



# Agenda

REGULAR MEETING OF  
THE GOVERNING BODY  
JUNE 12, 2019  
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 – May 29, 2019
9. PRESENTATIONS
  - a) Hannah Laga Abram, Santa Fe Youth Poet Laureate. (Councilor Romero-Wirth)
  - b) Santa Fe Mountains Landscape Resiliency Project. (Alan Hook, Water Resources Coordinator, [aghook@santafenm.gov](mailto:aghook@santafenm.gov), 955-4205 and James Melonas, Forest Supervisor, United States Forest Service)  
**INFORMATIONAL ONLY**
10. CONSENT CALENDAR
  - a) Request for Approval of the Annual Report for the Santa Fe River Target Flows: Target Year Activity from April 2018 to April 2019 and Anticipated Activity for the Santa Fe River Target Flow Year of April 2019 to April 2020. (Melissa A. McDonald, River and Watershed Coordinator, [mamcdonald@santafenm.gov](mailto:mamcdonald@santafenm.gov), 955-6840)
  - b) Request for Approval of Amendment No. 1 for On-Call HVAC and Plumbing Services at Midtown Campus in the Amount of \$55,975.54, Inclusive of NMGR; B&D Industries, Inc. (Sam Burnett, Public Works Property Maintenance Manager, [jsburnett@santafenm.gov](mailto:jsburnett@santafenm.gov), 955-5933)



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- c) Request for Approval of Amendment No. 3 to Extend Parking Citation Administrative Hearing Services Professional Services for Final Year Ending June 30, 2020; Anthony Tupler, Attorney at Law. (Noel Correia, Parking Division Director, [npcorreia@santafenm.gov](mailto:npcorreia@santafenm.gov), 955-6611)
- d) Request for Approval of Amendment No. 4 for Unforeseen Service Calls Due to Vandalism, in the Amount of \$13,000; KONE, Inc. (Noel Correia, Parking Division Director, [npcorreia@santafenm.gov](mailto:npcorreia@santafenm.gov), 955-6611)
- e) Request for Approval of Amendment No. 1 for Professional Engineering and Architectural Services, in the Amount of \$947,455.83, and Approval of Task Order Numbers 2018-1 through 2018-8; Molzen Corbin & Associates. (Mark Baca, Airport Manager, [mbaca@santafenm.gov](mailto:mbaca@santafenm.gov), 955-2901)
- f) Request for Approval of Procurement Utilizing New Mexico State Price Agreement #70-000-16-00002, for an Additional Option on One (1) 2019 Chevrolet Silverado 1500, for the City of Santa Fe Fire Department, in the Additional Amount of \$1,195, for a Total Price of \$77,377; Melloy Chevrolet in Los Lunas. (Governing Body Approved the Original Purchase in the Amount of \$76,182 on March 27, 2019.) (Jan Snyder, Assistant Fire Chief, [jmsnyder@santafenm.gov](mailto:jmsnyder@santafenm.gov), 955-3121)
- g) Request for Approval of Procurement Utilizing New Mexico State Price Agreements #70-000-16-00001 and #70-000-16-00002, for Two (2) 2019 Chevrolet Malibu Hybrids and Three (3) 2019 Chevrolet Equinox for the City of Santa Fe Fire Department in the Amount of \$119,312; Melloy Chevrolet in Los Lunas. (Jan Snyder, Assistant Fire Chief, [jmsnyder@santafenm.gov](mailto:jmsnyder@santafenm.gov), 955-3121)
- h) Request for Approval of Amendment No. 2 for Brochure Display and Distribution, in the Amount of \$50,000; Certified Folder Display Service, Inc. (Randy Randall, Tourism Santa Fe Executive Director, [rrandall@santafenm.gov](mailto:rrandall@santafenm.gov), 955-6209)
- i) Request for Approval of Amendment No. 5 to Extend the Term and Increase Compensation in the Amount of \$24,000 for Fiscal Year 19/20; Fun and Games, Inc. (Randy Randall, Tourism Santa Fe Executive Director, [rrandall@santafenm.gov](mailto:rrandall@santafenm.gov), 955-6209)



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- m) Request for Review and Approval of Community Development Block Grant (CDBG) Professional Services Agreement Amendments: (Jacqueline Beam, Office of Affordable Housing, [jybeam@santafenm.gov](mailto:jybeam@santafenm.gov), 955-6574)
  - 1) Homewise - Amendment #3 - Fiscal Year 2018-19 CDBG Extension of Term and Program Income Revisions.
  - 2) Homewise - Amendment #1 - Fiscal Year 2018-19 CDBG Extension of Term and CFR Language Revisions.
  - 3) Santa Fe Community Housing Trust - Amendment #1 - Fiscal Year 2018-19 CDBG Extension of Term and CFR Language Revisions.
- n) Request for Approval to Publish Notice of Public Hearing on July 10, 2019:  
**Bill No. 2019-12:** An Ordinance Amending Various Sections of Chapter 14, the Land Development Code, to Repeal the Summary Committee, A Subcommittee of the Planning Commission, Repeal Obsolete References to the Business Capitol District Development Review Committee, and Make Such Other Changes as are Necessary to Provide Consistency. (Councilor Abeyta) (Noah Berke, Land Use Planning and Policy Administrator, [nlberke@santafenm.gov](mailto:nlberke@santafenm.gov), 955-6647)



