



Agenda

REGULAR MEETING OF
THE GOVERNING BODY
JANUARY 27, 2010
CITY COUNCIL CHAMBERS

AFTERNOON SESSION – 5:00 P.M.

CITY CLERK'S OFFICE

DATE 1-22-10 TIME 2:50pm

SERVED BY _____

RECEIVED BY Hydominguez

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: City Council Study Session – January 13, 2010.
Reg. City Council Meeting – January 13, 2010
9. PRESENTATIONS
 - a) Muchas Gracias – Jack Hiatt. (5 minutes)
 - b) Muchas Gracias – Charlie Gonzales. (5 minutes)
 - c) Proclamation – Esther Rapoport Day. (5 minutes)
10. CONSENT CALENDAR
 - a) Bid No. 10/08/B – Canada Exploratory Test Well Project; Henkle Drilling & Supply. (Bill Huey)
 - b) Bid Nos 10/18/B and 10/22/B – Chemicals for Water Division; DPC Industries. (Victor Archuleta)
 - c) Bid No. 10/19/B – Chemicals for Water Division; Pool and Electric Products. (Victor Archuleta)
 - d) Bid No. 10/24/B – One Large Truck Cab and Chassis; Trucks West Inc. (Bill DeGrande)



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- e) Bid No. 10/25/B – One Top Loading Recycling Body; High Mesa Environmental. (Bill DeGrande)
- f) Request for Approval of Sole Source Procurement and Support Services Agreement – Computer Software and Services for the City of Santa Fe; Sungard Public Sector, Inc. (Caryn Fiorina)
- g) Request for Approval of Joint Powers Agreement – Juvenile Day Reporting Program Services; County of Santa Fe. (Richard DeMella)
- h) Request for Approval of Joint Powers Agreement – Drop Off Center Juvenile Services of Santa Fe; County of Santa Fe. (Richard DeMella)
- i) Request for Approval of Amendment No. 4 to Professional Services Agreement – City's Water Rights Transfer Program for Water Division; Lee Wilson & Associates, Inc. (Dale Lyons)
- j) Request for Approval of Amendment No. 2 to Professional Services Agreement – Water Utility Energy Efficiency Project; Automation Electric, LLC. (Dale Lyons)
- k) Request for Approval of Amendment No. 1 to Professional Services Agreement – Geohydrologic Oversight of the Canada Well Drilling Project for Water Division; John Shomaker & Associates, Inc. (Claudia Borchert)
- l) Request for Approval of Amendment No. 5 to Professional Services Agreement – Santa Fe River Trail Project From Camino Alire to NM 599; Weston Solutions. (Brian Drypolcher)
- m) Request for Approval of Amendment No. 3 to Professional Services Agreement – Homewise Energy Loan Program; Homewise. (Nicholas Schiavo)
- n) Request for Approval of 2009 New Mexico Legislative General Fund Appropriations; State of New Mexico Department of Finance and Administration Local Government Division. (David Chapman)
 - 1) Request for Approval of Provider Contracts (Various Vendors).
 - 2) Request for Approval to Establish Project Budgets.



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- o) Request for Approval of Amendment No. 4 to Parking Garage Development Agreement to Include Change Order No. 4A – Development of Underground Parking Structure; Railyard Company LLC. (Robert Siqueros)
 - 1) Request for Approval of Budget Adjustment – Railyard Fund.
- p) CONSIDERATION OF RESOLUTION NO. 2010-_____. (Councilor Trujillo)
A Resolution Honoring the Sacrifice of Veterans and Their Families by Petitioning New Mexico's Congressional Delegation to Seek to Repeal Pub. L. 106-117, Title VI, §612, Nov. 30, 1999, 113 Stat. 1580, Which Provided That "the Secretary of Veterans Affairs May Provide Flat Grave Markers at the Santa Fe National Cemetery, New Mexico" and Seek Adoption of a New Law that Would Require the Secretary of Veterans Affairs to Replace the Existing Flat Grave Markers With the Upright Grave Markers at the Santa Fe National Cemetery and that in the Future Only Upright Headstones Shall be Placed at the Santa Fe National Cemetery. (Jeanne Price)
- q) CONSIDERATION OF RESOLUTION NO. 2010-_____. (Mayor Coss and Councilor Trujillo)
A Resolution Amending Table 50, Page 45 of the Impact Fee Capital Improvements Plan and Land Use Assumptions, 2007-2012 to Include Eight Lifepak 15's, for Transmitting Cardiac Patient Data, as Planned Fire/EMS Improvements. (Brian Caldwell)
 - 1) Request for Approval of Procurement for Eight (8) Lifepak 15's for Fire Department Through Impact Fee Capital Improvements Plan and Land Use Assumptions. (Brian Caldwell)
- r) Request for Approval and Review – Demolition of Railyard Building (Parcel F 1); Santa Fe Railyard Corp. (Robert Siqueros)
- s) Request for Approval of Consideration to Re-Establish Positions in FY 2009/2010 Budget. (Vicki Gage) (**Postponed at December 9, 2009 City Council Meeting**)



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11. Request for Approval of Amendment 1 to the Lease by and Between City of Santa Fe, New Mexico, Landlord and Santa Fe Higher Education, LLC, Tenant, Providing for the Reallocation of Funds within the Deferred Maintenance Fund and for Cooperation between the Parties in Planning and Allocating Funding for Future Projects. (Kelley Brennan)
12. Request for Approval of ARRA Federal Stimulus Funded Project – Water Utility Hydroelectric Project Construction Contract; TLC Plumbing and Utility. (Dale Lyons)
13. Request for Approval of ARRA Federal Stimulus Funded Project – Water Utility Hydroelectric Project Turbine-Generator Package Supplier Contract; Canyon Industries. (Dale Lyons)
14. CONSIDERATION OF RESOLUTION NO. 2010-_____. (Councilor Wurzburger)
A Resolution to Co-Sponsor a Forum with the Santa Fe Board of County Commissioners, the Governing Board of the Santa Fe Community College and the Board of Education of the Santa Fe Public Schools for the Purpose of Sharing Information and Discussing Priorities and Emerging Issues. (Jeanne Price)
15. CONSIDERATION OF RESOLUTION NO. 2010-_____. (Councilor Chavez)
A Resolution Prohibiting the Purchase of Alcohol With City Funds; and Directing the City Manager to Amend the City's Administrative Policies Accordingly. (Jeanne Price)
16. MATTERS FROM THE CITY MANAGER
17. MATTERS FROM THE CITY ATTORNEY

EXECUTIVE SESSION:

- a) Discussion of Agreement to Sell Tracts A, B, C and D at College of Santa Fe to the State; Pursuant to §10-15-1(H) (8) NMSA 1978.
18. Action Regarding the Agreement to Sell Tracts A, B, C and D at College of Santa Fe to the State.
19. MATTERS FROM THE CITY CLERK



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20. COMMUNICATIONS FROM THE GOVERNING BODY

EVENING SESSION – 7:00 P.M.

- A. CALL TO ORDER
- B. PLEDGE OF ALLEGIANCE
- C. SALUTE TO THE NEW MEXICO FLAG
- D. INVOCATION
- E. ROLL CALL
- F. PETITIONS FROM THE FLOOR
- G. APPOINTMENTS
- H. PUBLIC HEARINGS:
 - 1) Request from 815 Early, LLC, for a Restaurant Liquor License (Beer and Wine On-Premise Consumption Only) to be Located at Louie's Corner Cafe, 229 Galisteo Street. (Yolanda Y. Vigil)
 - 2) Request for Approval of Leases for Three Tracts of Land Totaling 9.5692 Acres (Santa Fe Civic Housing Authority/Villa Alegre Project) Consisting of: (Kelley Brennan) **(Postponed at January 13, 2010 City Council Meeting)**
 - a) Tract 1/Phase 1 (3.9587 Acres Located North of West Alameda, East of Las Crucitas and Southwest of West San Francisco Street. (Multifamily)
 - b) Tract 1/Phase 2 (3.7370 Acres) Located North of West Alameda, East of Las Crucitas and Southwest of West San Francisco Street and East of Tract 1/Phase I. (Senior)



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- c) Tract 2/Phase 3 (1.5235 Acres) Located North of West Alameda, West of Camino Del Campo and South of West San Francisco Street; and Tract 3/Phase 3 (0.3500 Acres) Located North of West Alameda, East of Camino Del Campo and South of West San Francisco Street. (Workforce/Commercial)

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.

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.

