

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

2 **BILL NO. 2018-22**

3 **INTRODUCED BY:**

4
5 Mayor Alan M. Webber

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9
10 **AN ORDINANCE**

11 **AMENDING SUBSECTION 6-17.2 TO REMOVE REFERENCES TO THE ECONOMIC**
12 **DEVELOPMENT REVIEW SUBCOMMITTEE; REPEALING SECTION 6-17.6**
13 **REGARDING THE ECONOMIC DEVELOPMENT REVIEW SUBCOMMITTEE;**
14 **REPEALING SUBSECTION 11-11.6 REGARDING THE ECONOMIC DEVELOPMENT**
15 **REVIEW SUBCOMMITTEE; AMENDING SUBSECTION 11-11.8 TO REMOVE**
16 **REFERENCES TO THE ECONOMIC DEVELOPMENT REVIEW SUBCOMMITTEE;**
17 **AND REPEALING SECTIONS 6-8 AND 19-10 REGARDING THE GRIEVANCE**
18 **REVIEW BOARD.**

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

21 **Section 1. Subsection 6-17.2 of SFCC 1987 (being Ord. #2005-5, as amended) is**
22 **hereby amended to read:**

23 **6-17.2 - Powers and duties.**

24 The powers and duties of the committee shall include (without limitation):

25 A. At the discretion of the economic development advisory committee, reviewing

1 and making a recommendation to the governing body on proposed ordinances amending the
2 city code, resolutions or other city regulations which may have a potential impact on
3 businesses in the community. The committee shall conduct a public meeting regarding such
4 proposed ordinances, resolutions or regulations as early as possible in their development.
5 Items under consideration by the committee may be moved to another committee or to the
6 governing body for appropriate consideration upon a majority vote of the governing body at
7 any time.

8 B. Providing timely information to businesses regarding those proposed
9 ordinances, resolutions and regulations;

10 C. Informing the governing body, in a timely manner, as to the potential impacts
11 of proposed ordinances, resolutions or regulations on the business community;

12 D. Initiating proposals, through an annual work plan, which would improve the
13 business climate and the quality of life in the community as a whole including, but not limited
14 to, modifications to city regulations and operations and staff responsibilities for the governing
15 body's consideration;

16 E. Advising the governing body on matters of importance to the business
17 community and the community as a whole including, but not limited to, impacts on the
18 business community and the community as a whole due to city regulations and operations and
19 suggesting improvements for city services;

20 F. Reviewing and making recommendations to the governing body on
21 implementing the economic development plan and the annual budget for implementing the
22 economic development plan. The committee, in coordination with public groups, shall appoint
23 working groups or advisory subcommittees of the economic development committee, as
24 needed, to implement the economic development plan.

25 G. ~~Reviewing the recommendations of the economic development review~~

1 ~~subcommittee and m]~~ Making recommendations to the governing body regarding:

2 (1) Applications for assistance for economic development projects; and

3 (2) Reviewing and making recommendations to the governing body on
4 applications for industrial revenue bonds (IRBs) as set forth in Resolution No. 1995-
5 83 as may be amended.

6 H. Adopting procedures, schedules and administrative policies for matters within
7 the committee's powers and duties in order to provide information and assistance to city staff,
8 the public and the governing body.

9 **Section 2. [REPEAL] Section 6-17.6 of SFCC 1987 (being Ord. #2008-16, as**
10 **amended) is hereby repealed.**

11 **Section 3. [REPEAL] Subsection 11-11.6 of SFCC 1987 (being Ord. #1996-**
12 **21, as amended) is hereby repealed.**

13 **Section 4. Subsection 11-11.8 of SFCC 1987 (being Ord. #1996-21, as amended)**
14 **is hereby amended to read:**

15 **11-11.8 Application review process.**

16 A. The economic development division, finance department, and such other city
17 staff as are necessary and appropriate shall review the application.

18 B. If the application does not exceed the maximum threshold allowed under city
19 procurement provisions for city manager's approval and the proposed project meets the
20 definitions of this section and the policies and objectives of the city's economic development
21 plan, staff shall make a recommendation to the city manager who may approve the
22 application. Staff shall report to the economic development advisory committee on a periodic
23 basis, no more than quarterly and no less than annually, regarding the progress and results of
24 all applications approved by the city manager, with the period of reporting being set forth in
25 the relevant project participation agreement. All other requirements of Section 11-11 shall

1 apply.

2 C. If the application exceeds the maximum threshold allowed under city
3 procurement provisions for city manager's approval, staff shall advise the economic
4 development [~~review subcommittee~~] advisory committee if the entity and the proposed project
5 meet the definitions of this section and the policies and objectives of the city's economic
6 development plan. The city may at its discretion engage independent consultants to assist in
7 the review of applications.

8 D. The economic development [~~review subcommittee~~] advisory committee shall
9 determine at a public meeting whether the entity and the proposed project qualify under this
10 section.

11 E. City staff shall then coordinate with the qualifying entity to develop a project
12 participation agreement as set forth in subsection 11-11.11 SFCC 1987.

13 F. The economic development [~~review subcommittee~~] advisory committee shall
14 consider the economic development project and the project participation agreement at a public
15 meeting in accordance with the criteria set forth in subsection 11-11.9 SFCC 1987. [~~The~~
16 ~~committee shall recommend to the economic development advisory committee that the~~
17 ~~proposal be adopted, conditionally adopted or not adopted.~~]

18 G. The recommendation will be forwarded with the project participation
19 agreement, minutes of [~~the economic development review subcommittee and~~] the economic
20 development advisory committee meetings and any other pertinent information to the
21 governing body for final consideration at a public hearing. Review of the application by the
22 finance committee shall be required in lieu thereof.

23 H. Information obtained by the city of Santa Fe that is proprietary technical or
24 business information or related to the possible relocation or expansion of a qualifying entity
25 shall be confidential and not subject to inspection pursuant to the Inspection of Public Records

1 Act 14-2-4 NMSA 1978.

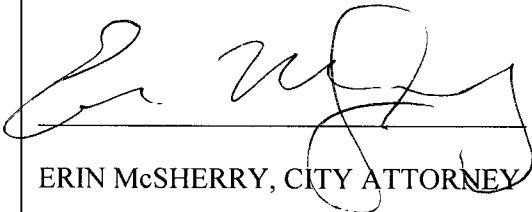
2 I. It is unlawful for any employee of the city, or any former employee of the city
3 to reveal to any person other than another employee of the city any confidential information
4 obtained by the city that is proprietary technical or business information or related to the
5 possible relocation or expansion of a qualifying entity and not available from public sources,
6 except in response to an order of a district court, an appellate court or a federal court.

7 J. Any employee or former employee of the city who reveals to another person
8 any information that employee or former employee is prohibited from lawfully revealing is in
9 violation of this section and shall be sentenced in accordance with the provisions of
10 subsection 1-3.1 SFCC 1987.

11 **Section 5. [REPEAL] Section 6-8 of SFCC 1987 is hereby repealed.**

12 **Section 6. [REPEAL] Section 19-10 of SFCC 1987 (being Ord. #1983-44) is**
13 **hereby repealed.**

14 APPROVED AS TO FORM:

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17 ERIN McSHERRY, CITY ATTORNEY