



Agenda REGULAR MEETING OF  
THE GOVERNING BODY  
MAY 27, 2009  
CITY COUNCIL CHAMBERS

**AFTERNOON SESSION – 5:00 P.M.**

CITY CLERK'S OFFICE

DATE 5-22-09 TIME, 3:50 pm

SERVED BY \_\_\_\_\_

RECEIVED BY J. Dominguez

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: Reg. City Council Meeting – May 13, 2009
9. PRESENTATIONS
  - a) Muchas Gracias – Tom Maguire. (5 minutes)
  - b) Muchas Gracias – Science Fair Awards (Councilor Chavez) (5 minutes)
  - c) Muchas Gracias – Santa Fe High School Drama Club (Joey Chavez) (5 minutes)
  - d) Muchas Gracias – Santa Fe High School Choir. (Marilyn Barnes) (5 minutes)
  - e) Update on Underage Drinking. (Shelly Mann-Lev and Cynthia Delgado) (5 minutes)
10. CONSENT CALENDAR
  - a) Bid No. 09/31/B – One Top Loading Recycling Body for Solid Waste Management Division; High Mesa Environmental, LLC. (Bill DeGrande)
  - b) Bid No. 09/32/B – One Eight Yard Side Loading Refuse Packer Body for Solid Waste Management Division; Clark Truck & Equipment Co. (Bill DeGrande)



*Agenda* REGULAR MEETING OF  
THE GOVERNING BODY  
MAY 27, 2009  
CITY COUNCIL CHAMBERS

- c) Bid No. 09/34/B – Taxiway F Reconstruction at Santa Fe Municipal Airport; Salls Brothers Construction. (Jim Montman)
  - 1) Request for Approval of Grant Application and Award – Federal Stimulus Program for Taxiway F Reconstruction; U.S. Department of Transportation, Federal Aviation Administration.
- d) Request for Approval of FY 2009/2010 Funding Recommendations for Children and Youth Commission Grants. (35 Contracts). (Lynn Hathaway)
- e) Request for Approval of Joint Powers Agreement – Operational Needs for Sobering Center; Santa Fe County. (Terrie Rodriguez)
  - 1) Request for Approval of Budget Adjustment – Crisis Response Project Fund.
- f) Request for Approval of Procurement Under Federal Price Agreement – Replace Administration Building Roof at Wastewater Treatment Plant; Weather Proofing Technologies, Inc. (Kathleen Garcia)
- g) Request for Approval of Procurement Under State Price Agreement – One Ford Cab & Chassis for Solid Waste Management Division; Bob Turner's Ford Country. (Bill DeGrande)
- h) Request for Approval of Adjustment to Cover Costs of Projected Deficits in Current Fiscal Year Budget for Gasoline, Diesel, Overtime and Equipment Repair for Solid Waste Management Division. (Maya Martinez and Bill DeGrande)
- i) Request for Approval of Amendment No. 3 to Professional Services Agreement – Security Services at The Watershed, Storage Tanks and Well Sites for Water Division; Chavez Security, Inc. (Michael Gonzales)
- j) Request for Approval of State of New Mexico Governmental Services Agreement – Santa Fe River Restoration and Trail Project; State of New Mexico Energy, Minerals and Natural Resources Department. (Rachel Friedman)



*Agenda* REGULAR MEETING OF  
THE GOVERNING BODY  
MAY 27, 2009  
CITY COUNCIL CHAMBERS

- k) Request for Approval of Change Order No. 3 – Fire Station No. 3; Samcon, Inc. (Chip Lilienthal)
- l) CONSIDERATION OF RESOLUTION NO. 2009-\_\_\_\_\_. (Councilor Calvert)  
Request For Approval of a Resolution Adopting the Irrigation Efficiency Program Guidelines and Authorizing Rebates for the Installation/Retrofit of Efficient Irrigation Hardware. (Daniel Ransom)
- m) Request for Approval of State of New Mexico Audit Contract – Audit Services for Fiscal Year Ending June 30, 2009; Atkinson & Co. (Teresita Garcia)
- n) Request for Approval of Amended and Restated Lease Agreement – Property Located at Santa Fe Municipal Airport; Santa Fe Air Center, LLC Successor in Interest to Santa Fe Fliers, Inc. (Jim Montman)
- 1) Request to Publish Notice of Public Hearing on June 24, 2009:  
Bill No. 2009-27 – Request for Approval of an Ordinance Ratifying a Lease of Approximately 1.57 Acres of Land Owned by the City of Santa Fe Located at The Santa Fe Municipal Airport. (Councilor Trujillo) (Jim Montman)
  - a) Request for Approval of Lease Agreement – City Owned Land 1.57 Acres Located at Santa Fe Municipal Airport; Santa Fe Air Center, LLC.
  - b) Request for Landlord (City) Approval of “Second Supplemental Consent and Estoppel” for The Benefit of U.S. Bank National Association.
- o) Request for Approval of Procurement Under State Price Agreement – Eleven (11) Vehicles and One Reel Master 5510 Mower for Parks Division; Bob Turner’s Ford County and Simpson Norton Corporation. (Fabian Chavez)
- p) Request for Approval of Amendment No. 1 To Lease Agreement – Property Located at Santa Fe Municipal Airport; Santa Fe Air Center, LLC Successor in Interest to Capital Aviation of Santa Fe, Inc. (Jim Montman)



*Agenda* REGULAR MEETING OF  
THE GOVERNING BODY  
MAY 27, 2009  
CITY COUNCIL CHAMBERS

---

- q) CONSIDERATION OF RESOLUTION NO. 2009-\_\_\_\_\_. (Councilor Trujillo, Councilor Chavez and Councilor Romero)  
A Resolution Authorizing the Annual 4<sup>th</sup> of July Santa Fe Vintage Car Club Show on Lincoln Avenue From Palace Avenue to Federal Place and on Marcy Street from Lincoln Avenue to Sheridan Street. (Sebastian Gurule)
- r) CONSIDERATION OF RESOLUTION NO. 2009-\_\_\_\_\_. (Councilor Chavez)  
A Resolution Authorizing and Adopting Submission of an Executed Capital Cooperative Agreement with The New Mexico Department of Transportation (NMDOT) for the 2008 Legislative Appropriation for the Planning, Design, Engineering and Construction of a Water Line and a Sewer Line for the 2400 Block of Agua Fria in Santa Fe County. (Stan Holland)
  - 1) Request for Approval of Budget Increase – Wastewater Enterprise Fund.
- s) Request for Approval of Lease Agreement – Portion of City Property Along Easterly Boundary of Agua Fria Elementary School Located at 3160 Agua Fria for Development of Parking Area by The Santa Fe Public Schools. (Edward Vigil)
- t) Adopting the Findings of Fact and Conclusions of Law in the Matter of Case #M 2008-27 Las Soleras General Plan Amendment; Case #M 2008-28 Las Soleras Annexation; Case #SD 2008-15 Las Soleras Lot Line Adjustment and Road Dedication Plat and Case #ZA 2008-11 Las Soleras Rezoning. (Lucas Cruse)
- u) Request for Approval of Funding for Community Development Block Grant-Recovery (CDBG-R) Funds for the Following Projects: (Melissa Dailey)
  - 1) Self Contained Solar Pole Lights in the Parks; Parks Division, City of Santa Fe.
  - 2) Energy Works – Home Weatherization Program; Santa Fe Community Housing Trust.



# Agenda

REGULAR MEETING OF  
THE GOVERNING BODY  
MAY 27, 2009  
CITY COUNCIL CHAMBERS

- v) Request for Approval to Publish Notice of Public Hearing on June 24, 2009:
  - 1) Bill No. 2009-28 – An Ordinance Amending Section 14-8.10 SFCC 1987 Establishing the Purpose of The Sign Code; Establishing Requirements for Electronic Messaging Signs; and Making Such Other Changes as are Necessary. (Councilor Romero) (Jeanne Price)
  - 2) Bill No. 2009-29 – An Ordinance Repealing Sections 14-8.11(G)(3), 14-8.13, 14-8.16 and 14-8.17 SFCC 1987 Regarding Annual Water Budget, Water Rights Transfer Requirements and Water Banking; Creating a New Section 14-8.13 SFCC 1987 Regarding Development Water Budget Requirements, a New Article 25-9 SFCC 1987 Regarding The City Water Budget, a New Article 25-10 SFCC 1987 Regarding The City Water Bank, a New Article 25-11 SFCC 1987 Regarding The Water Rights Transfer Program, and a New Article 25-12 SFCC 1987 Regarding the Water Conservation Credit Program; Making Such Other Related Changes as are Necessary. (Councilor Wurzburger) (Frank Katz)
- 11. CONSIDERATION OF RESOLUTION NO. 2009-\_\_\_\_\_. (Councilor Calvert, Councilor Wurzburger, Councilor Ortiz, Councilor Bushee, Councilor Dominguez and Councilor Romero)  
A Resolution Directing Staff to Work With the County of Santa Fe to Initiate Efforts to Create a Renewable Energy Financing District in Accordance with the Solar Energy Improvement Special Assessment Act and the Renewable Energy Financing District Act. (Nick Schiavo)
  - a) CONSIDERATION OF RESOLUTION NO. 2009-\_\_\_\_\_. (Councilor Ortiz)  
A Resolution Declaring the Intention of the City of Santa Fe to Form a Renewable Energy Financing District Pursuant to The New Mexico Renewable Energy Financing District Act.
- 12. CONSIDERATION OF RESOLUTION NO. 2009-\_\_\_\_\_.  
A Resolution Adopting the Fiscal Year 2009/2010 Operating Budget. (David Millican)
- 13. MATTERS FROM THE CITY MANAGER



*Agenda* REGULAR MEETING OF  
THE GOVERNING BODY  
MAY 27, 2009  
CITY COUNCIL CHAMBERS

---

14. MATTERS FROM THE CITY ATTORNEY

EXECUTIVE SESSION:

- a) Discussion of Negotiations Concerning Purchase of College of Santa Fe, Pursuant to §10-15-1 (H) (8) NMSA 1978.