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SANTA FE CITY COUNCIL MEETING
January 27, 2010

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REQUEST FOR APPROVAL OF PROCUREMENT FOR EIGHT (8) LIFEPAK 15'S FOR FIRE DEPARTMENT THROUGH IMPACT FEE CAPITAL IMPROVEMENTS PLAN AND LAND USE ASSUMPTIONS	Approved	5-7
REQUEST FOR APPROVAL AND REVIEW – DEMOLITION OF RAILYARD BUILDING (PARCEL F-1); SANTA FE RAILYARD CORP.	Approved	7-10

END OF CONSENT CALENDAR DISCUSSION

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REQUEST FOR APPROVAL OF AMENDMENT 1 TO THE LEASE BY AND BETWEEN CITY OF SANTA FE, NEW MEXICO, LANDLORD AND SANTA FE HIGHER EDUCATION, LLC, TENANT, PROVIDING FOR THE REALLOCATION OF FUNDS WITHIN THE DEFERRED MAINTENANCE FUND AND FOR COOPERATION BETWEEN THE PARTIES IN PLANNING AND ALLOCATING FUNDING FOR FUTURE PROJECTS	Approved [amended]	10-18
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REQUEST FOR APPROVAL OF LEASES FOR THREE TRACTS OF LAND TOTALING 9.5692 ACRES (SANTA FE CIVIC HOUSING AUTHORITY/ VILLA ALEGRE PROJECT), CONSISTING OF: TRACT 1/PHASE1, ETC.; TRACT 1/PHASE 2, ET C; AND TRACT 2/PHASE 3, ETC.	Approved [amended]	25-27
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**MINUTES OF THE
REGULAR MEETING OF THE
GOVERNING BODY
Santa Fe, New Mexico
January 27, 2010**

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 January 27, 2010, 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 Christopher Calvert
Councilor Miguel Chavez
Councilor Carmichael A. Dominguez
Councilor Matthew E. Ortiz
Councilor Rosemary Romero
Councilor Ronald S. Trujillo

Others Attending

Robert Romero, City Manager
Geno Zamora, City Attorney
Yolanda Y. Vigil, City Clerk
Melessia Helberg, Council Stenographer

6. APPROVAL OF AGENDA

Robert Romero, City Manager, said staff is requesting to postpone Item 10(2) to the meeting of February 10, 2010.

Councilor Wurzbarger asked to postpone Item 9(c), the proclamation for Ester Rapoport Day, until about 6:00 p.m., when they are able to get her here.

MOTION: Councilor Bushee moved, seconded by Councilor Romero, to approve the agenda as amended.

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

7. APPROVAL OF CONSENT CALENDAR

MOTION: Councilor Bushee moved, seconded by Councilor Romero, to approve the following Consent Calendar, as amended.

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

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

Against: None.

- a) **BID NO. 10/08/B – CANADA EXPLORATORY TEST WELL PROJECT; HENKLE DRILLING & SUPPLY. (BILL HUEY)**
- b) **BID NOS. 10/18/B AND 10/22/B – CHEMICALS FOR WATER DIVISION; DPC INDUSTRIES. (VICTOR ARCHULETA)**
- c) **BID NO. 10/19/B – CHEMICALS FOR WATER DIVISION; POOL AND ELECTRIC PRODUCTS. (VICTOR ARCHULETA)**
- d) **BID NO. 10/24/B – ONE LARGE TRUCK CAB AND CHASSIS; TRUCKS WEST, INC. (BILL DeGRANDE)**
- e) **BID NO. 10/25/B – ONE TOP LOADING RECYCLING BODY; HIGH MESA ENVIRONMENTAL. (BILL DeGRANDE)**
- f) **REQUEST FOR APPROVAL OF SOLE SOURCE PROCUREMENT AND SUPPORT SERVICES AGREEMENT – COMPUTER SOFTWARE AND SERVICES FOR THE CITY OF SANTA FE; SUNGARD PUBLIC SECTOR, INC. (CARYN FIORINA)**
- g) **REQUEST FOR APPROVAL OF JOINT POWERS AGREEMENT – JUVENILE DAY REPORTING PROGRAM SERVICES; COUNTY OF SANTA FE. (RICHARD DeMELLA)**
- h) **REQUEST FOR APPROVAL OF JOINT POWERS AGREEMENT – DROP OFF CENTER JUVENILE SERVICES OF SANTA FE; COUNTY OF SANTA FE. (RICHARD DeMELLA)**
- i) **REQUEST FOR APPROVAL OF AMENDMENT NO. 4 TO PROFESSIONAL SERVICES AGREEMENT – CITY'S WATER RIGHTS TRANSFER PROGRAM FOR WATER DIVISION; LEE WILSON & ASSOCIATES, INC. (DALE LYONS)**

- j) REQUEST FOR APPROVAL OF AMENDMENT NO. 2 TO PROFESSIONAL SERVICES AGREEMENT – WATER UTILITY ENERGY EFFICIENCY PROJECT; AUTOMATION ELECTRIC, LLC. (DALE LYONS)
- k) REQUEST FOR APPROVAL OF AMENDMENT NO. 1 TO PROFESSIONAL SERVICES AGREEMENT – GEOHYDROLOGIC OVERSIGHT OF THE CANADA WELL DRILLING PROJECT FOR WATER DIVISION; JOHN SHOMAKER & ASSOCIATES, INC. (CLAUDIA BORCHERT)
- l) REQUEST FOR APPROVAL OF AMENDMENT NO. 5 TO PROFESSIONAL SERVICES AGREEMENT – SANTA FE RIVER TRAIL PROJECT FROM CAMINO ALIRE TO NM 599; WESTON SOLUTIONS. (BRIAN DRYPOLCHER)
- m) REQUEST FOR APPROVAL OF AMENDMENT NO. 3 TO PROFESSIONAL SERVICES AGREEMENT – HOMEWISE ENERGY LOAN PROGRAM; HOMEWISE. (NICHOLAS SCHIAVO)
- n) REQUEST FOR APPROVAL OF 2009 NEW MEXICO LEGISLATIVE GENERAL FUND APPROPRIATIONS; STATE OF NEW MEXICO, DEPARTMENT OF FINANCE AND ADMINISTRATION, LOCAL GOVERNMENT DIVISION. (DAVID CHAPMAN)
 - 1) REQUEST FOR APPROVAL OF PROVIDER CONTRACTS (VARIOUS VENDORS).
 - 2) REQUEST FOR APPROVAL TO ESTABLISH PROJECT BUDGET.
- o) REQUEST FOR APPROVAL OF AMENDMENT NO. 4 TO PARKING GARAGE DEVELOPMENT AGREEMENT TO INCLUDE CHANGE ORDER NO. 4A – DEVELOPMENT OF UNDERGROUND PARKING STRUCTURE; RAILYARD COMPANY, LLC. (ROBERT SIQUEIROS)
 - 1) REQUEST FOR APPROVAL OF BUDGET ADJUSTMENT – RAILYARD FUND.
- p) CONSIDERATION OF RESOLUTION NO. 2010- 5 (COUNCILOR TRUJILLO). A RESOLUTION HONORING THE SACRIFICE OF VETERANS AND THEIR FAMILIES BY PETITIONING NEW MEXICO'S CONGRESSIONAL DELEGATION TO SEEK TO REPEAL PUBLIC LAW 106-117, TITLE VI, §612, NOV. 30, 1999, 113 STAT. 1580, WHICH PROVIDED THAT "THE SECRETARY OF VETERANS AFFAIRS MAY PROVIDE FLAT GRAVE MARKERS AT THE SANTA FE NATIONAL CEMETERY, NEW MEXICO," AND SEEK ADOPTION OF A NEW LAW THAT WOULD REQUIRE THE SECRETARY OF VETERANS AFFAIRS TO REPLACE THE EXISTING FLAT GRAVE MARKERS WITH THE UPRIGHT GRAVE MARKERS AT THE SANTA FE NATIONAL CEMETERY AND THAT IN THE FUTURE ONLY UPRIGHT HEADSTONES SHALL BE PLACED AT THE SANTA FE NATIONAL CEMETERY. (JEANNE PRICE)
- q) *[Removed for discussion by Councilor Trujillo]*

- r) ***Removed for discussion by Councilor Chavez]***
- s) **REQUEST FOR APPROVAL OF CONSIDERATION TO REESTABLISH POSITIONS IN FY6 2009/2010 BUDGET. (VICKI GAGE) (Postponed at December 9, 2009, City Council Meeting)**
[This item was removed from the agenda and postponed to the meeting of February 10, 2010]

**8. APPROVAL OF MINUTES: CITY COUNCIL STUDY SESSION – JANUARY 13, 2010.
REGULAR CITY COUNCIL MEETING – JANUARY 13, 2010**

MOTION: Councilor Calvert moved, seconded by Councilor Romero, to approve the minutes of the City Council Study Session of January 13, 2010, as presented.

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

MOTION: Councilor Calvert moved, seconded by Councilor Chavez, to approve the minutes of the Regular City Council meeting of January 13, 2010, as presented.

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

9. PRESENTATIONS

a) MUCHAS GRACIAS – JACK HIATT

Mayor Coss presented Mr. Hiatt with a Muchas Gracias Certificate for his years of service to the City of Santa Fe, and thanked him for his dedicated work on behalf of the City.

