the bill that will, if the charter amendment is approved by voters, detail what would happen if the charter amendments are voted favorably this November, to change election from March to November and elected officials' terms will be shortened rather than lengthened. Because the election will be moved from March back to November. Should we speak to the public relations campaign?

Mayor Webber said it did come up.

Councilor Romero-Wirth said if we pass it tonight, it will make outreach and voter education much easier. We do that by passing this ordinance. The Charter, which I don't have here, will get rid of the provisions in the charter that prevent us from moving the election from March to November.

She said it is a bit of a Rubik's Cube - to allow the City to elect by ordinance the date for the election and the date elected officials take office as provide in the local election act. This section would amend Section 4.01A, Election Date, Section 5.03 – Mayor Term, section 6.05 – Councilor Term; Section 7.04 - Municipal Judge Term; and Section 11.01 – Transition. And voters are asked to vote for or against them.

A vote for the amendment allows us to move the election from March to November. For the public relations campaign, Matt Ross has developed a plan to reach out to radio stations and post to social media to spread the word. She also wanted to give our City Clerk two minutes for what her office has done.

Ms. Vigil showed the mail-out which just went out to outline the question in English and Spanish and shows what the change will actually look like. It was mailed out to every household with a registered voter. Over a thousand brochures were distributed that gives the information that went to various locations in the City as libraries, schools, malls, etc. That is required by statute and we published it two times already in the New Mexican. Once the action happens tonight, it will be easier. On our website are links to the County to download absentee ballot to vote.

Public Hearing

Stefanie Beninato said, in support of this ordinance, she thought it will simplify elections around town and not have signs up all year long and she hoped it will increase voter turnout which has been poor in city and school elections .

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

Comments from the Governing Body

Councilor Vigil Coppler said, "I have been trying to get my name off this and you can guess why. I hate to say it but I'm not quite supportive of this. I am a believer in separation of powers and don't like the Legislature getting its tentacles into municipal matters. There is a cost/benefit perhaps, but I don't like unfunded mandates either. They should have sweetened the pot a bit. I'm just suspicious when the state gets into the business of the City. There is something about it that I just don't like. If it isn't broken,

don't fix it. There are other measures that can be done. You can ask voters to vote and sometimes they do and sometimes they don't.

I probably would have supported something like this when I thought it would be a measure that would truly bring voters to the polls at the same time. But when we were told that the County Commissioners were not going to be included in there because those are partisan elections, something could have been done about that. There is no magic about partisan vs. non-partisan. It could still all work. The County said they could make our rank-choice voting work. Well, they could make county elections across the state work, too. That could have really shown that there was reason behind it. But it is not truly local election if the County Commission is on the vote.

And further, it is not applicable to me because I'm already retired from the State but people across the State are counting on PERA. And there wasn't an answer for that except we will try to get it. And I would still contend that the State is trying to raise the PERA Fund and the two don't mesh well. It will result that people are given PERA money for months that they didn't really serve. That part is a missing link. So I think the State didn't think it through all the way.

Councilor Rivera said, "Unfortunately for me, I'm already not getting any PERA benefits. I wasn't eligible for anything. The only bad thing about this is that my time won't stand out from all the others on the corner and that is a difficult thing for me to swallow. With that said, I will join Councilor Romero-Wirth who has done most of the work, but I will join as a cosponsor.

MOTION: Councilor Romero-Wirth moved, seconded by Councilor Ives, for passage of BILL #2018-18 to, by ordinance opt into the Local Election Act of the State and move our elections from March to November and take Councilor Vigil Coppler's name off the bill as a sponsor.

DISCUSSION ON THE MOTION:

Councilor Rivera understood that people would be sworn in after the election and asked if there is any risk of a gap.

Ms. McSherry thought those elected could take the oath of office earlier and anything else takes place on the first day.

Councilor Rivera said the term would not start until January 1, but the oath could be taken earlier. He asked about swearing in.

Ms. McSherry said that would happen later only if you wait until after the first to be sworn in.

Councilor Vigil Coppler asked Ms. McSherry, on that point, if an elected person could take the oath of office in another state.

Ms. McSherry did not think it mattered, although she had not looked into that and said she would research that.

Councilor Romero-Wirth mentioned the three things Senator Ivey-Soto said must happen and swearing in is one and then an election certification and a third thing. Once those three are done, you are in office and swearing in could be done early.