15. MATTERS FROM THE CITY CLERK

16. COMMUNICATIONS FROM THE GOVERNING BODY

**EVENING SESSION – 7:00 P.M.**

A. CALL TO ORDER

B. PLEDGE OF ALLEGIANCE

C. SALUTE TO THE NEW MEXICO FLAG

D. INVOCATION

E. ROLL CALL

F. PETITIONS FROM THE FLOOR

G. APPOINTMENTS

H. PUBLIC HEARINGS:

- 1) Request from Vino del Corazon Wine Room, LLC for a Master Winegrower Liquor License (Wine Production) to be located at the Vino del Corazon Wine Room, LLC, 235 Don Gaspar Avenue, Suite 6. (Yolanda Y. Vigil)
- 2) Request from Human Rights Alliance to Allow the Dispensing/Sale of Alcoholic Beverages (Beer and Wine Only) for the Pride on the Railyard Plaza Event at the Santa Fe Railyard Park which is Located on City Property at 701-F Callejon. This Event is to be held on Saturday June 27, 2009 from 12:00 p.m. – 5:30 p.m. (Yolanda Y. Vigil)



*Agenda* REGULAR MEETING OF  
THE GOVERNING BODY  
MAY 27, 2009  
CITY COUNCIL CHAMBERS

- 3) Request for Approval of 2009/2010 Community Development Block Grant (CDBG) Annual Action Plan, CDBG Entitlement Program and CDBG Contracts. The CDBG Program is Part of the City's Annual Action Plan Submitted to the U. S. Department of Housing and Urban Development. (Melisa Dailey)
  - a) Santa Fe Recovery
  - b) Santa Fe Community Housing Trust
  - c) Homewise, Down Payment Assistance
  - d) Homewise, Rehab
- 4) CONSIDERATION OF BILL NO. 2009-18: ADOPTION OF ORDINANCE NO. 2009-\_\_\_\_\_. (Councilor Ortiz)  
An Ordinance Amending Section 14-8.10 SFCC 1987 Permitting Off Site Temporary Signs for Holiday Tree Vendors. (Jeanne Price)
- 5) CONSIDERATION OF BILL NO. 2009-19: ADOPTION OF ORDINANCE NO. 2009-\_\_\_\_\_. (Councilor Bushee)  
An Ordinance Amending Section 7-1.1 SFCC 1987 and Section 7-1.5 SFCC 1987 to Clarify that the City has Building Permit and Inspection Jurisdiction Within the Planning and Platting Jurisdiction of the City. (Jeanne Price)
- 6) CONSIDERATION OF BILL NO. 2009-20: ADOPTION OF ORDINANCE NO. 2009-\_\_\_\_\_. (Councilor Chavez, Councilor Ortiz and Councilor Dominguez)  
An Ordinance Amending Section 14-8.14(A) SFCC 1987 Regarding the Applicability of Impact Fees to the Planning and Platting Jurisdiction of the City of Santa Fe. (Jeanne Price)
  - a) Request for Approval of Joint Powers Agreement – Extraterritorial Zone Impact Fee; Santa Fe County.

I. ADJOURN

**Pursuant to the Governing Body Procedural Rules, in the event any agenda items have not been addressed, the meeting should be reconvened at 7:00 p.m., the following day and shall be adjourned not later than 12:00 a.m. Agenda items, not considered prior to 11:30 p.m., shall be considered when the meeting is reconvened or tabled for a subsequent meeting.**



*Agenda* REGULAR MEETING OF  
THE GOVERNING BODY  
MAY 27, 2009  
CITY COUNCIL CHAMBERS

---

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 955-6520, five (5) days prior to meeting date.



**SUMMARY INDEX  
SANTA FE CITY COUNCIL MEETING  
May 27, 2009**

<u>ITEM</u>	<u>ACTION</u>	<u>PAGE #</u>
<b><u>AFTERNOON SESSION</u></b>		
CALL TO ORDER AND ROLL CALL	Quorum	1
APPROVAL OF AGENDA	Approved [amended]	1-2
APPROVAL OF CONSENT CALENDAR	Approved	2
CONSENT CALENDAR LISTING		2-5
APPROVAL OF MINUTES: REGULAR CITY COUNCIL MEETING – MAY 13, 2009	Approved	5
<b><u>PRESENTATIONS</u></b>		
MUCHAS GRACIAS – TOM MAGUIRE	Postponed to 06/10/09	6
MUCHAS GRACIAS – SCIENCE FAIR AWARDS	Postponed to 06/10/09	6
MUCHAS GRACIAS – SANTA FE HS DRAMA CLUB		6
MUCHAS GRACIAS – SANTA FE HS CHOIR		6-7
UPDATE ON UNDERAGE DRINKING		7
CONSIDERATION OF RESOLUTION NO. 2009-58. A RESOLUTION DIRECTING STAFF TO WORK WITH THE COUNTY OF SANTA FE TO INITIATE EFFORTS TO CREATE A RENEWABLE ENERGY FINANCING DISTRICT IN ACCORDANCE WITH THE SOLAR ENERGY IMPROVEMENT SPECIAL ASSESSMENT ACT AND THE RENEWABLE ENERGY FINANCING DISTRICT ACT	Approved	7
CONSIDERATION OF RESOLUTION NO. 2009-59 A RESOLUTION DECLARING THE INTENTION OF THE CITY OF SANTA FE TO FORM A RENEWABLE ENERGY FINANCING DISTRICT PURSUANT TO THE NEW MEXICO RENEWABLE ENERGY FINANCING DISTRICT ACT	Approved	8

<u>ITEM</u>	<u>ACTION</u>	<u>PAGE #</u>
CONSIDERATION OF RESOLUTION NO. 2009- ____. A RESOLUTION ADOPTING THE FISCAL YEAR 2009/2010 OPERATING BUDGET	Postponed to 06/10/09	9-19
MATTERS FROM THE CITY MANAGER	None	19
<u>EVENING SESSION</u>		
CALL TO ORDER AND ROLL CALL	Quorum	20
PETITIONS FROM THE FLOOR		20-23
<u>APPOINTMENTS</u> Plaza Round Table	Approved	23-24
<u>PUBLIC HEARINGS</u>		
REQUEST FROM VINO DEL CORAZON WINE ROOM, LLC, FOR A MASTER WINEGROWER LIQUOR LICENSE (WIN PRODUCTION) TO BE LOCATED AT THE VINO DEL CORAZON WINE ROOM, LLC, 235 DON GASPAR AVENUE, SUITE 6	Approved	24
REQUEST FROM HUMAN RIGHTS ALLOWANCE TO ALLOW THE DISPENSING/SALE OF ALCOHOLIC BEVERAGES (BEER AND WINE ONLY) FOR THE PRICE ON THE RAILYARD PLAZA EVENT AT THE SANTA FE RAILYARD PARK, WHICH IS LOCATED ON CITY PROPERTY AT 701-F CALLEJON. THIS EVENT IS TO BE HELD ON SATURDAY, JUNE 27, 2009 FROM 12:00 P.M. – 5:30 P.M.	Approved	25
REQUEST FOR APPROVAL OF 2009/2010 COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) ANNUAL ACTION PLAN, CDBG ENTITLEMENT PROGRAM AND CDBG CONTRACTS. THE CDBG PROGRAM IS PART OF THE CITY'S ANNUAL ACTION PLAN SUBMITTED TO THE U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT SANTA FE RECOVERY SANTA FE COMMUNITY HOUSING TRUST HOMEWISE, DOWN PAYMENT ASSISTANCE HOMEWISE, REHAB	Approved	25-26

<b><u>ITEM</u></b>	<b><u>ACTION</u></b>	<b><u>PAGE #</u></b>
CONSIDERATION OF BILL NO. 2009-18 ADOPTION OF ORDINANCE NO. 2009- 21. AN ORDINANCE AMENDING SECTION 14-8.10 SFCC 1987, PERMITTING OFF SITE TEMPORARY SIGNS FOR HOLIDAY TREE VENDORS	Approved	26-27
CONSIDERATION OF BILL NO. 2009-19; ADOPTION OF ORDINANCE NO. 2009-22.. AN ORDINANCE AMENDING SECTION 7-1.1 SFCC 1987 AND SECTION 7-1.5 SFCC 1987, TO CLARIFY THAT THE CITY HAS BUILDING PERMIT AND INSPECTION JURISDICTION WITHIN THE PLANNING AND PLATTING JURISDICTION OF THE CITY	Approved	28
CONSIDERATION OF BILL NO. 2009-20; ADOPTION OF ORDINANCE NO. 2009-23. AN ORDINANCE AMENDING SECTION 14-8.14(A) SFCC 1987, REGARDING THE APPLICABILITY OF IMPACT FEES TO THE PLANNING AND PLATTING JURISDICTION OF THE CITY OF SANTA FE	Approved	28-29
REQUEST FOR APPROVAL OF JOINT POWER AGREEMENT – EXTRATERRITORIAL ZONE IMPACT FEE; SANTA FE COUNTY	Approved	29
MATTERS FROM THE CITY CLERK	Information	29
COMMUNICATIONS FROM THE GOVERNING BODY	Information/discussion	29-32
MATTERS FROM THE CITY ATTORNEY EXECUTIVE SESSION	Approved	32
MOTION TO COME OUT OF EXECUTIVE SESSION	Approved	32
ADJOURN		33

**MINUTES OF THE  
REGULAR MEETING OF THE  
GOVERNING BODY  
Santa Fe, New Mexico  
May 27, 2009**

**AFTERNOON SESSION**

A regular meeting of the Governing Body of the City of Santa Fe, New Mexico, was called to order by Mayor David Coss, on May 27, 2009, at approximately 5:00 p.m., in the City Hall Council Chambers. Following the Pledge of Allegiance, Salute to the New Mexico flag, and the Invocation, roll call indicated the presence of a quorum, as follows:

**Members Present**

Mayor David Coss  
Councilor Rebecca Wurzbarger, Mayor Pro-Tem  
Councilor Patti J. Bushee  
Councilor Miguel Chavez  
Councilor Carmichael A. Dominguez  
Councilor Matthew E. Ortiz  
Councilor Rosemary Romero  
Councilor Ronald S. Trujillo

**Members Excused**

Councilor Christopher Calvert

**Others Attending**

Galen Buller, City Manager  
Frank Katz, City Attorney  
Yolanda Y. Vigil, City Clerk  
Melessia Helberg, Council Stenographer

**6. APPROVAL OF AGENDA**

Mr. Buller said he would like to postpone Item 9(a) to the Meeting of June 10, 2009, because Tom Maguire isn't available this evening.

Mayor Coss said Item 9(b) is postponed to the meeting of June 10, 2009.

Councilor Romero asked to move Item 11 and 11(A) to the consent calendar.

Councilor Bushee pointed out that this has been advertised as a discussion item, and she believes this can't be moved to the Consent Calendar, and Mayor Coss agreed.

**Councilor Bushee moved, seconded by Councilor Chavez, to approve the agenda as amended.**

**The motion was approved on a voice vote with Councilors Bushee, Chavez, Dominguez, Ortiz, Romero, Trujillo and Wurzbarger voting for the motion and none against.**

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

**Councilor Bushee moved, seconded by Councilor Wurzbarger, to approve the following Consent Calendar. The motion was approved on the following Roll Call vote:**

**For: Councilor Bushee, Councilor Chavez, Councilor Dominguez, Councilor Ortiz, Councilor Romero, Councilor Trujillo and Councilor Wurzbarger.**

**Against: None.**

- a) **BID NO. 09/31/B – ONE TOP LOADING RECYCLING BODY FOR SOLID WASTE MANAGEMENT DIVISION; HIGH MESA ENVIRONMENTAL, LLC. (BILL DeGRANDE)**
- b) **BID NO. 09/32/B – ONE EIGHT YARD SIDE LOADING REFUSE PACKER BODY FOR SOLID WASTE MANAGEMENT DIVISION; CLARK TRUCK & EQUIPMENT CO. (BILL DeGRANDE)**
- c) **BID NO. 09/34/B – TAXIWAY F RECONSTRUCTION AT SANTA FE MUNICIPAL AIRPORT; SALLS BROTHERS CONSTRUCTION. (JIM MONTMAN)**
  - 1. **REQUEST FOR APPROVAL OF GRANT APPLICATION AND AWARD – FEDERAL STIMULUS PROGRAM FOR TAXIWAY F RECONSTRUCTION; U.S. DEPARTMENT OF TRANSPORTATION, FEDERAL AVIATION ADMINISTRATION.**
- d) **REQUEST FOR APPROVAL OF FY 2009/2010 FUNDING RECOMMENDATIONS FOR CHILDREN AND YOUTH COMMISSION GRANTS (35 CONTRACTS). (LYNN HATHAWAY)**
- e) **REQUEST FOR APPROVAL OF JOINT POWERS AGREEMENT – OPERATIONAL NEEDS FOR SOBERING CENTER; SANTA FE COUNTY. (TERRIE RODRIGUEZ)**
  - 1. **REQUEST FOR APPROVAL OF BUDGET ADJUSTMENT – CRISIS RESPONSE PROJECT FUND.**