Mr. Hiatt thanked the Mayor and Council for this honor, and jokingly thanked the Council for the times that they agreed with him during his tenure with the City. He congratulated Robert Romero and Geno Zamora on their appointments as City Manager and City Attorney, respectively. He congratulated Matthew O'Reilly on taking over the Land Use Department. He said the staff in the Land Use Department are very professional and proficient, and will be of great help to him. He introduced his wife Jackie, and thanked her for her patience during his employment with the City.

b) MUCHAS GRACIAS – CHARLIE GONZALES

Mayor Coss read a proclamation into the record declaring January 27, 2010, Charlie Gonzales Day in Santa Fe.

Mr. Gonzales thanked the Mayor and Council for this honor. He noted he was hired originally by former City Engineer Ormand Earp, and thanked him for all he taught him. He congratulated Robert Romero and Geno Zamora on their appointments. He spoke about some of the technology needs in the Planning & Land Use Department, as well as various things which need to be done so its employees can get their work done.

Councilors Bushee, Wurzbarger and Romero spoke about Mr. Gonzales' exemplary service to the City, said he will be greatly missed, and wished him good luck.

c) PROCLAMATION – ESTHER RAPOPORT DAY

This item was postponed to the meeting of February 10, 2010.

CONSENT CALENDAR DISCUSSION

10 (q) CONSIDERATION OF RESOLUTION NO. 2010-6 (MAYOR COSS AND COUNCILOR TRUJILLO). A RESOLUTION AMENDING TABLE 50, PAGE 45 OF THE IMPACT FEE CAPITAL IMPROVEMENTS PLAN AND LAND USE ASSUMPTIONS, 2007-2012 TO INCLUDE EIGHT LIFEPAK 15'S, FOR TRANSMITTING CARDIAC PATIENT DATA, AS PLANNED FIRE/EMS IMPROVEMENTS. (BRIAN CALDWELL)

1) REQUEST FOR APPROVAL OF PROCUREMENT FOR EIGHT (8) LIFEPAK 15'S FOR FIRE DEPARTMENT THROUGH IMPACT FEE CAPITAL IMPROVEMENTS PLAN AND LAND USE ASSUMPTIONS. (BRIAN CALDWELL)

A copy of a flow chart showing how the proposed 12-lead transmission functions, distributed to the Committee by Fire Chief Barbara Salas, is incorporated herewith to these minutes as Exhibit "1."

Councilor Trujillo said he pulled this item so Chief Salas and Mr. Alex Valdez of Christus-St. Vincent's could speak to this issue.

Chief Salas presented information from her Memorandum of November 3, 2009, to the Capital Improvements Advisory Committee, which is in the Council packet. Please see this document for specifics of this presentation. She spoke to the need for this equipment, which is being purchased cooperatively by the City and Christus-St. Vincent's to hasten treatment for cardiac patients. Chief Salas gave the Governing Body a copy of a flow chart to help them better understand the need for this technology for the Fire Department [Exhibit "1"].

Chief Salas introduced Alex Valdez, CEO Christus-St. Vincent, Mark Zolnick, M.D., Cardiologist and Paul Puce, Director of Cardiovascular Service Line, with Christus-St. Vincent. She thanked Mr. Valdez and Christus St. Vincent for their support of the Fire Department, and Mayor Coss and Councilor Trujillo for their support of the Lifepak 15 purchase.

Alex Valdez, President/CEO Christus-St. Vincent Hospital, said he is glad to support the Fire Department in purchasing this equipment, because this equipment would reduce significantly the amount of time to get a person to the cath lab for a procedure. He said the significance of getting them there as quickly as possible, is that there will be less and less damage done to the heart. He said Christus-St. Vincent's will pay \$111,000 to assist in the purchase of the equipment, plus an additional \$33,000 for equipment which has to be placed in the hospital. He said it is a good investment by the Hospital, it is a good investment by the City, and will help to save lives and preserve the condition of the hear.

Dr. Zolnick, Cardiologist, Heart Institute, said cardio-vascular disease is the #1 cause of death in this country. He said there is a greater chance for survival with this equipment, saying every minute counts when people are having a heart attack, noting an additional thirty minutes would limit the amount of damage to the heart and perhaps save their life.

MOTION: Councilor Trujillo moved, seconded by Councilor Bushee, to approve this request.

DISCUSSION: Councilor Chavez said this is good use of impact fees.

Councilor Romero supports this effort, agreeing this is a good use of impact fees. She noted the great caliber of physicians at the Hospital, saying she is a great supporter of the hospital. She thanked Mr. Valdez for his efforts in the purchase of this technology for the Fire Department.

Councilor Bushee thanked Chief Salas for pursuing this, and agreed this is a good way to spend the impact fees.

FRIENDLY AMENDMENT: Councilor Chavez noted the Resolution refers to \$80,000 to purchase the equipment, but the actual cost is \$78,291, and would like to reference that amount in the Resolution. **THE AMENDMENT WAS FRIENDLY TO THE MAKER AND SECOND AND THERE WERE NO OBJECTIONS BY THE OTHER COUNCILORS.**

Councilor Chavez asked to be added as a cosponsor of the Resolution. Councilor Chavez said the City needs to continue to revise and update impact fees, to meet current needs and those in the future which will come with the annexation.

CLARIFICATION BY CITY CLERK: Yolanda Vigil asked Councilor Trujillo if the motion also includes 10(q)(1) as well as the Resolution. Councilor Trujillo said that it does.

Councilors Romero and Bushee asked to be added as sponsors of the Resolution.

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

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

Against: None.

Mr. Valdez complimented the City on hiring Geno Zamora as City Councilor, saying when Mr. Zamora was Governor Richardson's general counsel, he spoke with him about possible State funding for the new Emergency Room at the hospital. Mr. Zamora told him about an arcane provision in the Constitution which would allow St. Vincent Hospital to get direct appropriations from the Legislature. He said this ultimately enabled the Hospital to get an appropriation of \$4 million to assist with the \$12 million cost to build the Emergency Room.

10 (r) REQUEST FOR APPROVAL AND REVIEW – DEMOLITION OF RAILYARD BUILDING (PARCEL F-1); SANTA FE RAILYARD CORP. (ROBERT SIQUEIROS)

Councilor Chavez said he pulled this items because there are a lot of questions and concerns which are shared by many members of the Governing Body. He said the Master Plan does deviate somewhat from the Arts & Culture concept under which we have been operating, because the uses are somewhat different from what an Arts & Cultural District would suggest.

The Governing Body commented and asked questions and staff responded, as follows:

- Councilor Calvert asked Richard Czoski, CEO Railyard Corp, to give a brief summary and clarify his understanding with this particular item.
- Mr. Czoski said the situation begin when Santa Fe Clay wanted to move from the Railyard. He said the President of Santa Fe Clay asked the Corp to work with her to try to find another tenant for her space, which they did. They have spoken with several for-profit and several non-profit entities, all of which have looked at the space. He said at this time, there is no tenant selected for this space.

Mr. Czoski said the rendering circulated by email hasn't been approved by their Board, and he is unsure why that was circulated. He said the Corp. Is asking market rent for the space. He said, on the Railyard, the for-profit tenants subsidize the rents for the non-profit tenants which pay 20% of the full rent paid by for-profits for the space. If the building is owned by City, there is no rent charged to non-profits, for example, El Museo and Warehouse 21.

Mr. Czoski said the request is for approval to demolish the northern end of that building, comprised of about 9,400 sq. ft. Mr. Czoski reiterated that there is no tenant for the building, nor has a replacement building been selected. He said any replacement building would have to be approved

by the Business Capital District Design Review Committee [BCD DRC], which would require ENNs and all of the public postings required by the ordinance.

Mr. Czoski said the Railyard Corp. has held three public meetings on this subject. He said the BCD DRC meeting was open to the public as well. He said, subsequently, this request was approved by the Finance and Public Works Committees.

- Councilor Calvert asked if the market rate rent will be above and over the current rent being paid by the tenant. Mr. Czoski said yes, noting the current tenant signed the lease with the City in 2002.

Councilor Calvert asked Mr. Czoski about potential tenants to take over this lease. Mr. Czoski said so far, four potential tenants have looked at the space, and all four have said they can't use the building as it exists today, although they are interested in the land parcel because of its location.

Councilor Calvert asked if the Master Plan designates a particular use for this site. Mr. Czoski said it does not. He said there is an illustration for the Arts and Cultural District which is along the Paseo corridor. He said the language in the Master Plan talks about temporary art installations in public spaces, and as part of the architecture, paving and site furnishings may be designed as art. It encourages traffic calming, but there is nothing in the master plan that dictates the use of the building on this parcel.