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- o) CONSIDERATION OF RESOLUTION NO. 2019-\_\_\_\_. (Mayor Webber and Councilor Harris)  
A Resolution Accepting and Approving the Fiscal Year 2018 Audit. (Brad Fluetsch, Cash & Investment Manager, [bfluetsch@santafenm.gov](mailto:bfluetsch@santafenm.gov), 955-6885)
- p) CONSIDERATION OF RESOLUTION NO. 2019-\_\_\_\_. (Councilor Romero-Wirth)  
A Resolution Endorsing the North Central Regional Transit District's FY2020 Budget Proposal, Approving the City of Santa Fe's FY2020 Regional Transit Plan; Funding the Mountain Trail 255 Route; and Directing Staff to Submit the City's Regional Transit Plan for FY2020 to the North Central Regional Transit District Board of Directors for Consideration and Approval. (Keith Wilson, Transit Division Director, [kpwilson@santafenm.gov](mailto:kpwilson@santafenm.gov), 955-2223)
- q) CONSIDERATION OF RESOLUTION NO. 2019-\_\_\_\_. (Mayor Webber, Councilor Rivera and Councilor Romero-Wirth)  
A Resolution Urging Congress to Clarify That the Rights Protected Under the United States Constitution Are the Rights of Human Beings and Not the Rights of Artificial Entities and That Governments May and Shall Regulate Campaign Contributions and Expenditures to Protect the People from Corruption and Undue or Disproportionate Influence in Elections and Government; Asking That Congress Propose a Constitutional Amendment to Provide Such Clarification. (Jesse Guillen, Legislative Liaison, [jbgullen@santafenm.gov](mailto:jbgullen@santafenm.gov), 955-6518)
- 11. CONSIDERATION OF RESOLUTION NO. 2019-\_\_\_\_. (Mayor Webber)  
A Resolution Calling for a Regular Local Election to be Held on November 5, 2019 for the Purpose of Electing One City Councilor from Each Council District and One Municipal Judge At-Large and Notifying the Santa Fe County Clerk of the Positions to be Filled. (Yolanda Y. Vigil, City Clerk, [yyvigil@santafenm.gov](mailto:yvigil@santafenm.gov), 955-6521)
- 12. Request for Approval of a Budget Amendment Resolution (BAR) for the Sierra del Norte Street Repairs Creating Budget for Both the Revenue and Expenditure from the Settlement and Release from Liability Approved by the Governing Body Between the City of Santa Fe and Public Service Company of New Mexico. (Javier Martinez, Streets Division Director, [jamartinez2@santafenm.gov](mailto:jamartinez2@santafenm.gov), 955-2402)



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13. MATTERS FROM THE CITY MANAGER
14. MATTERS FROM THE CITY ATTORNEY

## EXECUTIVE SESSION

In Accordance with the New Mexico Open Meetings Act, Specifically NMSA 1978, Subsection 10-15-1(H), Parts (5) and (7) , Discussion of Collective Bargaining Strategy and Discussion of Threatened or Pending Litigation in Which the City is or May Become a Participant, Including But Not Limited to Joining Other Local Governments in Filing an Amicus Brief in U.S. Supreme Court Cases *R.G. & G.R. Harris Funeral Homes Inc. v. EEOC & Aimee Stephens*; *Altitude Express Inc. v. Zarda*; and *Bostock v. Clayton County*. (Erin K. McSherry, City Attorney, [ekmcsherry@santafenm.gov](mailto:ekmcsherry@santafenm.gov) 955-6512)

15. Authorization to Join a Coalition of Local Governments in an Amicus Brief in Support of the Position that Title VII's Ban on Workplace Sex Discrimination Includes Discrimination Based on Sexual Preference and Gender Identity in Three Pending U.S. Supreme Court Cases: *R.G. & G.R. Harris Funeral Homes Inc. v. EEOC & Aimee Stephens*; *Altitude Express Inc. v. Zarda*; and *Bostock v. Clayton County*. (Erin K. McSherry, City Attorney, [ekmcsherry@santafenm.gov](mailto:ekmcsherry@santafenm.gov) 955-6512)
16. Approval of an Agreement Pursuant to Section 611(g) of Title VI of the Claims Resolution Act of 2010, as Partial Settlement of *State of New Mexico v. Aamodt*, Case 6:66-cv-06639-WJ-WPL. (Marcos D. Martinez, Assistant City Attorney, [mdmartinez@santafenm.gov](mailto:mdmartinez@santafenm.gov) 955-6512) (Postponed on May 29, 2019) (Postponed to June 26, 2019)
17. MATTERS FROM THE CITY CLERK
18. 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