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 Villarreal

Against: Councilor Vigil Coppler

- 2) **Case #H-16-109.** Appeal of the Historic Districts Review Board's Decision on March 13, 2018 to Deny Exception Requests for Height and Public Visibility to Construct a Rooftop Elevator on the Property Located at 76 East San Francisco Street, Listed as Contributing in the Downtown and Eastside Historic District. Appellant Peter Komis Requests that the Governing Body Rescind the Denial, Grant the Exception Requests and Approve the Proposed Construction. (Theresa Gheen, Assistant City Attorney, tegheen@santafenm.gov, 955-2976) **(POSTPONED TO DECEMBER 12, 2018)**

- 3) **CONSIDERATION OF BILL NO. 2018-19: ADOPTION OF ORDINANCE NO. 2018-___. (Councilor Romero-Wirth)**
An Ordinance Amending Section 9-3 SFCC 1987, The Public Campaign Finance Code, to Include a Definition for Qualified Small Contribution; Establishing a New Section Regarding Qualified Small Contributions; Establishing a New Section Mandating Matching Payments by the City; Establishing a New Section Regarding Reporting of Qualified Small Contributions and Matching Payments; and Replacing All References in

Chapter 9 of Municipal Clerk to City Clerk. (Zachary Shandler, Assistant City Attorney, zashandler@santafenm.gov, 955-6303) **(PUBLIC HEARING CANCELLED DUE TO POSTPONEMENT AT THE OCTOBER 1, 2018, FINANCE COMMITTEE MEETING)**

ADJOURN

Having completed the agenda and with no other matters to come before the Governing Body, the meeting was adjourned at 7:41 p.m.

Approved by:

Mayor Alan Webber

ATTESTED TO:

Yolanda Y. Vigil, City Clerk

Respectfully submitted:

Carl G. Boaz, Council Stenographer

Chapter 9 of Municipal Clerk to City Clerk. (Zachary Shandler, Assistant City Attorney, zashandler@santafenm.gov, 955-6303) **(PUBLIC HEARING CANCELLED DUE TO POSTPONEMENT AT THE OCTOBER 1, 2018, FINANCE COMMITTEE MEETING)**

ADJOURN

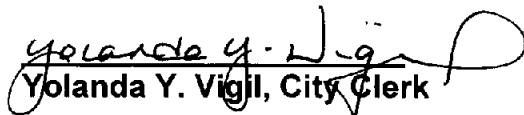
Having completed the agenda and with no other matters to come before the Governing Body, the meeting was adjourned at 7:41 p.m.

Approved by:

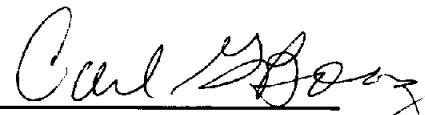


Mayor Alan Webber

ATTESTED TO:


Yolanda Y. Vigil, City Clerk

Respectfully submitted:



Carl G. Boaz, Council Stenographer

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

EXHIBIT 1**ITEM 10**

REQUEST FOR APPROVAL OF AN ORDINANCE CONCERNING THE MUNICIPAL WASTEWATER UTILITY SYSTEM OF THE CITY OF SANTA FE, NEW MEXICO (THE "SYSTEM"); PROVIDING FOR THE ISSUANCE OF THE CITY'S NET SYSTEM IMPROVEMENT BONDS, SERIES 2018, IN AN AGGREGATE PRINCIPAL AMOUNT NOT TO EXCEED \$15,000,000 FOR THE EXTENSION, ENLARGEMENT, BETTERMENT, REPAIR AND OTHER IMPROVEMENT OF THE SYSTEM; PROVIDING THAT THE BONDS SHALL BE PAYABLE SOLELY OUT OF THE NET REVENUES DERIVED FROM THE OPERATION OF THE SYSTEM; PROVIDING FOR THE ACQUISITION OF A RESERVE FUND INSURANCE POLICY IN CONNECTION WITH THE DEBT SERVICE RESERVE FUND ESTABLISHED IN CONNECTION WITH THE BONDS; PROVIDING FOR THE DISPOSITION OF THE REVENUES DERIVED FROM THE OPERATION OF THE SYSTEM; PROVIDING THE FORM, TERMS AND CONDITIONS OF THE BONDS, THE METHOD OF PAYING THE PRINCIPAL OF AND INTEREST ON THE BONDS AND THE SECURITY THEREFOR; PRESCRIBING OTHER DETAILS CONCERNING THE SYSTEM REVENUES, BONDS AND THE SYSTEM, INCLUDING BUT NOT LIMITED TO COVENANTS AND AGREEMENTS IN CONNECTION THEREWITH AND WITH FUTURE FINANCING THEREFOR; APPROVING FORMS OF A PRELIMINARY OFFICIAL STATEMENT AND A CONTINUING DISCLOSURE UNDERTAKING IN CONNECTION WITH THE BONDS; DELEGATING AUTHORITY TO THE MAYOR, CITY MANAGER, AND FINANCE DIRECTOR OF THE CITY TO DETERMINE THE EXACT PRINCIPAL AMOUNTS, MATURITY DATES, INTEREST RATES, PRICES, REDEMPTION FEATURES AND OTHER FINAL TERMS OF THE BONDS PURSUANT TO A FINAL TERMS CERTIFICATE; RATIFYING ACTION PREVIOUSLY TAKEN IN CONNECTION THEREWITH, AND REPEALING ALL ORDINANCES IN CONFLICT HERewith **(COUNCILOR RIVERA) (BRAD FLUETSCH, INVESTMENT MANAGER, BJFLUETSCH@SANTAFENM.GOV, 955-6865)**