- Councilor Bushee said she Chairs both the BCD DRC and Public Works Committees which heard and approved this request. She said it was not done in secret, as she read in the paper. She said Tom Romero of El Museo, the neighboring entity was asked to speak to the issue and chose not to do so at either hearing. She said at both Committees there was a hearing regarding the demolition of this building, and it was determined that there was no history to this warehouse.

Councilor Bushee said what didn't take place at the hearings was a more holistic conversation about what this building means to the Railyard in relation to the master plan. She said she believes this decision should not be driven by someone wanting to get out of the lease. She said the issue is that we didn't discuss the potential uses and potential impact to the site with any changes. For example, if it became a two-story versus a single story. She said the discussion was held strictly on whether or not the building was "demolishable."

MOTION: Councilor Bushee moved, seconded by Councilor Chavez, that this request be returned to the Public Works Committee, and perhaps the Finance Committee, for a public hearing on the demolition and how demolishing/changing this building would impact the Railyard Master Plan.

DISCUSSION: Councilor Wurzbarger asked if the Master Plan delineates what can or cannot be demolished.

Councilor Bushee said we can discuss this with staff present. She said the BCD DRC has design oversight, while Public Works deals more with the Master Plan and uses. She said this isn't the place to have that discussion fully. She said this needs to be expedited.

Councilor Wurzbarger said, "...somehow this got missed with respect to the big question of how it really fits within the plan, or doesn't fit. And I don't know the answer to that question."

Councilor Romero asked the Railyard Corporation to provide a range of lease amounts for profit and non-profit when this goes to the Public Works Committee.

Mr. Czoski said the lease rates are not public information. He said he would be glad to disclose what they are asking for the building, and it has been advertised as such.

Councilor Romero said it would be helpful to have whatever is public information.

Councilor Dominguez asked, when the Master Plan was approved, if there was any discussion about future uses or demolishing any building on the Railyard property.

Mr. Czoski said the Master Plan specifies that certain buildings were to be demolished. He said subsequently the Corp. came back to the Council to ask for permission to demolish additional buildings in 2005 or 2006, but this building was not anticipated to be demolished and not addressed by the Master Plan. It was anticipated the current occupant would continue to be in the building.

Councilor Dominguez said then it was anticipated that Santa Fe Clay would continue to be in this building, and Mr. Czoski said yes, or a replacement tenant.

Councilor Wurzbarger understands this is not a contributing building. She said a constituent asked if it is listed as a contributing building, and if Mr. Czoski doesn't know, she would like the answer to this question.

Councilor Bushee said this question was asked at the BCD DRC, and when the issue was considered the second time by the BCD DRC, we learned that it is not a contributing building.

Councilor Chavez said there needs to be a discussion of the Master Plan and whether there needs to be an amendment.

Responding to questions from Councilor Chavez, Mr. Czoski said the Corp. is marketing the building as is. If it was to be demolished, the developer would have to pay for the demolition. He said no one at this time is interested in using the space as is, at this price.

Councilor Chavez said he believes the price points are getting out of reach for smaller non-profits and small business.

Mr. Czoski said all rents charged by the Railyard Corp. "go to pay back the debt that was incurred by the City to purchase the property, as well as the money that the City lent us to build the infrastructure. So, that

is why the rents are what they are. We have financial obligations in our agreement with the City on an annual basis in the six-figure range that we have to repay the City to repay that debt. The only way we can secure funding to repay that debt is through renting the spaces at market rate. We originally agreed, and have honored our commitment, to have the four non-profits at very subsidized rates, and we've done that. But, we cannot meet our obligations to the City and charge below market rates for the balance of the spaces."

Councilor Wurzbarger said she feels no need for this to go back to Finance, noting she spoke with the Chair and he agrees. She wants to expedite getting this back to the Council. She asked Councilor Bushee to let her know when it is scheduled on the Public Works Committee agenda so she can attend.

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

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

Against: None.

Explanation at vote: Councilor Bushee voted yes. She said, "Mayor, and just to clarify, not just a public hearing on the demolition alone, but on the Plan and context and uses."

Explanation at vote: Councilor Calvert voted yes. He said, "I would like to reiterate what Councilor Bushee mentioned. I know, because there was a lot of implication that this was done secretly, but we did have 3 public meetings on this. But, to make sure that everybody is heard and that there is no notion that anyone is trying to be sneaky, I heartily endorse a public meeting on this."

END OF CONSENT CALENDAR DISCUSSION

11. REQUEST FOR APPROVAL OF AMENDMENT 1 TO THE LEASE BY AND BETWEEN CITY OF SANTA FE, NEW MEXICO, LANDLORD AND SANTA FE HIGHER EDUCATION, LLC, TENANT, PROVIDING FOR THE REALLOCATION OF FUNDS WITHIN THE DEFERRED MAINTENANCE FUND AND FOR COOPERATION BETWEEN THE PARTIES IN PLANNING AND ALLOCATING FUNDING FOR FUTURE PROJECTS. (KELLEY BRENNAN)

A copy of "Amendment to Lease by and between City of Santa Fe, New Mexico, Landlord and Santa Fe Higher Education, LLC, Tenant," is incorporated herewith to these minutes as Exhibit "2."

Kelley Brennan noted a revised version of the Agreement was given to the Governing Body prior to the meeting [Exhibit "2"]. Ms. Brennan presented information regarding this matter. Please see the Memorandum of January 20, 2010, and Exhibit "2" for specifics of this presentation.

The Governing Body commented and asked questions and staff responded, as follows:

- Councilor Wurzbarger clarified that the deferred maintenance absolutely cannot exceed \$15 million.
- Responding to Councilor Bushee, Ms. Brennan said the money remains in the same fund with the same payment schedule and specifically authorizes these two projects, authorizes further administrative approvals and allows this reallocation.

Councilor Bushee asked if we asked the tenant to pay for the improvement. Ms. Brennan said they did ask the tenant to pay, and the tenant's explanation is that they are experiencing severe budget pressures and explained the reasons it would be difficult for them.

- Councilor Bushee asked Ms. Brennan if she is comfortable in saying that as a tenant, the LLC will take on the burden of these deferred maintenance costs. Ms. Brennan said yes.
- Councilor Bushee asked if there is language in the amendment to lease that if they leave "in five years or something like that," we get to keep the \$20 million. Ms. Brennan said the Amendment provides that the capital improvements become the property of the City upon completion. Councilor Bushee reiterated her question, so the City isn't left "holding the bag," when they leave and we have deferred maintenance and no money to pay. Ms. Brennan said the Lease provides that if they fail in the project, they have committed a certain amount of money for operations and some capital improvements over a set period of time.

Councilor Bushee said, "I'm asking if you could add these additional improvements or whatever is not going to get covered. This is, again, just if they leave us with this campus. Because, at that point, I don't think the City wants to be in the position of running a college and it may have to turn to some other remedy, but we will still have deferred maintenance."

Ms. Brennan said what she believes is that the "\$15 million commitment is a \$15 million commitment," and we want \$15 million in value, and we will get that \$15 million with these improvements."

Councilor Bushee said we are now spending the deferred maintenance money and she wants to be sure the City isn't left with an aging campus without deferred maintenance funds because "our tenant split." Ms. Brennan said if that happens, if there are funds remaining in deferred maintenance, and it will be available. She said they are trying to exchange one item of work for another and staff believes those are of equivalent value.

- Councilor Bushee said we may have an improved campus which we have to turn into a development. She understood we really needed those funds to deal with some issues. Ms. Brennan said she can only say that staff feels the City is getting an equal amount of value, and that some of this work will be funded by savings on projects that are on the list, that won't cost as much as originally thought.

- Councilor Bushee said she isn't confident that we have addressed the long term maintenance issues by using it for capital improvements at this time. She said unless there are other options, she can't support this amendment.
- Councilor Calvert said the request is to reallocate \$1.4 million of the \$15 million. He said the reason for this request is that this program has been successful beyond all predictions. He believes we need to fund that success to ensure it will continue to be successful and be able to support the numbers of students we would like to see there.
- Responding to Councilor Chavez, Ms. Brennan said she is unsure how this happened, but she believes it didn't show up on the plat and it is quite near the property line. She said this is the only source of the type of power which is needed to power certain equipment.

Councilor Chavez asked if the lot line could be adjusted to move it into the College property. Ms. Brennan said yes, noting this is the tract we are hoping to sell to the State.

- Councilor Chavez would like to see some revenue sharing for the proposed cafeteria. He has the same concerns as Councilor Bushee, and he would like more discussion about revenue sharing and a lot line adjustment. He said, "This is too soon for me."
- Councilor Trujillo asked the current student enrollment numbers, and Ms. Brennan said there are 210 students. Larry Hinz, College of Santa Fe, LLC, said they are projecting 700-800 students next year.

Councilor Trujillo asked if this is a fact, and Mr. Hinz said no. Responding to Councilor Trujillo, Mr. Hinz said gross tuition is \$27,000 annually, with scholarships it is about \$20,000.