- f) **REQUEST FOR APPROVAL OF PROCUREMENT UNDER FEDERAL PRICE AGREEMENT – REPLACE ADMINISTRATION BUILDING ROOF AT WASTEWATER TREATMENT PLANT; WEATHER PROOFING TECHNOLOGIES, INC. (KATHLEEN GARCIA)**
- g) **REQUEST FOR APPROVAL OF PROCUREMENT UNDER STATE PRICE AGREEMENT – ONE FORD CAB & CHASSIS FOR SOLID WASTE MANAGEMENT DIVISION; BOB TURNER'S FORD COUNTRY. (BILL DeGRANDE)**
- h) **REQUEST FOR APPROVAL OF ADJUSTMENT TO COVER COSTS OF PROJECTED DEFICITS IN CURRENT FISCAL YEAR BUDGET FOR GASOLINE, DIESEL, OVERTIME AND EQUIPMENT REPAIR FOR SOLID WASTE MANAGEMENT DIVISION. (MAYA MARTINEZ AND BILL DeGRANDE)**
- i) **REQUEST FOR APPROVAL OF AMENDMENT NO. 3 TO PROFESSIONAL SERVICES AGREEMENT – SECURITY SERVICES AT THE WATERSHED, STORAGE TANKS AND WELL SITES FOR WATER DIVISION; CHAVEZ SECURITY, INC. (MICHAEL GONZALES)**
- j) **REQUEST FOR APPROVAL OF STATE OF NEW MEXICO GOVERNMENTAL SERVICES AGREEMENT – SANTA FE RIVER RESTORATION AND TRAIL PROJECT; STATE OF NEW MEXICO ENERGY, MINERALS AND NATURAL RESOURCES DEPARTMENT. (RACHEL FRIEDMAN)**
- k) **REQUEST FOR APPROVAL OF CHANGE ORDER NO. 3 – FIRE STATION NO. 3; SAMCON, INC. (CHIP LILIENTHAL)**
- l) **CONSIDERATION OF RESOLUTION NO. 2009-55 (COUNCILOR CALVERT). REQUEST FOR APPROVAL OF A RESOLUTION ADOPTING THE IRRIGATION EFFICIENCY PROGRAM GUIDELINES AND AUTHORIZING REBATES FOR THE INSTALLATION/RETROFIT OF EFFICIENT IRRIGATION HARDWARE. (DANIEL RANSOM)**
- m) **REQUEST FOR APPROVAL OF STATE OF NEW MEXICO AUDIT CONTRACT – AUDIT SERVICES FOR FISCAL YEAR ENDING JUNE 30, 2009; ATKINSON & CO. (TERESITA GARCIA)**
- n) **REQUEST FOR APPROVAL OF AMENDED AND RESTATED LEASE AGREEMENT – PROPERTY LOCATED AT SANTA FE MUNICIPAL AIRPORT; SANTA FE AIR CENTER, LLC, SUCCESSOR IN INTEREST TO SANTA FE FLIERS, INC. (JIM MONTMAN)**
  - 1) **REQUEST TO PUBLISH NOTICE OF PUBLIC HEARING ON JUNE 24, 2009: BILL NO. 2009-27 – REQUEST FOR APPROVAL OF AN ORDINANCE RATIFYING A LEASE OF APPROXIMATELY 1.57 ACRES OF LAND OWNED**

**BY THE CITY OF SANTA FE LOCATED AT THE SANTA FE MUNICIPAL AIRPORT (COUNCILOR TRUJILLO). (JIM MONTMAN)**

- a) REQUEST FOR APPROVAL OF LEASE AGREEMENT – CITY OWNED LAND, 1.57 ACRES LOCATED AT SANTA FE MUNICIPAL AIRPORT; SANTA FE AIR CENTER, LLC.**
- b) REQUEST FOR LANDLORD (CITY) APPROVAL OF “SECOND SUPPLEMENTAL CONSENT AND ESTOPPEL” FOR THE BENEFIT OF U.S. BANK NATIONAL ASSOCIATION.**
- o) REQUEST FOR APPROVAL OF PROCUREMENT UNDER STATE PRICE AGREEMENT – ELEVEN (11) VEHICLES AND ONE REEL MASTER 5510 MOWER FOR PARKS DIVISION; BOB TURNER’S FORD COUNTY AND SIMPSON NORTON CORPORATION. (FABIAN CHAVEZ)**
- p) REQUEST FOR APPROVAL OF AMENDMENT NO. 1 TO LEASE AGREEMENT – PROPERTY LOCATED AT SANTA FE MUNICIPAL AIRPORT; SANTA FE AIR CENTER, LLC, SUCCESSOR IN INTEREST TO CAPITAL AVIATION OF SANTA FE, INC. (JIM MONTMAN)**
- q) CONSIDERATION OF RESOLUTION NO. 2009-56 (COUNCILOR TRUJILLO, COUNCILOR CHAVEZ AND COUNCILOR ROMERO). A RESOLUTION AUTHORIZING THE ANNUAL 4<sup>TH</sup> OF JULY SANTA FE VINTAGE CAR CLUB SHOW ON LINCOLN AVENUE FROM PALACE AVENUE TO FEDERAL PLACE AND ON MARCY STREET FROM LINCOLN AVENUE TO SHERIDAN STREET. (SEVASTIAN GURULE)**
- r) CONSIDERATION OF RESOLUTION NO. 2009- 57 (COUNCILOR CHAVEZ). A RESOLUTION AUTHORIZING AND ADOPTING SUBMISSION OF AN EXECUTED CAPITAL COOPERATIVE AGREEMENT WITH THE NEW MEXICO DEPARTMENT OF TRANSPORTATION (NMDOT) FOR THE 2008 LEGISLATIVE APPROPRIATION FOR THE PLANNING, DESIGN, ENGINEERING AND CONSTRUCTION OF A WATER LINE AND A SEWER LINE FOR THE 2400 BLOCK OF AGUA FRIA IN SANTA FE COUNTY. (STAN HOLLAND)**
  - 1. REQUEST FOR APPROVAL OF BUDGET INCREASE – WASTEWATER ENTERPRISE FUND.**
- s) REQUEST FOR APPROVAL OF LEASE AGREEMENT – PORTION OF CITY PROPERTY ALONG EASTERLY BOUNDARY OF AGUA FRIA ELEMENTARY SCHOOL, LOCATED AT 3160 AGUA FRIA, FOR DEVELOPMENT OF PARKING AREA BY THE SANTA FE PUBLIC SCHOOLS. (EDWARD VIGIL)**

- t) **ADOPT THE FINDINGS OF FACT AND CONCLUSIONS OF LAW IN THE MATTER OF CASE #M 2008-27 LAS SOLERAS GENERAL PLAN AMENDMENT; CASE #M 2008-28, LAS SOLERAS ANNEXATION; CASE #SD 2008-15, LAS SOLERAS LOT LINE ADJUSTMENT AND ROAD DEDICATION PLAT AND CASE #ZA 2008-11 LAS SOLERAS REZONING. (LUCAS CRUSE)**
- u) **REQUEST FOR APPROVAL OF FUNDING FOR COMMUNITY DEVELOPMENT BLOCK GRANT-RECOVER (CDBG-R) FUNDS FOR THE FOLLOWING PROJECTS: (MELISSA DAILEY)**
  - 1. **SELF CONTAINED SOLAR POLE LIGHTS IN THE PARKS; PARKS DIVISION, CITY OF SANTA FE.**
  - 2. **ENERGY WORKS – HOME WEATHERIZATION PROGRAM; SANTA FE COMMUNITY HOUSING TRUST.**
- v) **REQUEST FOR APPROVAL TO PUBLISH NOTICE OF PUBLIC HEARING ON JUNE 24, 2009:**
  - 1) **BILL NO. 2009-18 – AN ORDINANCE AMENDING SECTION 14-8.10 SFCC 1987, ESTABLISHING THE PURPOSE OF THE SIGN CODE; ESTABLISHING REQUIREMENTS FOR ELECTRONIC MESSAGING SIGNS; AND MAKING SUCH OTHER CHANGES AS ARE NECESSARY (COUNCILOR ROMERO). (JEANNE PRICE)**
  - 2) **BILL NO. 2009-29 – AN ORDINANCE REPEALING SECTIONS 14-8.11(G)(3), 14-8.13, 14-8.16 AND 14-8.17 SFCC 1987, REGARDING ANNUAL WATER BUDGET, WATER RIGHTS TRANSFER REQUIREMENTS AND WATER BANKING; CREATING A NEW SECTION 14-8.13 SFCC 1987, REGARDING DEVELOPMENT WATER BUDGET REQUIREMENTS, A NEW ARTICLE 25-9 SFCC 1987, REGARDING THE CITY WATER BUDGET, A NEW ARTICLE 25-10, SFCC 1987, REGARDING THE CITY WATER BANK, A NEW ARTICLE 25-11 SFCC 1987, REGARDING THE WATER RIGHTS TRANSFER PROGRAM, AND A NEW ARTICLE 25-12 SFCC 1987, REGARDING THE WATER CONSERVATION CREDIT PROGRAM; MAKING OTHER RELATED CHANGES AS ARE NECESSARY (COUNCILOR WURZBURGER). (FRANK KATZ)**

**8. APPROVAL OF MINUTES: REGULAR CITY COUNCIL MEETING – MAY 13, 2009**

**Councilor Romero moved, seconded by Councilor Wurzbarger, to approve the minutes of the Regular City Council Meeting of May 13, 2009, as presented. The motion was approved on a voice vote, with Councilors Bushee, Chavez, Dominguez, Ortiz, Romero, Trujillo and Wurzbarger voting for the motion and none against.**



**9. PRESENTATIONS**

**a) MUCHAS GRACIAS – TOM MAGUIRE**

This item is postponed to the meeting of June 10, 2009.

**b) MUCHAS GRACIAS – SCIENCE FAIR AWARDS. (COUNCILOR CHAVEZ)**

This item is postponed to the meeting of June 10, 2009.

**c) MUCHAS GRACIAS – SANTA FE HIGH SCHOOL DRAMA CLUB. (JOEY CHAVEZ)**

Mayor Coss, assisted by Councilor Chavez, presented a Muchas Gracias to the Santa Fe High School Drama Club and Director Joey Chavez .

Councilor Chavez asked Mr. Chavez to explain what "The Corner of x and y" is about and the process.

Mr. Chavez thanked the Mayor and Council for this award. He explained the process for the drama classes which results in the writing of a one-act play, in which the students perform and design the set, noting the process takes about five months.

Councilor Chavez asked each of the students to introduce themselves and tell where they are in the program. The students spoke about their involvement, and unanimous sentiment was expressed that they learned a lot and had fun in Mr. Chavez's classes and didn't realize going to school could be this much fun.

Councilor Dominguez congratulated the Drama Club for its accomplishments, and Joey Chavez for all of his hard work and the attention he gives the young people. He said "Zombie Prom" is being performed this weekend, and he is very proud that his son has the lead in it.

Councilor Romero congratulated the students for their accomplishments, and Mr. Chavez for his leadership and excellent instruction of the students, noting her daughter participated when she was in high schools. She said this program is changing lives, and asked the students and faculty to invite her to performances, saying she will attend if at all possible.