- a. REQUEST FOR APPROVAL OF A RESOLUTION STATING THE OFFICIAL INTENT OF THE CITY OF SANTA FE TO REIMBURSE ITSELF FOR CERTAIN COSTS RELATING TO THE IMPROVEMENTS EXPECTED TO BE INCURRED BY THE CITY PRIOR TO THE ISSUANCE OF TAX-EXEMPT BONDS **(COUNCILOR RIVERA) (BRAD FLUETSCH, INVESTMENT MANAGER, BJFLUETSCH@SANTAFENM.GOV, 955-6865)**

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		



**CITY COUNCIL MEETING OF
October 10, 2018
BILLS AND RESOLUTIONS SCHEDULED FOR INTRODUCTION
BY MEMBERS OF THE GOVERNING BODY**

Mayor Alan Webber		
Co-Sponsors	Title	Tentative Committee Schedule
	A RESOLUTION URGING THE NEW MEXICO LEGISLATURE TO ADOPT COMPREHENSIVE GUN VIOLENCE PREVENTION LAWS DURING THE 2019 LEGISLATIVE SESSION TO ADDRESS POSSESSION OF FIREARMS BY DOMESTIC VIOLENCE OFFENDERS UNDER PROTECTIVE ORDERS, CHILD ACCESS PREVENTION, GUN VIOLENCE RESTRAINING ORDERS, BACKGROUND CHECKS, AND A BAN ON THE SALE OF BUMPSTOCKS.	Finance Committee – 11/5/18 City Council – 11/14/18
	A RESOLUTION ADOPTING THE SUSTAINABLE SANTA FE 25-YEAR SUSTAINABILITY PLAN WITH THE GOAL OF ACHIEVING CARBON NEUTRALITY BY THE YEAR 2040.	Public Works Committee – 10/29/18 Finance Committee – 11/5/18 Public Utilities Committee – 11/7/18 City Council – 11/14/18
	A RESOLUTION URGING THE NEW MEXICO STATE LEGISLATURE TO SUPPORT AND ENACT LEGISLATION RELATED TO THE LEGALIZATION, DECRIMINALIZATION AND/OR REGULATION OF CANNABIS AND CANNABIS-RELATED PRODUCTS FOR RECREATIONAL USE.	Finance Committee – 11/5/18 City Council – 11/14/18
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
Webber Romero Wirth Abeyta Rivera Ives Vigil Coppler Villarreal Harris	A RESOLUTION NAMING TORREON PARK AFTER MIKE T. JARAMILLO.	Parks and Recreation Advisory Commission – 11/21/18 Public Works Committee – 12/10/18 Finance Committee – 12/17/18 City Council – 01/09/19
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
Councilor JoAnne Vigil Coppler		
Co-Sponsors	Title	Tentative Committee Schedule
	A RESOLUTION AUTHORIZING AND SUPPORTING THE SUBMITTAL OF THE CITY'S PROJECT APPLICATION VIA THE SANTA FE METROPOLITAN PLANNING ORGANIZATION FOR NEW MEXICO DEPARTMENT OF TRANSPORTATION ADMINISTERED FUNDING FROM THE TRANSPORTATION ALTERNATIVES PROGRAM FOR FEDERAL FISCAL YEAR 2020 AND 2021.	Bicycle Trails Advisory Committee – 10/17/18 Public Works Committee – 10/29/18 Finance Committee – 11/5/18 City Council – 11/14/18

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.