# Agenda

**REGULAR MEETING OF  
THE GOVERNING BODY  
JUNE 12, 2019  
CITY COUNCIL CHAMBERS**

**SUMMARY INDEX  
SANTA FE CITY COUNCIL  
June 12, 2019**

<b>ITEM</b>	<b>ACTION</b>	<b>PAGE</b>
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 Calendar	Approved as amended	2
8. Approval of Minutes – May 29, 2019	Approved as presented	2
9. Presentations:	Hannah Laga Abram	2-3
	Mountains Resiliency Project	3-6
10. Consent Calendar Listing	Listed	7-9
11. November Local Election Resolution	Approved	9
12. Sierra del Norte Street BAR	Approved	10
13. Matters from the City Manager	Comments	10
14. Matters from the City Attorney	Comments	10
Executive Session	5:54 - 6:55	10-11
15. Amicus Brief Support	Approved	11-12
16. State v. Aamodt Settlement	Remained postponed	12
17. Matters from the City Clerk	None	12
18. Communications with Governing Body	Communications	12-13
Evening Session at 7:00	Quorum Present	13
F. Petitions from the Floor	Petitions Made	13-15
G. Appointments	Archaeological Review	15-16
H. Public Hearings	None	16
I. Adjournment	Adjourned at 7:26 pm	16

**MINUTES OF THE  
REGULAR MEETING OF THE  
GOVERNING BODY  
Santa Fe, New Mexico  
June 12, 2019**

**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, June 12, 2019, at approximately 5:00 p.m., in 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 Christopher M. Rivera  
Councilor Carol Romero-Wirth  
Councilor JoAnne Vigil Coppler  
Councilor Renee D. Villarreal

**Members Excused**

Councilor Mike Harris  
Councilor Peter N. Ives

**Others Attending**

Erik Litzenberg, City Manager  
Erin McSherry, City Attorney  
Elizabeth Martin for Carl Boaz, Council Stenographer

**6. APPROVAL OF AGENDA**

Mr. Litzenberg asked to remove Item 10(n) from the agenda.

Ms. McSherry asked to limit discussion in the closed executive session to possible litigation only.



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

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

## **7. APPROVAL OF CONSENT CALENDAR**

Councilor Villarreal asked to be listed as a co-sponsor items p and q.

**MOTION:** Councilor Abeyta moved, seconded by Councilor Rivera, to approve the Consent Agenda as amended.

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

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

**Against:** None.

## **8. APPROVAL OF MINUTES: Regular City Council Meeting - May 29, 2019**

**MOTION:** Councilor Rivera moved, seconded by Councilor Vigil Coppler, to approve the minutes of May 29, 2019 as presented.

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

## **9. PRESENTATIONS:**

- a) Hannah Laga Abram, Santa Fe Youth Poet Laureate. (Councilor Romero-Wirth)

Councilor Romero-Wirth announced a special treat for the Council and community with Ms. Hannah Laga Abram, Santa Fe Youth poet laureate. She will read one of her poems for us. Councilor Romero-Wirth shared her background and accomplishments.

Ms. Abram read her poem, *August Motion* for the Governing Body and audience.

Mayor Webber thanked her for her accomplishments and for reading her poem tonight.

- b) Santa Fe Mountains Landscape Resiliency Project. (Alan Hook, Water Resources Coordinator, aghook@santafenm.gov, 955-4205 and James Melonas, Forest Supervisor, United States Forest Service)  
**INFORMATIONAL ONLY**

Mr. Hook introduced James Melonas, National Forest Supervisor, for the presentation. He explained the report is informational for Councilors and constituents and interested stakeholders.

Mr. Melonas provided the presentation to Council.

Councilor Villarreal thanked Mr. Melonas for presenting and giving details about this next step of the resiliency project. She asked, if there were committee members or groups who wanted to have a tour of the watershed to understand the big picture, what the best way to make that happen would be and who they would contact. That would help people better understand it and see all aspects of those projects.

Mr. Melonas said they have done some field trips and would like to do more. Hannah is our coordinator for this project. She is a great contact to coordinate those types of field trips. We are also happy to help coordinate some this summer.

Councilor Villarreal, you are planning on having public meetings. How are you getting the message out to let people know about the meetings and where held and how do you do a robust outreach.

Mr. Melonas said they send out press releases and have 7,000 followers on Facebook and Twitter and are working with other followers. They also push out timely information through the next door process.

Councilor Villarreal asked if for those two meetings they are to get feedback about public concerns or just to let the public know what we are doing.

Mr. Melonas said we are looking for the feedback. We have a proposal and wanted to refine that and look at alternatives to the proposal and then what the tradeoffs would be.