**d) MUCHAS GRACIAS – SANTA FE HIGH SCHOOL CHOIR. (MARILYN BARNES)**

Mayor Coss, assisted by Councilor Dominguez, presented Muchas Gracias certificates to the members of the Santa Fe High School Choir, noting the Choir won awards at the Music in the Park competition in Los Angeles, California, as follows: the boys won second in their division; the girls won first

in their division; won first in the division as a mixed choir; and the women's choir won the whole competition. Willa James won top instrumental accompaniment, playing the flute while the boys sang *Yellow Bird* and Amy Gallo won top vocalist for her solo of *Sometimes I Feel Like a Motherless Child*. Ms. Barnes said she is very proud of the choir, commenting that they had a lot of fun in Los Angeles.

Councilor Dominguez congratulated the Choir on its accomplishments and introduced the members of the Choir.

Mayor Coss congratulated the Choir and said we are all very proud of the members of the choir.

Following the presentation, the Santa Fe High School Choir presented a brief choral selection for the enjoyment of the Governing Body and the audience.

**e) UPDATE ON UNDERAGE DRINKING. (SHELLY MANN-LEV AND CYNTHIA DELGADO)**

Shelly Mann-Lev and Cynthia Delgado presented information regarding this matter via power point. Ms. Mann-Lev thanked the Governing Body for the Resolution declaring May 2009 as Underage Drinking Prevention Month. A PSA was produced, with the assistance of Councilors Dominguez and Councilor Trujillo, and County Commissioner Vigil, along with a 30 second spot, both of which starred students from the drama classes at Santa Fe High School. The video was aired on Comcast, You Tube and the Government Channel, as well as on local radio. She said letters were sent to the parents of the graduates and an email campaign is planned. They congratulated all of the new graduates, and thanked the Mayor and Council for their strong support of this effort.

**11. CONSIDERATION OF RESOLUTION NO. 2009-58 (COUNCILOR CALVERT, COUNCILOR WURZBURGER, COUNCILOR ORTIZ, COUNCILOR BUSHEE, COUNCILOR DOMINGUEZ AND COUNCILOR ROMERO). A RESOLUTION DIRECTING STAFF TO WORK WITH THE COUNTY OF SANTA FE TO INITIATE EFFORTS TO CREATE A RENEWABLE ENERGY FINANCING DISTRICT IN ACCORDANCE WITH THE SOLAR ENERGY IMPROVEMENT SPECIAL ASSESSMENT ACT AND THE RENEWABLE ENERGY FINANCING DISTRICT ACT. (NICK SCHIAVO)**

Councilor Romero moved, seconded by Councilor Wurzbarger, to adopt Resolution 2009-58. The motion was approved on the following roll call vote:

**For: Councilor Bushee, Councilor Chavez, Councilor Dominguez, Councilor Ortiz, Councilor Romero, Councilor Trujillo and Councilor Wurzbarger.**

**Against: None.**

- a) **CONSIDERATION OF RESOLUTION NO. 2009-59 (COUNCILOR ORTIZ). A RESOLUTION DECLARING THE INTENTION OF THE CITY OF SANTA FE TO FORM A RENEWABLE ENERGY FINANCING DISTRICT PURSUANT TO THE NEW MEXICO RENEWABLE ENERGY FINANCING DISTRICT ACT.**

**Councilor Ortiz moved, seconded by Councilor Wurzburger, to adopt Resolution No. 2009-59.**

**Discussion:** Councilor Bushee asked Councilor Ortiz why this Resolution is necessary.

Councilor Ortiz thanked the City Attorney for cleaning up the Resolution to make it in conformance with State law. He said with regard to Item 11(a), if the County process is too slow and doesn't adopt its own version, this Resolution provides a mechanism for the City to create its own district. Senator Wirth's bills allows municipalities and local governments to set up these districts to allow assessments, and people who want these amenities to get financing. He said Item 11(a) would begin the process of creating the energy districts specifically for the City and Item 11 encourages the City to work with the County if possible, and Item 11(a) is a backup to whether or not we can work with the County.

Responding to Councilor Bushee, Councilor Ortiz said we would do something similar to the Parks Improvement Bond, and we would have to get the information to the Assessor's office after approval by the electorate at the election.

Councilor Chavez asked if, regarding a district to be formed, the act would outline the perimeters of the district which would be placed on a map.

Councilor Ortiz said this correct. The Improvement district would be created as a part of the process, and the first step is a Resolution calling for a district to be created, the holding of a hearing, an appointment of a board, and assessments to be made. He said it is hoped the County will move as quickly as the City, but if now, this resolution is a backup.

Councilor Chavez said it seems it could take a similar course as the Regional Transportation District took in initiating the process, establishing the district and encouraging others to join the district and become members in good standing, noting this model seems to have work in that situation.

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

**For: Councilor Bushee, Councilor Chavez, Councilor Dominguez, Councilor Ortiz, Councilor Romero, Councilor Trujillo and Councilor Wurzburger.**

**Against: None.**

**12. CONSIDERATION OF RESOLUTION NO. 2009- \_\_\_\_\_. A RESOLUTION ADOPTING THE FISCAL YEAR 2009/2010 OPERATING BUDGET. (DAVID MILLICAN)**

A copy of Councilor Wurzbarger's motion and clarifying remarks, are incorporated herewith to these minutes as Exhibit "1."

Councilor Wurzbarger commended staff, particularly David Millican, for the hard work in putting the budget together. However so there is no alleged lack of clarity or muddled thinking on her part, or additional opportunity for 'editorial misquotes,' she will make her motion in writing.

Councilor Wurzbarger said, "Before I make the motion, I want to clarify that the direction that I'm giving is to allow staff to address four concerns that I personally continue to have about our budget not being sufficiently conservative, and these are concerns, some of which we've discussed as we've gone through the process, but I want to highlight from this background as a context for our consideration of the motion.

"First of all I believe that the assumptions regarding the economic forecasts for the City are too optimistic. This is a subjective evaluation, but I continue to be concerned that this forecast is too optimistic.

"Secondly, that no alternative is provided should AFSCME not support the proposed changes and a lot is hanging on that particular decision.

"Third, that insufficient effort has been made to deal with long-term organizational changes that are required for ensuring a sustainable financial future for the City as noted in the cover memorandum from Dave [Millican] in page 9. He says there's also a risk, and I think by the way, parenthetically, that this memo did a good job of raising the risk that we need to be aware of around which we have to make our policy decisions. But, the particular one I want to reference on this point, in terms of the need to do more, with respect to long-term organizational changes, is on page 9 of the Budget Memo, 'There is also a risk that lack of a long commitment to fundamental change, will leave the organization without a plan to assure that the attrition that we propose does not several affect public service and organization performance.'

"And, fourthly, I believe that, in reviewing the budget again, that relatively small cuts made in several areas of the budget that affect such issues as economic development of the city and services that citizens are particularly reliant on, such as libraries, could be readily be eliminated through the cost savings that I'm going to request in this motion."

**Councilor Wurzbarger moved, seconded by Councilor Ortiz, as follows:**

**"I move to postpone the budget approval to the June 1st Finance Committee meeting, with direction to staff that they are to return with proposed additional cuts of at least \$1 million, to provide us an extra basis to deal with the risk that we cannot define, and that these would be in the areas of (1) administrative positions at the deputy or assistant director**

level; (2) administrative positions that have no or few subordinates; (3) current contracts that are not funded by grants which may be able to be reduced somewhat; and (4) to reinstitute 50% of the Cultural Arts & Tourism Planner to further promote tourism in our City, to reinstitute 100% of the proposed book cuts to the library, to reinstitute a redefined Neighborhood Planner position in lieu of contracts for service and to reevaluate the short term rental budget projections to more accurately reflect future costs of this program, first is the cost that we experienced in initiating."

Councilor Wurzbarger said, "my rationale for including these are those that could readily be done, and the first three are something that we have talked about in previous budget years, and we've talked about it again this year, and I would like to try one more time to see if we can get a response that would address these concerns and give us more cushion than has been provided in this budget."

**Friendly amendment:** Councilor Bushee said her hesitation on Motion to Postpone, is that it includes a single Councilor's list of things which would be better discussed at the June 1, 2009, Finance Committee meeting, commenting she didn't realize we were going to get into such a level of detail. She said, usually, a motion to postpone is just to a date specific. She would be more comfortable if the motion could be amended to say this, and at the meeting Councilor Wurzbarger could introduce some of these things.

**Discussion on the friendly amendment:** Councilor Wurzbarger said her rationale for including this, is that we have heard repeatedly that we are not giving sufficient direction, and she didn't want to attend another Finance/Budget meeting without expressing her own direction. She said people can add theirs so we can have it at the Finance/Budget meeting. She said she is doing this now in consideration of the short time frame. She said, depending on the conversation, she is willing to accept this as a friendly amendment.

**The amendment was friendly to the maker and second.**

**Clarification of the friendly amendment:** Councilor Bushee asked if the friendly amendment is "to just make it a motion to postpone to the June 1<sup>st</sup> Finance Committee, because she doesn't accept all of the items in #4. *[Note: there was no verbal affirmation of Councilor Bushee's understanding of the friendly amendment.]*

**Continuation of discussion on the motion, as amended.** Councilor Bushee said she doesn't want to postpone, but she will go along with this, if we're going to have a different kind of meeting than she has attended over the past month. She said, through no fault due to the Committee Chair, she has found the meetings to be convoluted, lacking in detail, and avoiding the matter. She said she has heard, both individually and almost collectively, from Councilors that we're not being conservative enough and not making the hard cuts. She has never experienced the situation where the administration, as in the City Manager, doesn't respond. She said when we're asking for cuts and/or hard decisions to be made, the response is "Well let's just take a little out of reserves, or the forecast is something or other."

Councilor Bushee said she is willing to postpone if staff is ready with numbers. If staff feels it is lacking clear direction from the Councilors, then all Councilors can submit that information as Councilor Wurzbarger has done. She has not seen responsiveness from the top to the concerns that are being collectively expressed by the Councilors. She has never seen an economy like this, and wants to see those cuts and those proposals on June 1<sup>st</sup>.

Councilor Chavez said, "I guess I can, first, appreciate Councilor Wurzbarger's attempt at addressing her concerns, or what she would like to see different in the budget, as it's been proposed so far. But, even if we take just this one proposal, it amends or rescinds the direction that we gave to staff to go through an exercise, which they did. And now it seems, that there's interest to amend it, which I don't think is all bad, but I think this might not be the best place to do it. The Finance Committee has had ample time to discuss it. You can argue whether staff has provided information in a timely fashion or not. But, I think this budget cycle was a little different, because we were looking to fill a \$13 million or \$14 million gap in the budget. And so, I think that changes the dynamic just a little bit."

Councilor Chavez continued, "But, to consider additional cuts of at least \$1 million, I'm not sure that that's the best direction to go in. It does not discuss the possibility of using the additional revenue that was identified by Dave Millican over the last couple of days, which is the \$680,000. And so, I really think that that needs to be part of the discussion."