Councilor Trujillo asked, with this kind of revenue, if they will have funds to pay for the cafeteria.

Mr. Hinz said no, because on top of the rent paid to the City, there are other operating costs, including personnel, marketing and enrollment. He said he believes this is a win-win situation and good news in terms of the increased enrollment. He said with the 700-800 students, they will increase from 65 to 135 jobs, pay more utilities, purchase more goods and supplies, all of which will help with the local economy. He said there are no food preparation capabilities on campus and the existing seats on campus are limited to 350 people. He said at 800 students, the liability of the City for the electrical and gas infrastructure underneath begins to diminish and is shifted to the College.

- Councilor Trujillo asked what happens if the enrollment drops to, for example, 759 students the year after we get to 800 students. Ms. Brennan said there is no liability to the City once the enrollment reaches 800, even if the enrollment drops the next year.
- Councilor Romero asked Mr. Romero if this sounds like the right direction in which to proceed. Mr. Romero said he believes it is the right thing for two reasons. If this group leaves, at least we have

a campus with functioning dorms and cafeteria, noting the intent is for this always to be used for educational purposes, and it will be easier to sell it to someone else. Secondly, we have limited how much of this "swapping," we can do without coming back to the Council.

- Councilor Romero noted the enrollment is up 40% at the College over last year. She said 200 people attended a workshop which were served by the cafeteria. She noted cafeteria space is at a premium, and we want to be able to serve people who are attending workshops or other events. She said the cafeteria currently serves only 350 students.

Mr. Hinz said the cafeteria can serve 350 students, but with the investment, the capacity goes to 1,200 students – and will serve this number whether students or people attending conferences.

- Councilor Dominguez said there nothing which indicates to him that this college isn't willing to stay here. He asked Mr. Hinz why he anticipates the numbers 700-800 for next year. Mr. Hinz explained how this was calculated and the data points which indicate the increase in enrollment next year. They have hired additional recruiters based on these numbers. He said there is an analytical group which analyzed the data and made these projections.
- Councilor Ortiz asked why we're doing this now, and if time is of the essence. Mr. Hinz said the timing is of the essence, with an eight-month path, noting the fall semester opens August 28th.

Councilor Ortiz said then we will be shifting 10% of the deferred maintenance fund to capital expansion projects, and asked Mr. Romero if he is comfortable that the remaining funds are sufficient to cover the remaining maintenance on the property.

Mr. Romero said he doesn't believe it is sufficient, and there is language requiring them to address health and maintenance issues immediately. He said, "We are asking them to tell us what they're going to take out of the existing list and what will be replaced. And, we're going to ensure that they don't take out things that we feel are health and safety. And we want to make sure that they do, in our opinion, what are the most important things. There will be \$1 million of improvements that we're not going to be able to fund because there is only \$15 million, but it will be their responsibility. What we will do is to evaluate what they want to exchange and ensure that the most important maintenance issues are addressed."

- Councilor Ortiz said Paragraph 1.2 seems to read that this will be the only time the Council will get to act on requests to shift items in the deferred maintenance fund, and shifts the authority to the City Manager in writing, up to \$4.5 million of the total. Ms. Brennan said this is correct. Councilor Ortiz said then in approving this Amendment we are giving the authority to this City Manager or a future City Manager, to approve change orders up to \$4.5 million, and asked the reason we would want to do that.

Ms. Brennan said for timing and efficiency. She said this is a perfect example of the pressure to accommodate an increased student body. However, she believes it probably would have come to the City Council in any event. She said there was a sense this might have been needed because of the timing to do the work as fast as it needed to be done.

Councilor Ortiz said we are being asked to give authority to include this as a deferred maintenance item, but these are two expansion items, and the language says "other improvements." He reiterated that we will be giving authority to the City Manager to shift \$4.5 million of public funds which is supposed to be used specifically for deferred maintenance, to correct the problems. He said some of the Councilors felt the \$15 million was too small. Now, there is a request to fund this expansion out of this pool of money, and in the future the City Manager will have the authority to sign-off up to 30%, with no public scrutiny. He spoke about a situation where a former City Manager took an action on water rights which was totally inappropriate, and the City is now stuck with that agreement. Ms. Brennan said the Council doesn't have to accept this provision.

- Mr. Romero said he doesn't want the authority to spend this much money, and he is totally comfortable if the Council wants to remove this provision. Responding to Councilor Ortiz, Ms. Brennan said the language in 1.2 seemed reasonable, given what happened here, and they were trying to avoid this situation in the future, noting it does include other deferred maintenance items.

Councilor Ortiz said we can either amend the language or strike it all together.

Mr. Hinz clarified that the language was not proposed by the tenant. He believes it was done in response to some of the issues in trying to move prudently and quickly. He said the deferred maintenance schedule was done when they weren't sure what needed to be done, but some things aren't as much as initially believed, so there will be some moving of money back and forth. He said this wasn't done to circumvent public hearings, but to be able to timely modify things.

- Responding to Councilor Ortiz, Ms. Brennan said the schedule of work items is Exhibit C to the lease, and the Council saw it the night it approved the lease.

Councilor Ortiz suggested following the same procedure we use on the Parks bond funds so we periodically see these items. Mr. Romero said he has asked them to prepare a spreadsheet similar to that for the Parks Plan, with the implementation date for each item. He said he plans to bring this to the Council periodically.

MOTION: Councilor Ortiz moved, seconded by Councilor Wurzbarger for purposes of discussion, to approve this request, with an amendment to strike paragraph 1.2 of the proposed Amendment, and replace it with the following language: "The staff shall work with the tenant to come up with an appropriate schedule for regular updates to the City Finance and Public Works Committees."

DISCUSSION: Councilor Wurzbarger is concerned about striking this language because something might come up which isn't on the deferred maintenance list. She said the way staff has interpreted this is that if it isn't on the list we can't do it.

Councilor Ortiz said this isn't his interpretation. He said the deferred maintenance list contains all of the things which are to be done by the tenant, and the tenant can use deferred maintenance funds to do those, based on this exhibit. If the tenant doesn't want to do the items on the list, and wants to substitute a capital improvement project for a deferred maintenance project because it benefits their operation, then they have to go through a process to get approval, and provide updates as we do with the Parks Improvement Plan.

Ms. Brennan said the distinction is that it would be good to be able to add a newly identified deferred maintenance item to the list, and bring that in a report to the Council.

Councilor Bushee said she has no qualms that this isn't good for the campus, but she wants to understand the reason we aren't going to get some reimbursement. She asked the peak full-time enrollment.

Mr. Hinz said the peak total enrollment was 1,800, and 1,000 peak full-time.

Responding to Councilor Bushee, Ms. Brennan said the large dining facility is in the barracks which is not part of the lease property. Councilor Bushee said, then this didn't come to the attention of the City previously. Ms. Brennan said she believes what was on campus would be sufficient, but the sudden increase in enrollment requires them to act more quickly.

Councilor Bushee said she understood Laureate's plan was to recruit from its students in its other colleges and get to an increased enrollment. She is concerned about the approach. She noted if enrollment is up, then there are more funds with which the College could repay the City. She remains concerned that the deferred maintenance fund is inadequate, and we are chipping away at it, but staff is not attempting to negotiate in those terms. She believes this is the time to address it.

Councilor Bushee said there are 3 Christian Brothers who shortly will be without homes. She believes there should be some way, in shifting these funds, to house those Brothers on the campus. She understands the Legislator who will be sponsoring the State's bill for the purchase of land on the campus, sees this as a roadblock. She remains uncomfortable with this, and believes it should be paid by the tenant, and not from the deferred maintenance fund.

Councilor Chavez asked about the merit of discussing a lot line adjustment for the maintenance facility.

Ms. DePietro said the present maintenance facility is on Tract D which is being considered for purchase by the State. She said a lot line adjustment would be possible. She said the real estate agreement between the City and the State provides that the State will honor the agreement for the City to be able to use the facility. She said the actual facility is approximately 4,500 sq. ft., and the total tract is a little more than 3 acres.

Councilor Chavez asked if the footprint for the facility could be carved out of Tract D, and Ms. DePietro said yes.

Ms. Brennan said it conceptually is possible to do a lot line adjustment, but she doesn't know the location of the facility in terms of the lot line. If it is very near the current lot line, it would make sense. However, if it is any distance away, we would have to carve out all of the land to the facility.

Councilor Chavez said it is pretty obvious that we didn't know what we were getting into. He still sees a difference between deferred maintenance and improvements to buildings. He needs more time to flesh this out.

Responding to Councilor Romero, Mr. Hinz said the cafeteria, before the closing of the transaction, was in the barracks now owned by the City. On closing, they approached the City to sublease that cafeteria for a period of time, understanding there were other plans for the barracks. They then focused on a small café off St. Michael's dormitory, which they have since expanded to accommodate existing students. This project would extend the small cafeteria further into the quad.