Councilor Villarreal knew various partners were involved. She asked how each partner is folded into the mix in terms of funding and where the bulk of funding is coming from. She asked what the role of the city and other partners is.

Mr. Melonas said we have an agreement with the City of Santa Fe for several years. It is a cost share for work within the watershed itself. In terms of other types of work we have been able to leverage funds through Game and Fish, Tesuque Pueblo and issue different forms of agreements to best leverage funds to get the work done. Within that area, there is a lot of private, city-owned and tribal land. The City and County and State Forestry have the ability to work on that private side land.

Councilor Villarreal asked if there is a State and Federal match.

Mr. Melonas said they get awards through the Forest Service from Congress. We put that money into the projects on a national first side. We have an agreement with state agencies to cost share on that side.

Councilor Villarreal said he mentioned how catastrophic fires contribute to flooding issues. When we do prescribed burns, do we expect the same kinds of flooding issues when it rains right after that?

Mr. Melonas explained we are looking for that low intensity burn. In the watershed, Mr. Hook and his office have some great data about the impact on water quality after prescribed burns. Usually, we do the work in spring or fall but not during monsoons. That does not really register on water quality in the reservoirs. So he did not see those as an issue. Where they have seen major flooding impacts is with high intensity fires that burn every tree and the soil to such an extent that there is nothing left, and it is hard packed with no natural characteristic.

Councilor Villarreal asked how environmental analysis differed from environmental impact statements or study and how does that look different.

Mr. Melonas explained there are three levels of environmental analysis in MEPA. One is categorical exclusion. 2<sup>nd</sup> is environmental assessment. 3<sup>rd</sup> is the environmental impact statement. We are doing environmental assessment. A lot of folks expressed concern in wanting us to do the environmental impact statement. If through our analysis we determine specific impacts to specific resources that would trigger us doing an environmental impact statement, which is a very thorough assessment. It is a very specific requirement of threatened and endangered species and cultural resources. We do surveys and make sure we are taking and protecting those resources. They are requirements, regardless of the level of MEPA.

Councilor Villarreal said the tour with him was very informative for details on process and how the prescribed burn is done and what it looks like. People do not generally know about them. It is important to mention what actually happens in the process. She believed he was very cognizant and careful about that. She did not want to be associated with Trump associates who are fast-tracking prescribed burns. She asked him to share a bit about that and having enough community input.

Mr. Melonas that is why so critical to have a fire shed coalition and forums. We have had screening for film and events in town to engage people. The idea for this coalition came in 2016 around these issues - things we need to take on as a community. He fully understands the love and passion people have for these mountains. We are trying to create a process, so folks feel they have been heard. He wants to make sure not only are we hearing from folks, but folks are talking to each other, as well. It is important to hear from Tesuque Pueblo original inhabitants of these mountains. All different viewpoints need to be heard.

We will keep updated on this and can share on social media as well.

Councilor Vigil Coppler asked, on average, how many fire fighters they have on these projects and from which agencies do they come and is there consistency in their training.

Mr. Melonas said there were 25 to 30 at the last burn. Forest Service, City crew, Tesuque Pueblo crew, youth crews all helped. There is a nationally consistent training system to ensure folks meet the requirements for different positions within the system.

Councilor Romero-Wirth said he mentioned a process of public comments on environmental analysis and a draft for public comment and a final. What is the time frame for this and length of comment periods?

Mr. Melonas said they have 30-day comment periods. The environmental analysis is informed by scoping. Then we do a draft and another 30-day comment period and an objection process if someone wants to object to the process. So the full timeline is at least a year. Sometime next summer for the final decision.

Councilor Romero-Wirth asked if it is a draft of environmental analysis that goes out to public comment.

Mr. Melonas agreed along with a more detailed proposal and any alternatives for 30 day comment before final decision.

Councilor Romero-Wirth said, realizing that we are in a bull=s-eye of climate change what kind of analysis do you do in terms of thinking about where we will be moving forward which might not look anything like our historic past?

Mr. Melonas said it gives us a reference. We have some great research. Carbon storage is another issue people have concerns about. Researchers at UNM who have looked at different scenarios on carbon storage and carbon sequestration and release. Data shows that doing thoughtful thinning and burning can net possible carbon storage. We do have some great research around that and around climate resiliency. The forest now is overstocked with small trees susceptible to insects, diseases and outbreaks and other types of stressors. By trying to reintroduce the natural cycle of low intensity fire helps

to make our forest more resilient to stressors than they have been in the past and droughts.

Councilor Romero-Wirth asked what the treatment is.

Mr. Melonas said there are three ways we can restore forests. Thinning and burning are primary tools on the upland forest. The issue with riparian areas is along streams. We are trying to address invasive species or erosion and restoring stream channels.

Councilor Romero-Wirth how you think about climate change in our analysis is that researcher at UNM is part of the process. She asked if he was integrating climate change science into his project.

Mr. Melonas said they use the best avail science in the analysis. Researchers are part of the process

Councilor Romero-Wirth asked if the professors you are using have his research as a reference tool.