Councilor Chavez continued, "What I heard during the budget retreat, the common theme, or the areas of interest that seemed to be under-funded, if you will, were Children, Youth and Families, possibly a firefighter's position, operation and maintenance staff for the new Community Convention Center. The Cultural Planner position was suggested to be eliminated as part of the exercise that staff was directed to go through, so if we want to put that back in, I guess we can have that discussion. But, other things that seemed to be in need of additional funding would be public transportation and the paratransit. I think those, public transportation and paratransit, along with libraries, and children, youth and families all go together, they all dovetail together to make a safe and healthy community for our children, youth and for families in general, and, especially, in these economic times. When we see a downturn, you know, we would hope that we could provide adequate programs for children, youth and families, and that we would be able to provide public transportation and paratransit transportation and also library service."

Councilor Chavez continued, "The other concern, which Councilor Wurzbarger addressed in her comments, is the 4% union... the 4% wage increase for our union employees. And, so, I agree, all of those should be factored in. But, if we're going to direct staff to do that, then I guess we all might have a similar, or different list. This is my list, and I present that to you now. Also, for consideration to staff, as they move forward to... during the budget process as we move forward, these are the areas that I think..."

**Point of Order:** Councilor Bushee said, "Mayor, point of order. This is a simple.. now a motion to postpone to June 1<sup>st</sup> Finance Committee meeting. I think we have to have those discussions. Councilor Wurzbarger said she agreed to amend the motion. It's simply about postponement, it's not about what cuts, or anything else."

**Maker's withdrawal of approval of the friendly amendment:** Councilor Wurzbarger said, "I did not agree to amend the motion to say it is a cut with no number on it. I'm not interested in coming back, and having another round of generic discussions. I'm interested in this Council making a decision. If you disagree with the four points I made about the assumptions underlying the budget being specious, then one can say you don't need a number. We have two more weeks. We need to give clear and additional direction that's not reversing. We are, having looked at the whole budget, it now appears to me, for four reasons that I said, that we need to make more cuts. I'm suggesting \$1 million. Yes, we'll have to take into consideration the three hundred and something thousand dollars that David found, that can be part of it. But, again, I'm not comfortable in saying, let's just postpone it again so that we can come up with, not only our individual lists, but whatever else we wanted to do."

Councilor Chavez said he wasn't finished with his remarks.

Councilor Wurzbarger said, "I'm sorry, I thought the Mayor called on me. I beg your pardon."

Councilor Chavez continued, "So, if I could continued, Mayor. It's actually \$680,000, Councilor Wurzbarger, that has been identified."

Councilor Wurzbarger said, "Not in the General Fund, Councilor."

Councilor Chavez continued, "Well, it's \$680,000."

Mr. Millican said the amount staff identified is about \$620,000, \$315,000 in the General Fund and \$306,000 in other funds.

Councilor Chavez said, "Lump sum, dollar amount, that needs to be considered as we move forward. I don't think it's fair to say that we should look at more, at additional cuts, without evaluating those positions first. And so, those are my comments, Mayor. That would be my list of points of interest that were discussed as part of the budget review. And, if we're going to give direction to staff to fund additional programs, or reinstate positions, this is my full list."

Mayor Coss said, "I want to go back to Councilor Bushee's point of order on the motion to postpone, because as I understood Councilor's motion it was to postpone, but it was also with direction to staff, and the comment that she imagined other Councilors would like to also suggest things for our staff to look at. I understand your point about it's a motion to postpone. I want to point out that postponing it to Finance Committee doesn't get us done, because the full City Council has to vote on it. I'm going to go ahead and allow... I have Councilor Trujillo, Dominguez and Romero, and then we'll look at the motion again."

Councilor Bushee said, "Can I just clarify. My understanding of a motion to postpone or table is it not a debatable motion. I think our Governing Body Rules might allow for each person to discuss on the motion first, once, but I've never had motion to postpone to be about details, about budget cuts. So, I'm just concerned how we get there, and I want to do it tonight."

Mayor Coss said the point is well made, but he will go ahead and allow the comments, because there is no amendment to the motion.

Councilor Trujillo said, "I guess I'm looking for direction from you, Mr. Chairman. So, do you want us to have a list. I mean, I have my list right now, too, of the items I was going to discuss at this budget now. But, if we're postponing it to Monday, are we going to be giving staff our list for them to go over. The only thing I'm worried about is if we're going to come back here Monday, and we'll spend another six, seven hours and not get anything accomplished. That's what I don't want this to turn into."

Councilor Ortiz said he understands the motion is to postpone this item to the next City Council meeting, with direction to staff.

Councilor Trujillo said the motion says to postpone this to the next Finance Committee meeting, which is on Monday. He asked if this will be a special City Council meeting.

Councilor Ortiz asked the Councilor Wurzbarger if this is to be a special City Council meeting, noting there is ample time to advertise a special meeting.

Councilor Wurzbarger said she always prefers to have more Councilors. She said the motion was to postpone the budget approval. She said because it wasn't approved at Finance, she doesn't think we should approve it tonight, so the first opportunity for budget approval through the Finance Committee would be on Monday. Responding to Councilor Trujillo, Councilor Wurzbarger said all of the recent meetings have been Special Finance Committee meetings.

**Friendly amendment:** Councilor Romero said she has attended most of the Finance Committee meetings, and hasn't been able to vote, noting Councilor Trujillo, Councilor Bushee and herself aren't members of that Committee. She asked to amend the motion to postpone approval to a Special City Council meeting on Monday, June 1, 2009 **The amendment was friendly to the maker and second.**

**Continuation of discussion on the main motion, as amended.** Councilor Romero said, "We all have our lists, we've all checked them twice, and I hope that we think about what we are proposing from a City-wide perspective, and not from a narrow perspective about what we each... I think we each care deeply about our City. And, just as a reminder to all of us, those lists are sometimes narrow in focus, and I'm encouraging all of us to think about the lists that we each bring to the discussions on Monday."

Councilor Dominguez said, "I guess what I want to do, is to thank staff and all those people that worked on list, including the Governing Body, everyone from the guys out in the field to the City Manager, and even the public for some of the comments or some of the feedback that they've given to each individual Councilor about some of the things that are going on with this budget, and the budget process."

Councilor Dominguez said, "There's really two main reasons why I support postponing this. One of them, as Councilor Wurzbarger spoke to, had to do with reorganization. I haven't made a secret about that, and in fact I recognized the same comment that you pointed out in my electronic copy of the budget, where there is some risk. And, basically what I'm reading in this budget, in this memo, is that this budget is



not sustainable. And the direction that this Council, or that the Governing Body, gave a year ago – not in February, not in March – was to start looking at reorganization or restructuring, or whatever word or terminology you want to use. It was my hope that we were going to use this opportunity, we were going to use this, the state of the economy, to reset government. It was my hope that we were going to be able to do that, and I don't think that that necessarily happened."

Councilor Dominguez continued "Now, in terms of having ample time, I don't think that we have had ample time, and the reason is because there's been a moving target. list. We just got the memo, I think it was Thursday, about monies. And so, I just don't feel comfortable that we have had ample time to really have the discussions about what our lists are. I jumped on it as soon as I could, because I knew that I was going to miss a finance meeting, and so I was able to get some of my stuff in there. And, it's really not my stuff. It was something that the administration supported, but that I helped spearhead. And I think that we should actually go through that sort of exercise throughout the whole organization, and I don't think that we necessarily have done that."

Councilor Dominguez continued, "Really, what it comes down to, for me, is fiscal responsibility. We owe it to the constituency to come up with the best budget that we can. And I think that what I hear some veteran Councilors saying, who have been through this, is that the question is have we done our work. Now I don't know how hopeful I am that we're going to get to a better place necessarily if we just leave it up to staff, or the administration, to make those hard choices. But, I'm willing to give them the chance. I'm willing to continue to give them the chance, despite the direction that was given about a year ago, when the Finance Committee saw that times were going to be tough. And I think that we just owe it to the constituency to do that. And I don't necessarily see this as bad... this postponement.. As something bad. I've had a lot of mixed feeling about it, but when it all comes down to it, I don't necessarily see it as bad. I see it as being cautious."

Councilor Dominguez quoted from the writings of Victor Hugo, "Caution is the eldest child of wisdom." He said we need to be as wise as we can in these economic times, to come up with the best budget and organization we can. He reiterated he is willing to give the staff the opportunity to make the tough choices, commenting that, "At some point, we're going to have to be willing to pull the trigger."

Mayor Coss said, "I also want to point out that on June 1<sup>st</sup> Councilor Calvert still won't be here, so we'll still be one member short on making what is a very big decision. And, I just want to step back a bit and say, the reason this is so hard is because we've been closing a \$13 million hole in the budget. And, I would just disagree a bit with the Councilors that are saying that staff and the administration haven't responded. We passed, unanimously, a list of directions back in March. And, we identified \$13 million worth of cuts, and we did \$13 million worth of cuts. And the library doesn't like it, and the Fire Chief doesn't like it and Children & Youth don't like it, and nobody up here likes it."

Mayor Coss continued, "I don't know that you're going to reorganize City government by Monday, and I think that the direction that we've been on is not to do layoffs. We've taken vacancy savings, but as I understand some of the direction is that we want a million dollars worth of layoffs by Monday. And, then as I listened to add-backs for Children & Youth, for fire, for operation and maintenance at CVB, for a CAT Planner, for Transit, we may be adding \$1 million back. And, we're supposed to do all that by Monday. I

think what Galen and the administration presented was a budget that was very very difficult. I wouldn't say anything good about the three meetings and how hard it was to follow \$13 million worth of budget changes."

Mayor Coss continued, "And anybody that says they've been through it before – they haven't been through it before. This City has never done anything like this since the Great Depression. We are reducing right now, \$13 million. That's what was on the table tonight. And it didn't include pay raises for the union people. It never ever was going to include pay raises or management people."

Mayor Coss continued, "And I want to make a comment, too, about both papers have taken a shot at the unions now for trying to get raises for their members. You know, they're doing what they're supposed to do. Galen has been with tied hands that said no to raises, no to using reserves, nyet, nyet, nyet. And now that we've met every direction that was passed unanimously back in March, we're here saying, reinvent government by Monday and cut out another million dollars. I think that's going to be really hard to do, so I'm agreeing with Dominguez, that I don't have high hopes for that. But, I would point out that there's going to be a Councilor short on Monday. I support the postponement, because I think there is more work to do. But, I think saying cut another \$1 million, what we're saying is let's lay off City employees until we get to a million bucks, and then let's see what add-ins-back we want. And, I think it's going to be hard to do by Monday."

Councilor Bushee said, "Mayor, you know, I guess I didn't know we were going to have this debate on a postponement, but what do you see?"

Mayor Coss said, "I made my comments."

Councilor Bushee said, "Well given that you are not on Finance, you haven't been indicating what you think the work that remains to do on this budget is. Can you give us some indication, because I can tell you that, although the tenor from the Council has been, this is not a conservative enough budget, and that the forecasts are slightly rosier than any of us have felt, what do you see that the work is that's left, because you just said that, so I'm going to put you on the spot."

Mayor Coss said, "I think the work never stops. I think one approach we could have taken, was to pass the budget tonight that the Finance Committee sent forward, and then go back. And, if this Council really wants to do another round of strategic planning, and they really want to layoff \$1 million worth of employees, that's going to take a little more time. If we're were going to postpone it, I'd say postpone a little bit longer until Councilor Calvert is here. We have tentative agreement, I think, with the Firefighters Union. We're very close to agreement with the AFSCME union. I think Police is very close. It would be really nice to know what's the best we think we can arrange with the unions, and have that knowledge as we approve a budget."