Councilor Romero asked if the College is thinking about a the Culinary Arts Program, noting there is a Culinary Arts Program at the Santa Fe Community College and the food really is good there.

Mr. Hinz said they still have that plan, but not in the near future. He said the food service currently is provided by Walter Burke.

Councilor Calvert said 1.3 needs revision as well because it also lists "other improvements."

Ms Brennan said it is staff's anticipation to create another schedule which would show those items, and those items would be moved back on by priority if there were savings, and those would be the responsibility of the tenant on the schedule, and we could track their performance as well.

Councilor Calvert said then we're not eliminating the deferred maintenance. We're shifting it, and in fact saying it is no longer our responsibility, but that of the tenant.

Ms. Brennan said, "Right. It's really a matter of changing priorities, I think. And, adjusting priorities as the situation becomes more clear."

Councilor Calvert said the language in 1.3 doesn't quite say that.

FRIENDLY AMENDMENT: Councilor Calvert would like to add language in 1.3 to better define those responsibilities. He suggested deleting the words "other improvements," and basically provide, "Yeah, we're doing it from the schedule that the \$15 million is allocated for, but then it will still remain on a schedule that the tenant will now be responsible for." He also would like some clause that, "Makes sure that, if again, I know everybody's concerned, and I understand there's always some risk, and I don't think the tenant is going to fail, but in case they fail, then those items that were supposed to be covered, how will they be covered. Does that just fall by the wayside in that event." He wants to be sure the language provides that when something is deleted from the approved schedule for deferred maintenance, it is moved to another schedule where it will be tracked and put in priority for when there can be funding.

DISCUSSION ON THE FRIENDLY AMENDMENT: Ms. Brennan said we look to the Wengen guaranty and it's on expended portions under the lease already approved.

Councilor Calvert said this is somewhat vague to him.

Ms. Brennan reiterated that staff anticipated setting out a "parks" type schedule where we would keep those in our sight and try to move them back in if there were savings or adjustments, and those always would have a priority. She said the language could be modified easily.

THE AMENDMENT WAS FRIENDLY TO THE MAKER AND SECOND AND THERE WERE NO OBJECTIONS BY THE OTHER COUNCILORS.

Mayor Coss thanked Councilor Ortiz for making the motion. He said Robert Romero, Kelly Brennan and all of the other staff involved, really worked hard with Mr. Hinz on this. He said moving toward having these things come to Finance and Public Works Committees to give status reports is a good idea. He noted Councilor Chavez said we didn't see everything when we did this. What we did see was a college closing, and what we see now is a college which is open which has more than 200 students and almost 100 jobs, which is better than a dark campus with no students and no jobs. He said we've talked a lot about "our tenant," but Laureate is also our partner, and they really haven't "missed a beat on this." He said Laureate got accreditation which now allows them to recruit students. He said while we treat them as a tenant on one level, they are our partners and their success is a success for our College.

Mayor Coss said both Laureate and the City are investing, noting that Laureate is making significant investments, but it isn't making any money right now on the 210 students, and are losing a lot of money. He said the idea that we could reach 800 students and be relieved for the responsibility for the electrical deferred maintenance is good. However, beyond that, to have 800 students re-enlivening that part of town and our College is very important, and that success is critical to the Higher Learning Center being able to come onto the campus and have success as well. We are creating value on the campus which will belong to the City if Laureate leaves. If Laureate buys the campus from us, they will pay us for this investment as well. He said there is a local contractor moving on the campus, providing local jobs, using local suppliers and hopes Laureate will continue to do this.

Mayor Coss said staff tried to take this to Public Works on Monday night, but there wasn't a quorum. He agrees with Councilor Ortiz that this should come back to the Governing Body, just like the Parks Bond, so we can make adjustments as we move forward, because we are doing something new. He said we are doing this as partners to save a College and to grow a College for the whole community of Santa Fe, and Laureate has been a great partner. He looks forward to getting this done in eight months and taking our best shot at 800 students at the College in the fall.

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

For: Councilor Calvert, Councilor Dominguez, Councilor Ortiz, Councilor Romero, Councilor Trujillo and Councilor Wurzbarger.

Against: Councilor Bushee and Councilor Chavez.

Explaining his vote: Councilor Trujillo voted yes, and said he hopes we do have local contractors and sub-contractors constructing this building.

Explaining his vote: Councilor Chavez voted no, saying he believes this should have gone back to Public Works for a more lengthy discussion. He believes there are many details which are still unknown, fundraising from the State Legislature being one of them. He said as much as he supported the College in the first place, he can't support this proposal and the amendments this evening.

12. REQUEST FOR APPROVAL OF ARRA FEDERAL STIMULUS FUNDED PROJECT – WATER UTILITY HYDROELECTRIC PROJECT CONSTRUCTION CONTRACT; TLC PLUMBING AND UTILITY. (DALE LYONS)

MOTION: Councilor Calvert moved, seconded by Councilor Wurzbarger, to approve this request.

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

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

Against: None

13. REQUEST FOR APPROVAL OF ARRA FEDERAL STIMULUS FUNDED PROJECT – WATER UTILITY HYDROELECTRIC PROJECT TURBINE-GENERATOR PACKAGE SUPPLIER CONTRACT; CANYON INDUSTRIES. (DALE LYONS)

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

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

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

Against: None.

Explaining his vote: Councilor Chavez voted yes, and said he hopes there also will be local suppliers and/or contractors for the projects detailed in items #12 and #13.

14. **CONSIDERATION OF RESOLUTION NO. 2010-7 (COUNCILOR WURZBURGER). A RESOLUTION TO CO-SPONSOR A FORUM WITH THE SANTA FE BOARD OF COUNTY COMMISSIONERS, THE GOVERNING BOARD OF THE SANTA FE COMMUNITY COLLEGE AND THE BOARD OF EDUCATION OF THE SANTA FE PUBLIC SCHOOLS FOR THE PURPOSE OF SHARING INFORMATION AND DISCUSSING PRIORITIES AND EMERGING ISSUES. (JEANNE PRICE)**

Councilor Wurzbarger said this is an idea that was brought to her from representatives of the Community College, and the Board Of Education, suggesting it would make sense, particularly in this economy, to have a forum once a year to share information and emergency issues.

MOTION: Councilor Wurzbarger moved, seconded by Councilor Romero, to adopt Resolution No. 2010-7.

FRIENDLY AMENDMENT: Councilor Romero noted Councilor Dominguez sponsored a Resolution in 2009, where we would share information with the public schools when we were proposing projects which would affect the public schools. She said a variety of MOUs are available, but she has never seen a "punch list" of all the MOUs with the Public Schools. She would like to amend the motion to provide that we will share information on all of the MOUs and other agreements which we share with the Schools and other public entities, prior to holding any meeting for background information. **THE AMENDMENT WAS FRIENDLY TO THE MAKER AND SECOND AND THERE WERE NO OBJECTIONS BY THE OTHER COUNCILORS.**

FRIENDLY AMENDMENT: Councilor Bushee would like to amend the Resolution to provide that the Governing Body will meet and discuss our priorities and emergency issues, prior to any joint meeting. **THE AMENDMENT WAS FRIENDLY TO THE MAKER AND SECOND AND THERE WERE NO OBJECTIONS BY THE OTHER COUNCILORS.**

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

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

Against: None

15. **CONSIDERATION OF RESOLUTION NO. 2010- ____ (COUNCILOR CHAVEZ). A RESOLUTION PROHIBITING THE PURCHASE OF ALCOHOL WITH CITY FUNDS; AND DIRECTING THE CITY MANAGER TO AMEND THE CITY'S ADMINISTRATIVE POLICIES ACCORDINGLY. (JEANNE PRICE)**

Councilor Chavez explained the intent of the Resolution. He said he believes DWI and underage drinking would be at the top of the emerging list of issues. He said the students had a rally yesterday and will be asking the State Legislature to do more regarding underage drinking. He said there is a joint effort between the City and the County to change the social norms regarding drinking and driving. He said the

last Student assembly focused on education for underage drinking. He said we tried to set an example during the 400th Celebration to limit alcohol in events. He said his question deals with the use of City funds to purchase alcohol, noting there are other cities and states which ban the purchase of alcohol with public funds. He suggested corporate sponsors could be sought to purchase alcohol.

MOTION: Councilor Chavez moved, seconded by Councilor Bushee, to approve this request.

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

For: Councilor Bushee and Councilor Chavez.

Against: Councilor Wurzbarger, Councilor Calvert, Councilor Dominguez, Councilor Ortiz, Councilor Romero and Councilor Trujillo.

Explaining her vote: Councilor Wurzbarger voted no, saying if this is adopted it would be impossible to pour a glass of wine for someone the City is entertaining, such as the King of Spain, without finding sponsors.

Explaining her vote: Councilor Bushee voted yes, and said it is appropriate to have businesses sponsor events such as this.