Mr. Melonas agreed. We work with him to some extent. He very interested in these issues. We trying to have him play a more active role in the process as well.

Councilor Rivera thank you for presentation. In the analysis this a pretty large area. Do they look at the entire piece as a whole or can they take pieces and make diff recommendation for different areas.

Mr. Melonas said analysis is in that entire area. Our regional office is in Albuquerque. They have some cutting edge data that we will be using to do ecological analysis. We will have to deal with the current conditions. There are areas where conditions are such that we can introduce prescribed fire in a thoughtful way without doing thinning first. Any time we have the ability to do that, we will, because thinning is very expensive. If conditions are so dense and crowded, we can't introduce fire.

Councilor Rivera asked if it is in the analysis where they would recommend thinning as opposed to fire right away.

Mr. Melonas agreed.

Councilor Rivera was concerned with the larger piece above McClure Reservoir and asked if they would treat that area different because it is uphill and so close to our reservoirs.

Mr. Melonas said they are able to build off of our work in the watershed in that area. We have done some initial thinning there and will build off of that work.

Mayor thanked Mr. Melonas for being here to present.

**10. CONSENT CALENDAR (All approved on consent)**

- a) Request for Approval of the Annual Report for the Santa Fe River Target Flows: Target Year Activity from April 2018 to April 2019 and Anticipated Activity for the Santa Fe River Target Flow Year of April 2019 to April 2020. (Melissa A. McDonald, River and Watershed Coordinator, mamcdonald@santafenm.gov, 955-6840)
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~~**Bill No. 2019-12: An Ordinance Amending Various Sections of Chapter 14, the Land Development Code, to Repeal the Summary Committee, A Subcommittee of the Planning Commission, Repeal Obsolete References to the Business Capitol District Development Review Committee, and Make Such Other Changes as are Necessary to Provide Consistency. (Councilor Abeyta) (Noah Berke, Land Use Planning and Policy Administrator, niberke@santafenm.gov, 955-6647)**~~

This item was removed from the agenda under Approval of the Agenda.

- o) **CONSIDERATION OF RESOLUTION NO. 2019-29.** (Mayor Webber and Councilor Harris) A Resolution Accepting and Approving the Fiscal Year 2018 Audit. (Brad Fluetsch, Cash and Investment Manager, bjfluetsch@santafenm.gov, 955-6885)
- p) **CONSIDERATION OF RESOLUTION NO. 2019-30.** (Councilor Somersworth)  
A Resolution Endorsing the North Central Regional Transit District=s FY2020 Budget Proposal, Approving the City of Santa Fe=s FY2020 Regional Transit Plan; Funding the Mountain Trail 255 Route; and Directing Staff to Submit the City=s Regional Transit Plan for FY2020 to the North Central Regional Transit District Board of Directors for Consideration and Approval. (Keith Wilson, Transit Division Director, kpwilson@santafenm.gov, 955-2223)
- q) **CONSIDERATION OF RESOLUTION NO. 2019-31.** (Mayor Webber, Councilor Rivera and Councilor Romero-Wirth)  
Resolution Urging Congress to Clarify That the Rights Protected Under the United States Constitution Are the Rights of Human Beings and Not the Rights of Artificial Entities and That Governments May and Shall Regulate Campaign Contributions and Expenditures to Protect the People from Corruption and Undue or Disproportionate Influence in Elections and Government; Asking That Congress Propose a Constitutional Amendment to Provide Such Clarification. (Jesse Guillen, Legislative Liaison, jbg Guillen@santafenm.gov, 955-6518)

#### **END OF CONSENT CALENDAR**

- 11. **CONSIDERATION OF RESOLUTION NO. 2019-32.** (Mayor Webber)  
A Resolution Calling for a Regular Local Election to be Held on November 5, 2019 for the Purpose of Electing One City Councilor from Each Council District and One Municipal Judge At-Large and Notifying the Santa Fe County Clerk of the Positions to be Filled. (Yolanda Y. Vigil, City Clerk, yyvigil@santafenm.gov, 955-6521)

**MOTION:** Councilor Lindell moved, seconded by Councilor Abeyta to approve the resolution 2019-32.

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

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



**Against:** None.

12. Request for Approval of a Budget Amendment Resolution (BAR) for the Sierra del Norte Street Repairs Creating Budget for Both the Revenue and Expenditure from the Settlement and Release from Liability Approved by the Governing Body Between the City of Santa Fe and Public Service Company of New Mexico. (Javier Martinez, Streets Division Director, jamartinez2@santafenm.gov, 955-2402)

**MOTION:** Councilor Lindell moved, seconded by Councilor Vigil Coppler to approve the BAR.

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

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

**Against:** None.

### 13. MATTERS FROM THE CITY MANAGER

Mr. Litzenberg recommended a study session on a hot topic for us and you all as well on the ERP. We will get an email about it tomorrow with specifics. He is looking at late June for ERP or the first week of July.