FIR No. 3106

City of Santa Fe

Fiscal Impact Report (FIR) ITEM # H-1

This Fiscal Impact Report (FIR) shall be completed for each proposed bill or resolution as to its direct impact upon the City's operating budget and is intended for use by any of the standing committees of and the Governing Body of the City of Santa Fe. Bills or resolutions with no fiscal impact still require a completed FIR. Bills or resolutions with a fiscal impact must be reviewed by the Finance Committee. Bills or resolutions without a fiscal impact generally do not require review by the Finance Committee unless the subject of the bill or resolution is financial in nature.

Section A. General Information

(Check) Bill: 2018-18 Resolution: _____
(A single FIR may be used for related bills and/or resolutions)

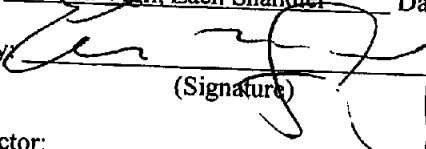
Short Title(s):

BILL 2018-18. AN ORDINANCE RELATING TO THE SANTA FE ELECTION CODE, CHAPTER 9 SFCC 1987; AMENDING SUBSECTION 9-1.2 TO OPT-IN TO THE LOCAL ELECTION ACT AND TO SET THE REGULAR MUNICIPAL ELECTION DAY AS THE FIRST TUESDAY IN NOVEMBER IN ODD-NUMBERED YEARS; ESTABLISHING A NEW SUBSECTION 9-1.18 TO CREATE A TEMPORARY TRANSITION PERIOD DURING WHICH THE TERMS OF THE CITY COUNCILORS ELECTED IN 2016 AND THE MUNICIPAL JUDGE WILL END ON DECEMBER 31, 2019 AND THE TERMS OF THE MAYOR AND CITY COUNCILORS ELECTED IN 2018 WILL END DECEMBER 31, 2021; AND ESTABLISHING A NEW SUBSECTION 9-1.19 TO CREATE EFFECTIVE DATE CONTINGENT UPON THE VOTERS' APPROVAL OF SANTA FE MUNICIPAL CHARTER AMENDMENTS AT THE NOVEMBER 2018 GENERAL ELECTION.

Sponsor(s): Councilor Romero-Wirth;

Reviewing Department(s): City Clerk, City Attorney

Persons Completing FIR: Yolanda Vigil, Zach Shandler Date: 9/26/18 Phone: x6521, x6303

Reviewed by City Attorney:  Date: 10/10/18
(Signature)

Reviewed by Finance Director: _____ Date: _____
(Signature)

Section B. Summary

Briefly explain the purpose and major provisions of the bill/resolution:

The bill would permit the City to opt-in to the Local Election Act and sets the municipal election date as the first Tuesday in November in odd-numbered years. By opting-in to the Local Election Act, the City would no longer perform early voting and election day services.

Section C. Fiscal Impact

Note: Financial information on this FIR does not directly translate into a City of Santa Fe budget increase. For a budget increase, the following are required:

- The item must be on the agenda at the Finance Committee and City Council as a "Request for Approval of a City of Santa Fe Budget Increase" with a definitive funding source (could be same item and same time as bill/resolution)
- Detailed budget information must be attached as to fund, business units, and line item, amounts, and explanations (similar to annual requests for budget)
- Detailed personnel forms must be attached as to range, salary, and benefit allocation and signed by Human Resource Department for each new position(s) requested (prorated for period to be employed by fiscal year)*

1. Projected Expenditures:

- Indicate Fiscal Year(s) affected – usually current fiscal year and following fiscal year (i.e., FY 03/04 and FY 04/05)
- Indicate: "A" if current budget and level of staffing will absorb the costs
"N" if new, additional, or increased budget or staffing will be required
- Indicate: "R" – if recurring annual costs
"NR" if one-time, non-recurring costs, such as start-up, contract or equipment costs
- Attach additional projection schedules if two years does not adequately project revenue and cost patterns
- Costs may be netted or shown as an offset if some cost savings are projected (explain in Section 3 Narrative)

Finance Director: _____

_____ Check here if no fiscal impact

Column #:

1	2	3	4	5	6	7	8
Expenditure Classification	FY 18/19	"A" Costs Absorbed or "N" New Budget Required	"R" Costs Recurring or "NR" Non-recurring	FY _____	"A" Costs Absorbed or "N" New Budget Required	"R" Costs - Recurring or "NR" Non-recurring	Fund Affected

Personnel*	\$ _____	_____	_____	\$ _____	_____	_____	_____
Fringe**	\$ _____	_____	_____	\$ _____	_____	_____	_____
Capital Outlay	\$ _____	_____	_____	\$ _____	_____	_____	_____
Land/ Building	\$ _____	_____	_____	\$ _____	_____	_____	_____
Professional Services	\$ _____	_____	_____	\$ _____	_____	_____	_____
All Other Operating Costs	\$22,304.82	N	R	\$ _____	_____	_____	12011
Total:	\$22,304.82			\$ _____			

* Any indication that additional staffing would be required must be reviewed and approved in advance by the City Manager by attached memo before release of FIR to committees. **For fringe benefits contact the Finance Dept.

2. Revenue Sources:

a. To indicate new revenues and/or

b. Required for costs for which new expenditure budget is proposed above in item 1.

Column #:

1	2	3	4	5	6
Type of Revenue	FY _____	"R" Costs Recurring or "NR" Non-recurring	FY _____	"R" Costs - Recurring or "NR" Non-recurring	Fund Affected

_____	\$ _____	_____	\$ _____	_____	_____
_____	\$ _____	_____	\$ _____	_____	_____
_____	\$ _____	_____	\$ _____	_____	_____
Total:	\$ _____		\$ _____		

3. Expenditure/Revenue Narrative:

Explain revenue source(s). Include revenue calculations, grant(s) available, anticipated date of receipt of revenues/grants, etc. Explain expenditures, grant match(s), justify personnel increase(s), detail capital and operating uses, etc. (Attach supplemental page, if necessary.)

Costs associated with opting-in to the New Mexico Local Election Act include an annual assessment to be deposited in the Local Election Fund which is managed by the Secretary of State's Office. The amount of the annual assessment is equal to \$250 per one million dollars (\$1,000,000) or minor fraction thereof. The assessment is based on the City's general fund expenditures for each fiscal year. The assessment does not include federal funds received nor capital expenditures. Fiscal Year 2017/2018's expenditures were \$89,219,262.23. Therefore, the City's cost for the annual assessment would be \$22,304.82. Since an election occurs every two years, the total amount the City would be assessed per election is approximately \$44,609.64. This amount will fluctuate based on the City's annual expenditures.

If Santa Fe County does administer the municipal election in November of 2019, the City will see a cost savings because there will be no need to hire precinct officials, obtain ballot on demand systems and election supplies; however, the City will be responsible for publication, personnel and other election related costs.

Section D. General Narrative

1. **Conflicts:** Does this proposed bill/resolution duplicate/conflict with/companion to/relate to any City code, approved ordinance or resolution, other adopted policies or proposed legislation? Include details of city adopted laws/ordinance/resolutions and dates. Summarize the relationships, conflicts or overlaps.

The Governing Body adopted Resolution No. 2018-55 which allows the City to provide a means for the voters to determine whether or not to repeal certain provisions of the Santa Fe Municipal Charter in order to be aligned with the New Mexico Local Election Act. If the voters do not approve the repeal of Charter provisions then elections will continue to be held in March of even numbered years and public officials will begin their term of office the sixth day after they are elected.

There may be conflicts with Article 9-1 SFCC 1987 (Election Code) and Article 9-3 SFCC 1987 (Public Campaign Finance Code).

2. Consequences of Not Enacting This Bill/Resolution:

Are there consequences of not enacting this bill/resolution? If so, describe.

If the bill is not adopted, then the City would have to comply with the Local Election Act.

3. Technical Issues:

Are there incorrect citations of law, drafting errors or other problems? Are there any amendments that should be considered? Are there any other alternatives which should be considered? If so, describe.

TBD

4. Community Impact:

Briefly describe the major positive or negative effects the Bill/Resolution might have on the community including, but not limited to, businesses, neighborhoods, families, children and youth, social service providers and other institutions such as schools, churches, etc.

The change to the dates elections are held may initially confuse voters, but with enough outreach, staff will attempt to educate the voters so that they are aware of the changes.