Explaining his vote: Councilor Chavez said if we have the opportunity to entertain the King of Spain, it is appropriate to go to the northern vineyard wineries and ask them to sponsor the event. There is a liability here, and we aren't looking at the options that we have, and voted yes.

Explaining his vote: Councilor Dominguez said this kind of bill wouldn't prevent us from being creative. He knows there are problems with underage drinking and DWI, and we have the data to prove this. He said he would never support a City Manager who would abuse his authority in that realm, doesn't believe this City Manager would do so, and we give the City Manager the authority to make that decision, so he votes no.

16. MATTERS FROM THE CITY MANAGER.

Robert Romero said he spoke with City lobbyist Mark Duran today. He said Mr. Duran told him that the City will be held harmless for any exemption to the GRTs on food, noting that the Santa Fe delegation is united and very supportive.

Mr. Romero said there is confirmation that Representative Varela is preparing legislation as a part of the large redistribution/reauthorization and that there are funds in the bill to purchase the College of Santa Fe property.

Mayor Coss said Representative Varela has requested that he and Mr. Romero meet with him regarding the housing for the three Christian Brothers.

Councilor Calvert said it is good news that our local delegation is united on this position, but asked how that support relates to the rest of the Legislators.

Mr. Romero said Mr. Duran is confident that the City will be able to protect that revenue.

MOTION: Councilor Ortiz moved, seconded by Councilor Calvert, to move Item 17, Executive Session, Item #18 Action on the Sale of Tracts A,B,C and D at COSF to the State, Item #19 Matters from the City Clerk, and Item #20 Communications from the Governing Body, to the end of the Evening Agenda, to move directly to the Evening Session and to approve the Agenda as amended.

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

END OF AFTERNOON SESSION AT 7:15 P.M.

EVENING SESSION

A. CALL TO ORDER AND ROLL CALL

The Evening Session was called to order by Mayor David Coss, at approximately 7:20 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 Christopher Calvert
Councilor Miguel Chavez
Councilor Carmichael A. Dominguez
Councilor Matthew E. Ortiz
Councilor Rosemary Romero
Councilor Ronald S. Trujillo

Others Attending

Robert P. Romero, City Manager
Geno Zamora, City Attorney
Yolanda Y. Vigil, City Clerk
Melessia Helberg, Council Stenographer

F. PETITIONS FROM THE FLOOR

Mayor Coss gave each person two minutes to speak to the Council.

Dan Stone, Citizen, said he received a letter from the State in reference to his concerns about Rail Runner operations in neighborhoods in Santa Fe. He said they informed him that the State does not have any ordinances that cover vibration and noise for citizens in the State, and as far as the State is concerned this is a City of Santa Fe issue and that the City has nuisance and noise ordinances, but they may not apply to State public transportation moving through our community, which it does not. He would like for the City to get more interested in doing more to prevent its citizens from being harassed by the Rail Runner daily. He said 24 trains pass his house every day, although there are only 6 on the schedule. He said this is 16 hrs. and 15 mins. a day, which means they get less than 8 hours of sleep every day because of the Rail Runner. He is asking the City to get involved in supporting the citizens who live near the railroad tracks. Councilor Ortiz asked him to scan and email the letter to him, and he will see that the other members of the Governing Body get it.

Steven Farber, said he is here to speak about a policy. Mr. Farber handed out a packet of information to the Governing Body, but did not enter a copy for the record. A copy can be obtained in the office of the City Clerk.

Mr. Farber said since last August he has been seeking to get records regarding what he considers to be a potential impropriety within the City Police Department with regard to reassignments of the criminal investigation responsibility from the Deputy Chief to other people. He is unsure exactly what was involved, because the City has resisted all of his efforts to get these materials. He filed a lawsuit in May 2009, and since that time, the City has spent more than \$30,000 defending this lawsuit, which he believes is unconscionable in these economic times, which is paid from the City's self-insured retention fund. He has tried to see who has given authorization for the expenditure of this money. He has been told, in the information, that it is not the Governing Body's role to be involved in any approvals because this covered by insurance. He said it is coming out of the City's self-insured retention which does impact the City's finances.

Mr. Farber said the letter stated that the City has a policy of not providing any kind of information with regard to complaints made against police officers. He said the City can have a policy to allow the disclosure of information regarding discipline that has been either meted out to officers or overturned by the City Manager, which is what he was led to believe happened in this particular case involving Chief Johnson and Captain Johnson. He would like to know, and he petitions the City Council to tell him, when it passed a policy which said that this information cannot be provided to the public. He said the letter says this is a policy the City can change, meaning the City can be open and transparent with regard to the information which is being sought. He believes it is totally unreasonable that a citizen has to fight against an outside law firm. He asked the Governing Body to take the time to review the materials he provided, and to provide the public with a policy, noting he has been unable to find out where this policy exists. He said the Attorney General's Office said the City can have a policy to release the information to the newspaper, and or to him. However, he doesn't believe the policy exists, and doesn't know what is being used as a defense.

Donato Coviello said he is here not as an employee of federal government, nor as a candidate, or a citizen, but as a resident of Santa Fe. He petitioned the Council to be aware of the importance of a complete and full census count and how it affects everybody, and spoke about the hard work being done by the census workers. He petitioned the Governing Body to let him appear periodically to speak about the census effort.

G. APPOINTMENTS

Mayor's Committee on disability

Mayor Coss made the following appointment to the Mayor's Committee on Disability:

Marcia D. Bowman, P.T. – to fill unexpired term ending 01/2013.

MOTION: Councilor Bushee moved, seconded by Councilor Romero, to approve this appointment.

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

H. PUBLIC HEARINGS

- 1) **REQUEST FROM 815 EARLY, LLC, FOR A RESTAURANT LIQUOR LICENSE (BEER AND WINE ON-PREMISE CONSUMPTION ONLY) TO BE LOCATED AT LOUIE'S CORNER CAFÉ, 229 GALISTEO STREET. (YOLANDA Y. VIGIL)**

The staff report was given by Yolanda Vigil, City Clerk, noting the business isn't within 300 feet of a church or school, and said staff requests that the 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

MOTION: Councilor Bushee moved, seconded by Councilor Calvert, to approve the request for a Restaurant Liquor License (beer and wine on-premise consumption only), to be located Louie's Corner Café, 229 Galisteo Street.

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

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

Against: None.

- 2) **REQUEST FOR APPROVAL OF LEASES FOR THREE TRACTS OF LAND TOTALING 9.5692 ACRES (SANTA FE CIVIC HOUSING AUTHORITY/VILLA ALEGRE PROJECT), CONSISTING OF:**
- a) **TRACT 1/PHASE 1 (3.9587 ACRES LOCATED NORTH OF WEST ALAMEDA, EAST OF LAS CRUCITAS AND SOUTHWEST OF WEST SAN FRANCISCO STREET (MULTIFAMILY)**
 - b) **TRACT 1/PHASE 2 (3.7370 ACRES) LOCATED NORTH OF WEST ALAMEDA, EAST OF LAS CRUCITAS AND SOUTHWEST OF WEST SAN FRANCISCO STREET AND EAST OF TRACT 1/PHASE 1. (SENIOR)**
 - c) **TRACT 2/PHASE 3 (1.5235 ACRES) LOCATED NORTH OF WEST ALAMEDA, WEST OF CAMINO DEL CAMPO AND SOUTH OF WEST SAN FRANCISCO STREET; AND TRACT 3/PHASE 3(0.3500 ACRES) LOCATED NORTH OF WEST ALAMEDA, EAST OF CAMINO DEL CAMPO AND SOUTH OF WEST SAN FRANCISCO STREET. (WORKFORCE/COMMERCIAL)**
- (KELLY BRENNAN) (Postponed at January 13, 2010 City Council Meeting)**

A copy of Exhibit B with additional terms which are made a part of the Ground Lease, is incorporated herewith to these minutes as Exhibit "3."

Kathy McCormick presented information regarding this matter. She said it is very exciting for the City to be able to have 144 affordably priced rental units in the downtown. She said we have worked hard and collaboratively with the Civic Housing Authority to look after the current residents as well as opening it for other kinds of rental housing needed in the downtown area. She said it is hard to do affordable rental housing, particularly in the downtown area. She said the Civic Housing Authority is committed to providing a local preference to contractors and local businesses, and said jobs will be generated which is an added bonus. She said they have addressed all remaining issues, and if approved, they will be able to move forward with all due haste.

Public Hearing

Councilor Bushee noted the public hearing was held previously.

MOTION: Councilor Romero moved, seconded by Councilor Wurzbarger, to approve the three leases.

DISCUSSION: Councilor Bushee believes the remaining units have been demolished. She asked about any remaining issues.