Councilor Romero-Wirth commented that the first week in July is an awful week.

### 14. MATTERS FROM THE CITY ATTORNEY

#### EXECUTIVE SESSION

In Accordance with the New Mexico Open Meetings Act, Specifically NMSA 1978, Subsection 10-15-1(H), Part ~~(5) and (7), Discussion of Collective Bargaining Strategy and~~ Discussion of Threatened or Pending Litigation in Which the City is or May Become a Participant, Including But Not Limited to Joining Other Local Governments in Filing an Amicus Brief in U.S. Supreme Court Cases *R.G. & G.R. Harris Funeral Homes Inc. v. EEOC & Aimee Stephens*; *Altitude Express Inc. v. Zarda*; and *Bostock v. Clayton County*. (Erin K. McSherry, City Attorney, ekmcsherry@santafenm.gov, 955-6512)

**MOTION:** Councilor Rivera moved, seconded by Councilor Villarreal to go into executive session for the purposes listed on the agenda as

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

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

**Against:** None.

The Governing Body went into closed executive session at 5:54 p.m.

The Governing Body ended the closed executive session at 6:55 p.m.

**MOTION:** Councilor Rivera moved, seconded by Councilor Lindell, to come out of executive session, noting for the record that the discussion in executive session was limited to the matters listed on the agenda as amended.

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

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

**Against:** None.

15. Authorization to Join a Coalition of Local Governments in an Amicus Brief in Support of the Position that Title VII=s Ban on Workplace Sex Discrimination Includes Discrimination Based on Sexual Preference and Gender Identity in Three Pending U.S. Supreme Court Cases: *R.G. & G.R. Harris Funeral Homes Inc. v. EEOC & Aimee Stephens*; *Altitude Express Inc. v. Zarda*; and *Bostock v. Clayton County*. (Erin K. McSherry, City Attorney, [ekmcsherry@santafenm.gov](mailto:ekmcsherry@santafenm.gov), 955-6512)

**MOTION:** Councilor Villarreal moved, seconded by Councilor Vigil Coppler to authorize joining a Coalition of Local Governments in the Amicus Brief.

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

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

**Against:** None.

16. Approval of an Agreement Pursuant to Section 611(g) of Title VI of the Claims Resolution Act of 2010, as Partial Settlement of *State of New Mexico v. Aamodt*, Case 6:66-cv-06639-WJ-WPL. (Marcos D. Martinez, Assistant City Attorney, mdmartinez@santafenm.gov, 955-6512) (Postponed on May 29, 2019) **(Postponed to June 26, 2019)**

This item remained postponed

**17. MATTERS FROM THE CITY CLERK**

There were no matters from the City Clerk, who was not present for the meeting.

**18. COMMUNICATIONS FROM THE GOVERNING BODY**

*A copy of the bills and ordinances to be introduced is incorporated herewith to these minutes as Exhibit 1.*

Councilor Vigil Coppler invited everyone to the Lobo Club event

Councilor Rivera asked the City Manager to thank everyone who helped with the recent fishing derby

Councilor Rivera asked for an update on the MOU with the soccer community and city.

Ms. McSherry said she would check on that.

Councilor Rivera introduced a resolution in support of the CCM-CARE ACT of 2019 and read the resolution.

Councilor Villarreal wished everyone a happy father's day.

Councilor Lindell introduced a resolution on issuance of \$80 million of Industrial Revenue Bonds for the City. She also introduced an ordinance for the IRB issuance, both for the benefit of El Castillo.

Mayor Webber shared some statistics with colleagues. He shared municipal court statistics on traffic violations during the recent DWI Blitz.

## **END OF THE AFTERNOON SESSION**

### **EVENING SESSION B 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 for the evening session by Mayor Alan Webber, on Wednesday, May 8, 2019, at approximately 7:00 p.m. in the Council Chambers at City Hall, 200 Lincoln Avenue, Santa Fe.

Present at the evening session were:

#### **Members Present**

Mayor Alan Webber  
Councilor Signe I. Lindell, Mayor Pro-Tem  
Councilor Roman ATiger@ Abeyta  
Councilor Christopher M. Rivera  
Councilor Carol Romero-Wirth  
Councilor JoAnne Vigil Coppler  
Councilor Renee D. Villarreal

#### **Members Excused**

Councilor Mike Harris  
Councilor Peter N. Ives

#### **Others Attending**

Erik Litzenberg, City Manager  
Erin McSherry, City Attorney  
Carl Boaz, Council Stenographer

#### **F. PETITIONS FROM THE FLOOR**

Mayor Webber gave a 2-minute time limit for each speaker to address anything the public would like to address.

Mr. Mark Hoyt said he felt this Forest Service issue represents danger to our community. If more people knew what going on, there would be a lot more people here.