Mayor Coss continued, "I think, to me, the biggest piece missing is the union pay raises and those contract agreements. I think that work needs to be done. When I hear back, let's do Children, Youth & Families, let's do Fire, let's do all of these things that it hurts to cut. Nobody has listed anything that everybody on this Council doesn't support. But, we have already tried to close a \$13 million puzzle, and if

you want to make it a \$14 million puzzle, it gets that much harder to close, and I don't know that we're going to do it by Monday."

Councilor Bushee said in the sixteen years she's been on the Council, she doesn't recall that the City has ever been late with the budget.

Mayor Coss agreed, saying we always submitted it on time. However, we have never experienced the current economic situation when we were doing a budget.

Councilor Bushee said this isn't about a fight over discretionary funds. She said these are tough times. She said, "The process I saw, each time, the information wasn't available. And, I don't really understand how that came to be. I understand these are difficult decisions, but I feel like the process has been dragged out in a way that I didn't understand. Why the information wasn't forthcoming... there were reasons thrown out at one point of whatever, staffing levels, or what have you. We knew this was coming, and we've known what direction we've needed to go. I've just been fairly frustrated, I'm sure others too, with information. And I do agree that there's been some moving targets, and that's also really hard to make good decisions when your information is changing from meeting to meeting. So, that's where I feel like one more week of postponing – what's it going to gain us. I was ready to make some decisions tonight."

**Friendly amendment:** Councilor Romero asked that we go forward with the regular Finance Committee meeting, and make the final decision at the June 10<sup>th</sup> Council meeting, noting Councilor Calvert will be back by then. **Councilor Wurzburger said it is not her intention to accept any friendly amendment to imply that the budget would be adopted on Monday. There would be a Special Council meeting where everyone could vote, but obviously the budget would have to be approved on June 10, 2009. She said we can do both. With this caveat, the amendment was friendly to the maker and second.**

**Continuation of discussion on the motion as amended.** Councilor Wurzburger said this is not about lists. She said, "The reason I did this today, is I'm done with criticizing the process, from the sense of 'we didn't get what we got,' 'we didn't have that.' We've had lots of reasons. I'm done with that. We have two weeks. I was hoping by putting something on the table that said, 'Here are my assumptions.' How comfortable you guys are with this budget, I'm still not comfortable for it, for the risks that have been identified in the budget."

Responding to Councilor Bushee, Councilor Wurzburger understood we have an additional two weeks to submit the budget.

David Millican said, "What we discussed, in terms of the deadline, is that there is a June 1<sup>st</sup> deadline that cannot be waived. The Department and Administration... there also are no penalties for not making the deadline, except that you have an audit finding that the... our independent certified public accounts have to report that the City did not make the deadline. DFA, which has to approve our budget, said that they... if you give them a date where you, you know, describe your process and the date that they can expect to see the budget, that they'll work with us. Because, their experience has been that good

budgets are better than incomplete budgets, and easier to work with, and easier for them to work with, and easier for them to review and approve."

Councilor Wurzbarger said, "The only other thing I would add, in terms of my intention, again, for doing this, is about the assumptions, and to reinforce what you said, Mayor, with respect to AFSCME. Maybe that does give us a little more time. But, I do want to take issue, I hate to disagree with you... this is not about trying to reorganize over the weekend. We've been at this for months. We still have to look at, I feel, areas where service would not be impacted. And, you know, we've heard discussions up here that some people can find \$2 million, some people can find \$3 million. I don't know. I knew we had a starting with a "nut" of \$600,000. If we could find thirteen. Let's make sure we have these priorities where we want them. "

Councilor Wurzbarger continued, "It's not an intention to just go through and reorganize by Monday, so I'm sorry that I said that. And I would appreciate the support in terms of what I'm intending to do here of seeing if we can further reduce the risk that is associated with this budget, not just by decisions that are being proposed, but by things that we can't control. And, once it's gone, it's gone. I know we can look at it. Councilor Romero and I were talking, we can revisit it in six months, but that may be too late, particularly if some of these assumptions don't come round."

Mayor Coss said, "I accept that Councilor Wurzbarger."

Councilor Ortiz said, "So, I haven't spoken Mayor. I have no confidence in the budget, or in the numbers that have been given. I had no confidence when the City Manager and the Finance Director send us a memo yesterday by email saying, that the spreadsheet.. we found another \$615,000. I believe that our organization is too thick at the top and too thin at the bottom. And I have specific cuts that I can cut today, tonight, that save that \$1 million dollars. It's cutting seven positions, two of which are already included in the budget, and another seven of which could be immediately eliminated with no impact to the public and save us a million dollars off the top."

Councilor Ortiz continued, "If we need more time to work out the disagreements and the consensus that needs to develop here on the Governing Body, I'm willing to support that postponement. I'm willing to support and make cuts tonight, and to make program suggestions tonight, because the budget process gives us that opportunity. It's the only place where we have that opportunity to give it, and we can argue about it. And one of the concerns that I had with the budget process that I oversaw was that, too often, at every particular meeting, we got the information late and the information was not helpful and fruitful in terms of getting the discussions going. That's why we moved this budget forward with no recommendation Mayor. That's why we were not able to come up with the consensus that normally we would come up with as a Finance Committee."

Councilor Ortiz continued, "So, again, if the consensus still isn't being built and we need more time to do that. I'm reluctant to support that, but I will go along. I can tell you right now, that if we eliminate department [assistant ?] director positions in Senior Services, in the Fire Department which has already been scheduled, in the Police Department if we remove one of the deputy chiefs, in Human Resources, in Finance, at the GCC, in the City Clerk's Office and the Solid Waste Department... if we cut one of your PIO

positions Mayor, if we cut another position that's currently within the City Managers Office, those nine positions save the City about a million dollars right off the bat, without any reduction in services to the public. Those nine positions."

Councilor Ortiz continued, "If we look at some of the contracts... and again, my concern with the list of contracts that we received, the day before our last budget process, was that it was incomplete. It showed none of the contracts that came out of the Mayor's office, it showed none of the contracts that came out of the City Manager's Office. It was an incomplete version of existing contracts that we have. If we just did, as a conservative exercise with some of those contractors, a five percent "haircut," "haircut is a term that we continue to hear on the College of Santa Fe on the negotiations... if we went to those vendors and asked for a 5-10% haircut, we could save another \$1.5 million to \$2 million, immediately. We could go to them, not take away their contract, but ask them to reduce their fees and we could save that money, off the top, without cutting services to the public, without endangering City services. We could do that and be effective. We could have done that if we would have had that list of contracts on May 4<sup>th</sup>. We didn't. We could have done that on May 14<sup>th</sup> if we would have had that list of contracts didn't. We got it on May 19<sup>th</sup>, the day before our last budget hearing."

Councilor Ortiz continued, "And so the process itself, has put us in the situation that we find ourselves in. Yes, we've been doing a lot of hard work. Yes, departments have sacrificed. Yes, the City Manager and the Finance Director have been working in unheard of economic times. Irregardless of all of that, we have not had the information at our disposal and we have not been shown numbers with any level of confidence that leads me to believe that the budget is ready to go tonight. We can do it. We can slap-dash it. We can fight about it. But, again, in the spirit of finding consensus and seeing where those numbers finally arrive at, I'm willing to support this motion to postpone."

Councilor Ortiz continued, "And I do hope that, for those Council members that have heartburn with making certain cuts, make that dissatisfaction or make that position known, and be willing to stick your neck out and defend your position, because that's the only way that we're going to achieve consensus, at least the majority of us. We'll always have one or who will go their own route. But, that's my hope for hearing it on June 1<sup>st</sup> and deciding it on June 1<sup>st</sup> or hearing it on June 1<sup>st</sup> and deciding on June 10<sup>th</sup>, or hearing it tonight and deciding tonight."

Councilor Ortiz continued, "Either way, I think the job in front of us is to achieve that level of consensus and do it with the purpose of flattening the organization, without directly impacting services to the public. And I don't think that the budget process that we were given allowed us that opportunity as it would have in other years. And that's why I think the budget is coming to us in the current state that it is."

**Clarification of the motion, as amended, by the Maker of the Motion:** In response to a question from Councilor Bushee, Councilor Wurzbarger said, "I moved to postpone the budget approval to the June 10, 2009, City Council meeting, but I would say to be discussed at the June 1, 2009, Finance Committee meeting, which will be a full Special Council meeting, with direction to staff that they are to return with the proposed cuts of at least \$1 million, taking whatever advice they can from whomever who is willing to give it."

**The motion, as amended, was approved on the following roll call vote:**

**For: Councilor Bushee, Councilor Dominguez, Councilor Ortiz, Councilor Trujillo and Councilor Wurzbarger.**

**Against: Councilor Romero and Councilor Chavez.**

**13. MATTERS FROM THE CITY MANAGER**

There were no matters from the City Manager.

Mayor Coss moved Items 14 through 16 to the end of the Evening Agenda

Dinner break – 6:35 p.m. to 7:40 p.m.

**END OF AFTERNOON SESSION AT 6:35 P.M.**

## **EVENING SESSION**

### **A. CALL TO ORDER AND ROLL CALL**

The Evening Session was called to order by Mayor David Coss, at approximately 7:40 p.m. Following the Pledge of Allegiance, salute to the New Mexico Flag, and Invocation, Roll Call indicated the presence of a quorum as follows:

#### **Members Present**

Mayor David Coss  
Councilor Rebecca Wurzbarger, Mayor Pro-Tem  
Councilor Patti J. Bushee  
Councilor Miguel Chavez,  
Councilor Carmichael A. Dominguez  
Councilor Matthew E. Ortiz  
Councilor Rosemary Romero  
Councilor Ronald S. Trujillo

#### **Members Excused**

Councilor Christopher Calvert

#### **Others Attending**

Galen Buller, City Manager  
Frank Katz, City Attorney  
Yolanda Y. Vigil, City Clerk  
Melessia Helberg, Council Stenographer

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

Mayor Coss said each person will have two minutes to speak.

**Linda Wilder Flatt, 950 Vuelta del Sur, Las Acequias**, said they are here this evening representing Las Acequias, a beautiful community of 550 houses from Airport Road to Agua. She is representing the Neighborhood Watch which was formed last year, saying all four phases are now active. She said they have concerns. She is glad the neighborhood is coming together to be stronger and to take care of neighborhood problems, but they need help from the City Council. She said the Police and Graffiti people, and others have been helpful, but the community needs more help. There is a lot of activity in the park. She said she has an entire book of signatures from all phases who are concerned about the neighborhood. She asked everyone from the Las Acequias Neighborhood Watch to stand. She expressed appreciation to the Police Department and Graffiti people, reiterating that they need even more help.

**Susan Kreener, 1051 Calle Don Roberto**, in Las Acequias. She said the neighborhoods are experiencing problems with crime, drunks, and noise. She expressed disappointment that the Council reconvened late this evening.

**Patricia Mejia** said she comes from a violent country, and moved to Las Acequias as a safe place to live, commenting that she wants to live in peace. She doesn't want to come home and find graffiti. She wants to walk without fear someone will snatch her purse, or having to yell at someone who is disrespectful. She wants her sons and grandsons to live in "her paradise," and enjoy it. She loves her native country, but didn't she have the opportunities there which she has here. She said she doesn't want to wake up one morning to find her son was killed by a gun. She asked the City not to let the violence into Las Acequias.