Mr. Schiavo said he met with Mr. Romero and he believes they have worked a compromise which works. He said Mr. Romero has agreed to provide photovoltaics on 2 of the 3 tracts of land, which would be more than enough to offset any greenhouse gasses from using some electric appliances. Mr. Schiavo said Mr. Romero has agreed to provide electrical submetering, so every unit will know exactly how much electricity they are using and can conserve based on that feedback.

Councilor Bushee said the workforce units will have backup electric and asked about the ground source heat pumps.

Mr. Schiavo said he met with Mr. Romero and his consultants, and the ground source heat pumps will use water as a thermal fluid, so if there is leakage it won't cause contamination. Responding to Councilor Bushee, Mr. Schiavo said after meeting with Ed and his consultants, he is now more comfortable about the project. He said the amount of the photovoltaics the project will provide on the two parcels should be more than enough to offset the greenhouse gases generated. He said for the two tracts with photovoltaics, the electricity will be distributed equitably between all units on those two tracts. He said if funds become available, he will pursue photovoltaics for the third parcel. He said at this time, there are no funds from other sources to extend photovoltaics to the third tract.

FRIENDLY AMENDMENT: Councilor Chavez asked to include the exhibits for H(2) which contain details about the ground source heat pumps. **THE AMENDMENT WAS FRIENDLY TO THE MAKER AND SECOND AND THERE WERE NO OBJECTIONS BY THE OTHER COUNCILORS.**

FRIENDLY AMENDMENT: Councilor Calvert asked if there will be one ground pump heat per unit, and Mr. Schiavo said yes. Councilor Calvert asked to add language to Condition #2 for each unit to provide that there will be a ground source heat pump for each unit in that particular lease, with a minimum coefficient of performance to 2.75. **THE AMENDMENT WAS FRIENDLY TO THE MAKER AND SECOND AND THERE WERE NO OBJECTIONS BY THE OTHER COUNCILORS.**

CLARIFICATION: Councilor Chavez said it indicates there will be 24-26 workforce units.

Ms. DiPietro said there are a maximum of 26 workforce units with a maximum of 8 commercial units, totaling 34 units, each of which will have a heat pump.

Mr. Romero said there will be 24-26 workforce units on site B, and 68 units on site B. He said no commercial will be built at this time, but the space will be reserved so it can be added in the future if there is a real need for commercial, noting all units built will be residential.

Responding to Councilor Wurzbarger, Mr. Romero said it is planned to break ground on April 15, 2010, if this is approved this evening.

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

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

Against: None.

Explaining her vote: Councilor Wurzbarger voted yes, and said she appreciates Mr. Romero working to get this done.

Explaining her vote: Councilor Bushee said she and the neighborhood appreciate this and voted yes.

Explaining his vote: Councilor Calvert voted yes and thanked Mr. Romero for working with the City to get this done, although difficult at times, and appreciates the efforts of all concerned.

Mayor Coss thanked Ms. Brennan, Mr. Schiavo, Ms. DiPietro and the Civic Housing Authority and looks forward to this \$27 million project moving forward in downtown Santa Fe.

MATTERS FROM THE EVENING AGENDA

**17. MATTERS FROM THE CITY ATTORNEY
EXECUTIVE SESSION:**

- a) **DISCUSSION OF AGREEMENT TO SELL TRACTS A, B, C AND D AT COLLEGE OF SANTA FE TO THE STATE, PURSUANT TO §10-15-1(H)(8) NMSA 1978.**

MOTION: Councilor Bushee moved, seconded by Councilor Calvert, that the Council go into Executive Session for the purpose of discussion of an agreement to sell Tracts A,B,C and D at College of Santa Fe to the State, pursuant to §10-15-1(H)(8).

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

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

Against: None.

The Council went into Executive Session at 7:38 p.m.

MOTION TO COME OUT OF EXECUTIVE SESSION

MOTION: At 7:46 p.m., Councilor Calvert moved, seconded by Councilor Bushee, 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.

VOTE: The motion was approved unanimously on a voice vote with Councilors Bushee, Calvert, Chavez, Dominguez, Ortiz, Trujillo and Wurzburger voting for the motion, no one voting against, and Councilor Romero absent for the vote.

18. ACTION REGARDING THE AGREEMENT TO SELL TRACTS A, B, C AND D AT THE COLLEGE OF SANTA FE TO THE STATE.

MOTION: Councilor Calvert moved, seconded by Councilor Wurzburger, to approve staff's recommendation with the amendment offered by Councilor Chavez.

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

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

Against: None.

Absent for the vote: Councilor Romero.

19. MATTERS FROM THE CITY CLERK

Ms. Vigil said absentee voting currently is underway in her office, and early voting will begin on February 10, 2010, continuing through Friday, February 26, 2010.

20 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 January 27, 2010, is incorporated herewith to these minutes as Exhibit "4."

Councilor Dominguez

Councilor Dominguez had no communications.

Councilor Calvert

Councilor Calvert introduced the following:

1. A Resolution adopting landscape irrigation standards. A copy of the Resolution is incorporated herewith to these minutes as Exhibit "5."
2. A Resolution adopting administrative procedures for water demand offset requirements. A copy of the Resolution is incorporated herewith to these minutes as Exhibit "6."

Councilor Trujillo

Councilor Trujillo had no communications.

Councilor Wurzbarger

Councilor Wurzbarger introduced, on behalf of Councilor Romero, an ordinance amendment, amending Exhibit B, Chapter 21 SFCC 1987, Refuse and Recycling Rate and Fee Schedule to increase monthly charges for residential and commercial customers by 4.2% per year for four years, and making other changes as are necessary. A copy of the Resolution is incorporated herewith to these minutes as Exhibit "7."

Councilor Bushee

Councilor Bushee introduced a Resolution in support of a cooperative agreement between the NM-DOT and the City for the design, construction and maintenance of various pedestrian and bicycle trails with NM-DOT right-of-way on St. Francis Drive in the City. A copy of the Resolution is incorporated herewith to these minutes as Exhibit "8."

Councilor Bushee asked Mr. Romero to follow up on housing for the Christian Brothers, and report back to the Governing Body.

Councilor Bushee asked about the State's project on Paseo de Peralta in front of the Scottish Rite Temple, commenting it looks like a bomb hit it.

Councilor Romero said he has heard the State plans on doing a significant project, but he doesn't know when that will happen. However, he has asked staff to do the repairs because it is a hazard. He will try to get more details on the State's project.

Councilor Ortiz

Councilor Ortiz said, in response to the information brought forward by Steven Farber. He said Exhibit 6, the lawyer who purports to represent the City, specifically said, "With regard to your questions concerning the actions of the Governing Body, it is not their role to be involved in such approvals on litigation which is covered by insurance." He said he doesn't know where that authority comes from. He said he believes there is a City Code which requires the City Attorney to give reports on a regular basis to the Governing Body on settlements. He asked the City Attorney to research this. He said the previous City Attorney responded in a Memorandum to his request as the Finance Committee Chair for the amount of money we were spending out outside legal contracts. He said this can be a nice starting reference point for looking at that information. He said this item will be on the Finance Committee agenda on February 15, 2010. He said we have been spending a lot of money on risk management for which we need an accounting, which could be brought up as a part of the reorganization/peer review process when the Finance Department comes forward. He said this is a serious allegation which has been raised.

Councilor Ortiz said the Finance Committee has been working very hard, and they are pleased with the results from the three departments subjected to peer review. He said Solid Waste and Wastewater will be reviewed on Monday. He invited the other Councilors to attend.

Councilor Bushee recalled, after a settlement with a previous employee, that there were regular executive session to review potential settlements, status of insurance and cost, and believes the Council reviewed and approved settlements. She said this has been discontinued, and believes there should be a formal policy.

Councilor Chavez

Councilor Chavez introduced a Resolution directing staff to review the existing rates for use of the Santa Fe Community Convention Center in order to encourage local events. He asked that it go to the Public Works, BQL and Finance Committees. A copy of the Resolution is incorporated herewith to these minutes as Exhibit "9." Councilor Chavez spoke about the issues regarding the rates, and his desire to make it affordable for local citizens and groups to hold meetings and events at the Santa Fe Community Convention Center.

Mayor Coss

Mayor Coss had no communications.

END OF MATTERS FROM THE EVENING AGENDA

I. ADJOURN

The was no further business to come before the Governing Body, and upon completion of the Agenda, the meeting was adjourned at approximately 8:00 p.m.

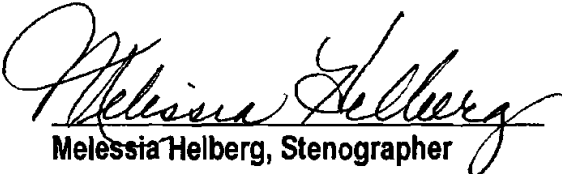
Approved by:

Mayor David Coss

ATTESTED TO:

Yolanda Y. Vigil, City Clerk

Respectfully submitted:


Melessia Helberg, Stenographer