It regards 65 square miles of our front range burned. Not just the thinning but why thinning 24 inch trees. He asked why not thin 6 or 10 inch trees. He asked what the scientific basis was for that. They say the forests are going to die in the next 60 years. Why do this without a really thorough review outside of the Forest Service. He asked if we cannot slow this down and look at the issue carefully and allow public comment. He said he has been hiking to see forests for over 30 years. The forest ecosystem will be destroyed, and habitats destroyed. We are making such a big decision altering our watershed and the ability to attract rain. It is a major decision over generations. What is the agenda of the Forest Service to push this through? It is very disturbing.

Dr. Valarie Gramios, west Zia Road, said she is a complex system scientist. She has been talking to people who have a problem with this plan because it removes our ability to mitigate our own climate. She thought this destruction of the forest is not right. She wanted to bring up that we will not have this decision again. If we burn and thin this amount of forest, there is no way for it to regenerate as it did in the past. The last years of science showing prescribed burns are not preventing the big fires. She is begging Mayor Webber to expand the scoping period out longer. Ask the Forest Service to extend this period. It is time for us as a City to address climate change head on.

Ms. Pat Walkee has been a resident of Santa Fe for 18 years and retired to be back in her love Santa Fe. She felt very saddened that every other day she goes outside and there was smoke in the area. She very allergic to smoke and now has asthma and thinks it is due to low level smoke from these fires. She know Sam Hitt has written some things about low level fires and smoke and particles in the smoke vs a hot natural fire. Low level fires are more dangerous to human health. She felt very fortunate she does not have as much asthma as many people she knows. It is a huge problem. She also would like to mention she does not trust the Forest Service. Their idea of thinning has historically been to level 90% of the trees. They are impossible to talk to and very slippery and do not answer questions directly.

Ms. Stephanie Benito said we just passed a resolution for nondiscrimination. She does not know how to trust government. Is the City inspecting suspended permits when red tagged? Supposedly they are reissued. The other thing not to trust the City about is there is a secret notebook about her. It is the Liz Roybal notebook. Documents are improperly made and stored and in violation of due process because she is speaking out. The City Attorney refuses to sit down and deal with her about how to deal with this. She ran it by a couple of attorneys, and they were puzzled about that. Maybe Mayor Webber could direct the City Attorney to talk to her.

Dr. Dee Blanco, Holistic vet in Santa Fe for many years was present to thank Councilors Romero-Wirth and Villarreal for their comments and questions about the forest project. She lives in the hinter lands and has personally experienced thinning from state forestry. We thought it would be good and her land was destroyed in the areas where State Forestry thinned. That was her personal experience. If anyone

wants to take a trip to her house, she would be happy to take them out. Maybe it would be better to take a trip to the areas they were talking about. As a medical practitioner she has to think in totality when treatment of animals. If you are given diagnoses, you would want complete informed consent and all the details about the surgery. We do not feel like we are getting this now with the 30-day period to comment and without having a hearing for the magnitude of this size of prescribed burn. We have the research if you need it.

Mr. Jonathan Glass gave his perception of what this project for the Forest Service is. He has been following this project for a number of months. He does not understand it, although he is trying to. He asked the City to encourage Feds and the City as a whole to slow down and ask why we want to remove such a large portion of vegetation from our forests. It seems to be opening up the canopy for drying out trees and soil and asked why that would prevent wildfire. It takes the fuel away, but it should not be moving forward with the speed it is moving. From the White House down, we can answer these questions ourselves. Encourage a 90-day comment period and environmental impact statement.

Mr. Sam Hitt said, once again, we are asking for an environmental impact statement to be prepared for this enormous project. It is one of the largest ever proposed on the Santa Fe National Forest. It will have impacts for the rest of his lifetime. Environmental assessment is a dead end. This political climate with these projects are being fast-tracked and pushed by Washington. Was one done in 2001 for the Santa Fe watershed? Why can't we have that level of analysis in our backyards? These forests were not logged for a number of years. Our forests have not been managed for commercial timber. Once again, thank you for the opportunity. I would like to invite Councilors and Mayor to come on a hike in the canyon. You are all welcome.

Mayor Webber - thank you

## **G. APPOINTMENTS**

- **Archaeological Review Committee**

Mayor Webber appointed David C. Eck, James Edward Ivey, Derek R. Pierce, Courtney Anne Wands, and Dale F. Zinn to the Archaeological Review Committee.

**MOTION:** Councilor Vigil Coppler moved, seconded by Councilor Romero-Wirth, to approve the appointments.

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

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

Councilor Villarreal.

**Against:** None.

**H. PUBLIC HEARINGS (None Scheduled)**

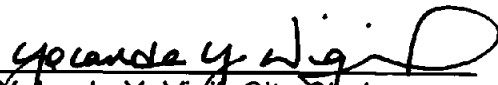
**I. ADJOURNMENT**

Having completed the agenda and with nothing further to come before the Governing Body, the meeting was adjourned at 7:26 p.m.