**Alina Padilla, 1091 Avenida Linda**, requested a stronger police presence in their neighborhood, which is lacking, especially around the park area and late at night. She requested sufficient lighting at the park and at their mailboxes in the neighborhood. She feels better lighting at the park may deter a lot of the criminal activity which has been happening in their neighborhood. It seems the Park is being used for a lot of drug activity and other things. She said there are several drug houses in their neighborhood, three for sure, and the numbers are growing, which do no good for the community, and are not good for their children.

**Terry Aguilar, 4341 Paseo de la Acequias**, moved into the neighborhood five years ago, saying his daughter is also here to speak to the Council. He said they want to let the City Council know that he, his wife and children won't go to the park, and drives all the way to Salvador Perez and the Railyard Park. He said there is a safety issue because of the activity in the park. Also, he won't allow his children to walk on the streets because of speeders – it's not safe. He said they appreciate the Police Officers coming to the neighborhood to talk to the residents.

**Taylor Aguilar** said she wants to say she is scared to go to the park to play basketball, because there are people who don't look safe to her. She said when she looks around, the park doesn't look safe, so she leaves very quickly. She said her mother and sister won't go to the park, so she doesn't either. She wants to something to the park to make it more safe and make it secure.

**Wren Propp, 1084 Avenida Linda**, said she has lived in Las Acequias for ten years, and this is the third time she's come to the Council to talk about the neighborhood. She said the noise from cars cruising the park is getting louder and louder, and she hopes the City will look seriously at enforcing the noise ordinance. Secondly, the park is a wonderful place for people on the Southside to come and enjoy the arts and recreation. She said we need more parks, and the Las Acequias park is getting a lot of pressure from people coming into the area who normally would go to Franklin Miles. She hopes the City will look at this during the summer construction, and realize how many people use neighborhood parks for recreation. She expressed appreciation to Councilor Chavez and Councilor Dominguez for taking this issue very seriously.

**Carl Moffat, 1084 Avenida Linda**, said he lives with Wren Propp in Las Acequias. He said they appreciate all of the efforts to keep the park usable, noting the people from Public Works do a good job,



noting Councilor Dominguez has worked hard on this as well. He said the park gets a lot of use, and a lot of families are in the park and work to keep it clean. He said, however, there are a few "bad apples." He said he lives next to the park and noise is a problem. He said he is concerned that the police don't take seriously their complaint about noise which is a real issue, noting he lives near the park. He loves the park. He said someone is going to get hurt on the street in front of the park. There are so many cars lined up on both sides of the street, and people crossing the street as well as the traffic. He would like the City to put in speed tables to slow drivers Rufina and Agua Fria, if it is no more than asphalt and yellow paint. He wants to slow the traffic before somebody really gets hurt.

**Lisa C. Stone, 4301 Paseo de Las Acequias**, said she is here with her partner Roberta Duran. She said there is overcrowding in the park and issues of safety. She suggested two solutions. She said solution one is to consider working with the County to identify and fund more green space. She said the Southside has had a huge population growth, for example 30% growth in Tierra Contenta since the last census, and there has been a lot of growth in Las Acequias as well. The housing in the neighborhood is affordable housing, and the residents are working class residents, many with 2-3 jobs. She said there are housing situations where people have no back yard, nor green space. She said people need a safe place to hang out with their families. She wants more green space and parks on the south side and in Las Acequias. Secondly, there is a security issue, noting they are aware that the budget cuts will result in less policemen. She said the Police have been very responsive, noting Chief Johnson, Officer Martinez and staff have come to Las Acequias for the Neighborhood Watch meetings. They are aware that the Police are overworked. She said they are asking the City to consider funding additional FTEs to the South side.

**Robert Italiano, 4300 Paseo de las Acequias**, said he and his wife, Donna, are here this evening on behalf of the community. He thanked the neighborhood for a great turnout. He said they are organizing the community, and getting the Neighborhood Association together. There are a lot of concerned people in the neighborhood. He understands the City is not funding 45 positions in the Police Department, saying he understands that the budget is a problem. He asked the Council, as soon as it is possible, to fund more street patrol people. He understands there may be cuts in the Police Department, and asked the Council to reconsider that decision. He said he has called the Police Department twice recently, and they were very responsive, and thanked them. He is concerned that Las Acequias is an at risk community at this point, and starting to be neglected, and concerned, over time, that will lead to the demise of a good community. The park is great, and is used a lot by families during the daytime. He asked the Council to consider increasing green space, which would help ease the number of people that use the park. He said the main problem at the park is at night when people gather there, and asked that the Police pay more attention to the park at night. He thanked Linda Wilder Flatt for her efforts, saying she is a driving force in the community.

Mayor Coss said staff will follow up and he appreciates the input from the neighborhood.

Councilor Trujillo invited the neighborhood to attend the meetings of the Public Safety Committee on the 3<sup>rd</sup> Tuesday of each month where they deal with these kinds of issues. He would like to discuss this at the meeting, and asked the neighbors to call him to make arrangements to attend.

Councilor Dominguez said he took notes, and asked Ms. Wilder if she can provide a summary of what everyone said for the members of the Governing Body, so we can start dealing with the issues.

Councilor Wurzbarger said she has never seen this many people from a neighborhood come before the Council to talk about their needs. She said, although she represents District 2, she will work with the Councilors in addressing the concerns. She apologized for being late for the evening session.

Councilor Chavez said this debate is good. He acknowledged the residents from Las Acequias in attendance, and thanked Ms. Wilder Flat for organizing the Neighborhood Watch and for attending the last Neighborhood Watch Association meeting. He said the discussion at that meeting resulted in Las Acequias residents attending the meeting this evening. He hopes this will continue. He spoke about discussions regarding a neighborhood conservation overlay districts which would assist neighborhoods in developing a neighborhood plan which would be a roadmap for the neighborhood, such as Las Acequias which is in transition and facing many challenges.

Councilor Bushee thanked the neighborhood for attending this evening, noting she agrees with the commentary on the need for more green side, and said it is clear at the Council level that the Southside needs more. Ms. Bushee asked Ms. Wilder Flat to include details regarding the graffiti. She will work with the Councilors as well.

## **G. APPOINTMENTS**

### **Plaza Round Table**

Mayor Coss appointed the following individuals to the Plaza Round Table:

Deborah Leyba-Dominguez, Chair;  
Bruce Bernstein;  
Mary Chavez;  
John Dressman;  
Vince Kadlubek;  
John Pen LaFarge;  
Rick Martinez;  
Elizabeth McNally Pettus;  
H.C. Potter;  
Tony Lopez; and  
Ron Sandoval.

**Councilor Bushee moved, seconded by Councilor Wurzbarger, to approve these appointments.**

**Discussion:** Mayor Coss said more than thirty committed people applied to serve on the Board, so it was very difficult to narrow the list, and said he appreciates everyone's willingness to serve.

**The motion was approved unanimously on a voice vote, with Councilors Bushee, Chavez, Dominguez, Ortiz, Romero, Trujillo and Wurzbarger voting for the motion and none against.**

#### **H. PUBLIC HEARINGS**

- 1) REQUEST FROM VINO DEL CORAZON WINE ROOM, LLC, FOR A MASTER WINEGROWER LIQUOR LICENSE (WIN PRODUCTION) TO BE LOCATED AT THE VINO DEL CORAZON WINE ROOM, LLC, 235 DON GASPAR AVENUE, SUITE 6. (YOLANDA Y. VIGIL)**

The staff report was given by Yolanda Vigil, noting that the location is not within 300 feet of a church or school, and staff recommends that this business be required to comply with all City ordinances.

#### **Public Hearing**

There was no one speaking for or against this request.

#### **The Public Hearing was closed**

**Councilor Bushee moved, seconded by Councilor Wurzbarger, to grant the request for a Winegrower Liquor License (wine production), to be located at the Vino del Corazon Wine Room, LLC, 235 Don Gaspar Avenue, Suite 6, Santa Fe, New Mexico.**

**The motion was approved on the following Roll Call Vote:**

**For: Councilor Bushee, Councilor Dominguez, Councilor Ortiz, Councilor Romero, Councilor Trujillo, and Councilor Wurzbarger.**

**Against: None.**

**Absent: Councilor Chavez.**

- 2) **REQUEST FROM HUMAN RIGHTS ALLOWANCE TO ALLOW THE DISPENSING/SALE OF ALCOHOLIC BEVERAGES (BEER AND WINE ONLY) FOR THE PRICE ON THE RAILYARD PLAZA EVENT AT THE SANTA FE RAILYARD PARK, WHICH IS LOCATED ON CITY PROPERTY AT 701-F CALLEJON. THIS EVENT IS TO BE HELD ON SATURDAY, JUNE 27, 2009 FROM 12:00 P.M. – 5:30 P.M. (YOLANDA Y. VIGIL)**

The staff report was given by Yolanda Vigil, noting there is a letter in the Council packet from the Human Rights Allowance that addresses all of the concerns which were brought to the organization by City staff and staff at the Railyard Corporation. The Alliance will provide 6 ft. fencing and security at the entrance to the Beer Garden, noting all concerns are addressed in writing in the Council packet. She said representatives of the Alliance are in attendance to answer any questions.

**Public Hearing**

There was no one speaking for or against this request.

**The Public Hearing was closed**

**Councilor Bushee moved, seconded by Councilor Romero, to approve the request by the Human Rights Alliance to allow the dispensing/sale of alcoholic beverages (beer and wine only) for the Pride on the Railyard Plaza Event at the Santa Fe Railyard Park on Saturday June 27, 2009, from 12:00 p.m. to 5:30 p.m.**

**The motion was approved on the following Roll Call Vote:**

**For: Councilor Bushee, Councilor Chavez, Councilor Dominguez, Councilor Ortiz, Councilor Romero, Councilor Trujillo, and Councilor Wurzbarger.**

**Against: None.**

- 3) **REQUEST FOR APPROVAL OF 2009/2010 COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) ANNUAL ACTION PLAN, CDBG ENTITLEMENT PROGRAM AND CDBG CONTRACTS. THE CDBG PROGRAM IS PART OF THE CITY'S ANNUAL ACTION PLAN SUBMITTED TO THE U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT. (MELISA DAILEY)**
- a) **SANTA FE RECOVERY**
  - b) **SANTA FE COMMUNITY HOUSING TRUST**
  - c) **HOMEWISE, DOWN PAYMENT ASSISTANCE**
  - d) **HOMEWISE, REHAB**

A copy of the action sheet for this item from the Public Works meeting of May 26, 2009, is incorporated herewith to these minutes as Exhibit "2."

Melisa Dailey presented information regarding this matter to the Governing Body, from her Memorandum of May 12, 2009, which is in the Committee packet, and requested approval of the Annual Action Plan for CDBG which outlines spending.

### **Public Hearing**

**Bill Chapman, Board Chair, Santa Fe Recovery Center**, thanked the Governing Body for its consideration, saying they will spend the funds well.

**Dr. Yolanda Brisco, Executive Director, Santa Fe Recovery Center**, said she has been Director since the Center opened four years ago. She said there is something in recovery which is called, "doing the next right thing," which they have done since the beginning. They repurchased their building, and became one of only a handful of non-profits which are accredited in New Mexico, and they just keep doing the next right thing. One of the gaps in recovery is the housing, which is the next right thing, because they don't want a revolving door approach to recovery. She thanked the Governing Body for its ongoing support.

**Hank Hughes, New Mexico Coalition to End Homelessness**, expressed support for the Santa Fe Recovery Center's project which is a very good next step for their plan to end homelessness, because it will provide supportive housing for people who otherwise would be homeless in Santa Fe.

### **The Public Hearing was closed**

**Councilor Wurzbarger moved, seconded by Councilor Romero, to approve this request.**

**The motion was approved on the following Roll Call Vote:**

**For: Councilor Chavez, Councilor Dominguez, Councilor Ortiz, Councilor Romero, Councilor Trujillo, and Councilor Wurzbarger.**

**Against: None.**

**Absent: Councilor Bushee.**

- 4) CONSIDERATION OF BILL NO. 2009-18 ADOPTION OF ORDINANCE NO. 2009- 21 (COUNCILOR ORTIZ). AN ORDINANCE AMENDING SECTION 14-8.10 SFCC 1987, PERMITTING OFF SITE TEMPORARY SIGNS FOR HOLIDAY TREE VENDORS. (JEANNE PRICE)**

Councilor Ortiz said Councilors Chavez and Romero are working on a larger version of amendments to the sign ordinance. He said he needs the Ordinance to be done before the Holiday season. He asked the status of the larger, more comprehensive sign ordinance, saying he is willing to postpone this ordinance.

Jeanne Price said this bill is a very specific bill. Regarding Councilor Romero's bill, the Council approved a request to publish notice of a public hearing in a month, noting this bill deals only with electronic signs. She said the overall sign code revisions are a part of the Chapter 14 review. She has just begun to look at other ordinances to model an entire rewrite, but nothing has been scheduled for Planning Commission. She has not drafted a bill for staff review, but she is beginning the assignment.

Ms. Price reviewed the proposed bill, noting the bill would permit off site advertising for the sale of Holiday trees with requirements as contained in the proposed bill.

### **Public Hearing**

There was no one speaking for or against this request.

### **The Public Hearing was closed**

**Councilor Ortiz moved, seconded by Councilor Trujillo, to adopt Ordinance No. 2009- 21.**

**Discussion:** Councilor Romero said she will vote against the motion, because we have time before the holidays. The intent was to work on several different things, and there is nothing to move forward. She said, given the existing bills, we can work with Ms. Price for a comprehensive bill to be brought forward.

**The motion was approved on the following Roll Call Vote:**

**For: Councilor Bushee, Councilor Chavez, Councilor Dominguez, Councilor Ortiz, Councilor Trujillo, and Councilor Wurzbarger.**

**Against: Councilor Romero.**

**Explaining his vote:** Councilor Chavez said he will support the motion, although it would be better to do a comprehensive bill, but this bill addresses the itinerant vendors which is a step in the right direction, but it won't solve all their problems, and voted yes.

- 5) **CONSIDERATION OF BILL NO. 2009-19; ADOPTION OF ORDINANCE NO. 2009-22. (COUNCILOR BUSHEE). AN ORDINANCE AMENDING SECTION 7-1.1 SFCC 1987 AND SECTION 7-1.5 SFCC 1987, TO CLARIFY THAT THE CITY HAS BUILDING PERMIT AND INSPECTION JURISDICTION WITHIN THE PLANNING AND PLATTING JURISDICTION OF THE CITY. (JEANNE PRICE)**

Jeanne Price presented information regarding this matter to the Governing Body.

**Public Hearing**

There was no one speaking for or against this request.

**The Public Hearing was closed**

**Councilor Bushee moved, seconded by Councilor Wurzbarger, to adopt Ordinance No. 2009-22.**

**The motion was approved on the following Roll Call Vote:**

**For: Councilor Bushee, Councilor Chavez, Councilor Ortiz, Councilor Romero, Councilor Trujillo, and Councilor Wurzbarger.**

**Against: None.**

**Absent: Councilor Dominguez**

- 6) **CONSIDERATION OF BILL NO. 2009-20; ADOPTION OF ORDINANCE NO. 2009-23 (COUNCILOR CHAVEZ, COUNCILOR ORTIZ AND COUNCILOR DOMINGUEZ). AN ORDINANCE AMENDING SECTION 14-8.14\*(A) SFCC 1987, REGARDING THE APPLICABILITY OF IMPACT FEES TO THE PLANNING AND PLATTING JURISDICTION OF THE CITY OF SANTA FE. (JEANNIE PRICE)**

Jeanne Price presented information regarding this matter to the Governing Body.

**Public Hearing**

There was no one speaking for or against this request.

**The Public Hearing was closed**

**Councilor Chavez moved, seconded by Councilor Ortiz, to adopt Ordinance No. 2009-23.**

**The motion was approved on the following Roll Call Vote:**

**For: Councilor Bushee, Councilor Chavez, Councilor Ortiz, Councilor Romero, Councilor Trujillo, and Councilor Wurzbarger.**

**Against: None.**

**Absent: Councilor Dominguez.**

Councilor Bushee asked to be added as a sponsor of Items 6 and 6(a).

**a) REQUEST FOR APPROVAL OF JOINT POWER AGREEMENT – EXTRATERRITORIAL ZONE IMPACT FEE; SANTA FE COUNTY.**

**Councilor Chavez moved, seconded by Councilor Ortiz, to approve the Joint Powers Agreement for the Extraterritorial Zone Impact Fee.**

**The motion was approved on the following Roll Call Vote:**

**For: Councilor Bushee, Councilor Chavez, Councilor Ortiz, Councilor Romero, Councilor Trujillo, and Councilor Wurzbarger.**

**Against: None.**

**Absent: Councilor Dominguez.**

**Explaining his vote:** Councilor Ortiz said he would like to acknowledge that this one of the first issues brought up by Councilors Chavez and Heldmeyer, and said it is good to see this is coming to fruition, so he votes yes.

**15. MATTERS FROM THE CITY CLERK**

Ms. Vigil wished her daughter, Sierra, a very HAPPY 15<sup>th</sup> BIRTHDAY.

**16. COMMUNICATIONS FROM THE GOVERNING BODY.**

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



### **Councilor Wurzbarger**

Councilor Wurzbarger had no communications.

### **Councilor Trujillo**

Councilor Trujillo introduced two Resolutions:

1. A Resolution in support of the Rodeo Road Median Landscaping Project, funded from the American Recovery and Reinvestment Act of 2009 through a cooperative project agreement with the NMDOT. A copy of the Resolution is incorporated herewith to these minutes as Exhibit "4."
2. A Resolution supporting the New Mexico Litter Control and Beautification Act of 1985, which provides public funds in the form of grants for the purpose of enhancing local litter control and beautification programs. A copy of the Resolution is incorporated herewith to these minutes as Exhibit "5."

Councilor Trujillo said there will be a free family fishing clinic on Saturday, May 30, 2009, at Alto Park at 2:00 p.m., sponsored by the Department of Game & Fish and the Santa Fe Water Association and supported by the City and County of Santa Fe, and invited everyone to attend.

Councilor Trujillo said the Fishing Derby will be on Saturday, June 6, 2009, beginning at 6:00 a.m., which is free, and he asked everyone to let the children fish.

Councilor Trujillo said on Saturday, the GCCC is hosting a pet adoption at GCCC for pets from the Espanola Valley.

Councilor Trujillo congratulated his son, Hunter, who was chosen to participate in the NDI Summer Dance Program.

### **Councilor Ortiz**

Councilor Ortiz had no communications.

### **Councilor Bushee**

Councilor Bushee said at the BTAC meeting tomorrow at 5:30 p.m., they will be discussing the Northwest Quadrant and trails projects in great detail.

### **Councilor Romero**

Councilor Romero invited the Councilors to attend a June 2<sup>nd</sup> community meeting at Patrick Smith at 5:30 p.m., hosted by Councilor Wurzbarger and herself, to present background information on the master plan to the neighborhoods and the status of that effort.

### **Councilor Chavez**

Councilor Chavez said, regarding the requests made this evening from the Las Acequias neighborhood, he would like the City Manager to start working on open an space map in the City and County in the southwest sector. He would the City Manager to work with Robert Romero and Fabian Chavez to see when the playground equipment is scheduled. He appreciates Councilor Trujillo's offer to take the safety issues to the Public Safety Committee, and suggested that traffic calming and more safety features would help to address the safety issues along that road, and suggested that raised crosswalks might help.

### **Councilor Dominguez**

Councilor Dominguez said he will be hosting his regular office hours on Saturday, at 10:00 a.m., at Miklo's Coffee House, and asked the City Manager to ask Ms. Banish to issue a press release. He also will be hosting office hours on June 14<sup>th</sup> and will provide the details to Ms. Banish, noting it will be at either Frenchy's, Larragoite or Gregory Lopez Park.

Councilor Dominguez said he can't attend ELUA tomorrow, and asked staff to contact the County to see if there will be a quorum.

Councilor Dominguez said he has had a request for more police patrol on Airport Road, because there is a lot of speeding, and there is construction.

Councilor Dominguez congratulated all of the high school and college graduates and their parents, and asked them to be safe.

### **Mayor Coss**

Councilor Coss introduced the following:

1. An ordinance amendment regarding the applicability of Historic District requirements to State Capital Outlay projects involving new structures. A copy of the Resolution is incorporated herewith to these minutes as Exhibit "6 ."

2. A Resolution supporting June 26 as the United Nations International Day in support of victims of torture.

He said the City and the County received \$4 million for the Buckman Direct Diversion Project from the Water Trust Board last week. He thanked staff and Mark Duran, lobbyist, for getting us to this point, noting the City also received \$1.5 million for a watershed project.

Mayor Coss congratulated all of the high school and college graduates, and asked them to be safe.

#### **14. MATTERS FROM THE CITY ATTORNEY**

##### **EXECUTIVE SESSION:**

- a) **DISCUSSION OF NEGOTIATIONS CONCERNING PURCHASE OF COLLEGE OF SANTA FE, PURSUANT TO §10-15-1(H)(8) NMSA 1978.**

Councilor Wurzbarger moved, seconded by Councilor Ortiz, that the Council go into Executive Session for the purpose of discussion of the negotiations concerning the purchase of the College of Santa Fe, pursuant to §10-15-1(H)(8). The motion was approved on a roll call vote as follows:

**For: Councilor Chavez, Councilor Dominguez, Councilor Ortiz, Councilor Romero, Councilor Trujillo and Councilor Wurzbarger.**

**Against: None.**

**Absent: Councilor Bushee.**

The Council went into Executive Session at 8:30 p.m.

#### **MOTION TO COME OUT OF EXECUTIVE SESSION**

**At 8:59 p.m. Councilor Ortiz moved, seconded by Councilor Romero, that the City Council come out of Executive Session and stated that the only items which were discussed in executive session were those items which were on the agenda, and no action was taken.**

**The motion was approved unanimously on a voice vote with Councilors Dominguez, Ortiz, Romero and Trujillo voting for the motion, no one voting against, and Councilors Bushee, Chavez and Wurzbarger absent.**

**H. ADJOURN**

The was no further business to come before the Governing Body, and upon completion of the Agenda, the meeting was adjourned at approximately 9:00 p.m.

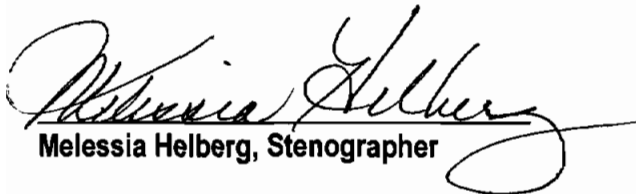
**Approved by:**

\_\_\_\_\_  
**Mayor David Coss**

**ATTESTED TO:**

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

**Respectfully submitted:**

  
**Melessia Helberg, Stenographer**