Approved by:

  
\_\_\_\_\_  
Mayor Alan Webber

ATTESTED TO:

  
\_\_\_\_\_  
Yolanda Y. Vigil, City Clerk

Respectfully submitted by:

  
\_\_\_\_\_  
Carl G. Boaz, Council Stenographer



Exhibit "1"

**GOVERNING BODY MEETING OF  
June 12, 2019  
BILLS AND RESOLUTIONS SCHEDULED FOR INTRODUCTION  
BY MEMBERS OF THE GOVERNING BODY**

Mayor Alan Webber		
Co-Sponsors	Title	Tentative Committee Schedule
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
	<b>A RESOLUTION DECLARING THE INTENT OF THE CITY OF SANTA FE TO ISSUE INDUSTRIAL REVENUE BONDS IN A PRINCIPAL AMOUNT UP TO \$80,000,000 TO FINANCE ACQUISITION, CONSTRUCTION AND EQUIPPING OF A NEW ADULT RESIDENTIAL RETIREMENT FACILITY TO BE LOCATED AT 401 OLD TAOS HIGHWAY IN SANTA FE, NEW MEXICO, FOR THE PURPOSE OF INDUCING EL CASTILLO RETIREMENT RESIDENCES OR ITS SUCCESSORS OR ASSIGNS TO UNDERTAKE THE ACQUISITION, CONSTRUCTION AND EQUIPPING OF SUCH PROJECT, AND AUTHORIZING THE GIVING AND PUBLICATION OF NOTICES IN CONNECTION WITH SUCH BONDS.</b>	Economic Development Advisory Commission – 6/26/19 Finance Committee – 7/1/19 City Council – 8/14/19
	<b>AN ORDINANCE OF THE CITY OF SANTA FE, NEW MEXICO AUTHORIZING AND PROVIDING FOR THE ISSUANCE AND SALE OF ITS INDUSTRIAL REVENUE BONDS FOR THE BENEFIT OF EL CASTILLO RETIREMENT RESIDENCES IN AN AGGREGATE PRINCIPAL AMOUNT NOT TO EXCEED \$80,000,000 FOR THE PURPOSE OF FINANCING ACQUISITION, CONSTRUCTION, AND EQUIPPING OF A NEW ADULT RESIDENTIAL RETIREMENT FACILITY TO BE LOCATED AT 401 OLD TAOS HIGHWAY IN SANTA FE, NEW MEXICO AND AUTHORIZING THE EXECUTION</b>	Economic Development Advisory Commission – 6/26/19 Finance Committee – 7/1/19 City Council (request to publish) – 7/10/19 City Council (public hearing) – 8/14/19



	AND DELIVERY OF A LEASE AND PURCHASE AGREEMENT BETWEEN THE CITY AND EL CASTILLO RETIREMENT RESIDENCES, AN INDENTURE OF TRUST SECURING SAID BONDS, A MORTGAGE, A BOND PURCHASE AGREEMENT, CLOSING DOCUMENTS, AND SUCH BONDS IN CONNECTION THEREWITH; PROVIDING FOR THE TERMS OF THE SERIES 2019 BONDS AND MAKING DETERMINATIONS AS TO THE SUFFICIENCY OF THE LEASE PAYMENTS AND OTHER MATTERS RELATED TO THE PROJECT; AUTHORIZING THE SALE OF SAID BONDS AND ANY ANCILLARY AGREEMENTS IN CONNECTION THEREWITH; AND AUTHORIZING OTHER MATTERS PERTAINING TO THE ISSUANCE OF SAID BONDS.	
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**Councilor Chris Rivera**

<b>Co-Sponsors</b>	<b>Title</b>	<b>Tentative Committee Schedule</b>
	A RESOLUTION DIRECTING THE CITY MANAGER TO SEND A LETTER ON BEHALF OF THE CITY OF SANTA FE TO THE NEW MEXICO DELEGATION IN SUPPORT OF THE CCM-CARE ACT OF 2019 THAT WOULD INCREASE CARE FACILITIES AND RESEARCH ON CAVERNOUS ANGIOMA; AND TRANSMITTING A COPY OF THIS RESOLUTION TO THE DIRECTORS OF THE NIH, FDA AND CDC URGING THEM TO PROVIDE NECESSARY RESOURCES TO RESEARCH POTENTIAL TREATMENTS FOR CCM.	City Council – 6/26/19

**Councilor Carol Romero-Wirth**

<b>Co-Sponsors</b>	<b>Title</b>	<b>Tentative Committee Schedule</b>

**Councilor Renee Villarreal**

<b>Co-Sponsors</b>	<b>Title</b>	<b>Tentative Committee Schedule</b>

**Councilor JoAnne Vigil Coppler**

<b>Co-Sponsors</b>	<b>Title</b>	<b>Tentative Committee Schedule</b>

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, [jbg Guillen@santafenm.gov](mailto:jbg Guillen@santafenm.gov).