



# Agenda

REGULAR MEETING OF  
THE GOVERNING BODY  
MARCH 10, 2010  
CITY COUNCIL CHAMBERS

## AFTERNOON SESSION – 5:00 P.M.

CITY CLERK'S OFFICE

DATE 3-5-10 TIME 4:50 pm

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

RECEIVED BY Indomiguez

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 – February 24, 2010.
9. PRESENTATIONS
  - a) 2010 Legislative Update. (Mark Duran) (5 minutes)
  - b) Southwest CARE Center. (Stella Reed) (5 minutes)
  - c) Immigration Committee Report. (Carla Lopez) (5 minutes)
  - d) Complete Count Committee Census 2010 Report. (5 minutes)
10. ORGANIZATIONAL SESSION
  - a) EXECUTIVE SESSION:
    - 1) Request to go into Executive Session – Pursuant to Section 10-15-1 H (2) NMSA 1978 to Discuss Limited Personnel Matters Regarding the Appointment of Robert P. Romero as the City Manager.
    - 2) Request to go into Executive Session – Pursuant to Section 10-15-1 H (2) NMSA 1978 to Discuss Limited Personnel Matters Regarding the Appointment of Yolanda Y. Vigil as the City Clerk.
    - 3) Request to go into Executive Session – Pursuant to Section 10-15-1 H (2) NMSA 1978 to Discuss Limited Personnel Matters Regarding the Appointment of Geno Zamora as the City Attorney.



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- b) APPOINTMENTS:
    - 1) Request for Approval of Appointment of Robert P. Romero as the City Manager.
    - 2) Request for Approval of Appointment of Yolanda Y. Vigil as the City Clerk.
    - 3) Request for Approval of Appointment of Geno Zamora as the City Attorney.
  - c) APPOINTMENT OF MAYOR PRO-TEM
  - d) APPOINTMENT OF PARLIAMENTARIAN (NO VOTE REQUIRED)
  - e) APPOINTMENT OF CITY COUNCIL COMMITTEES
11. CONSENT CALENDAR
- a) Request for Approval of Grant Agreements – 2009 Special Session 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.
  - b) Request for Approval of Memorandum of Agreement – School Crossing Guard Program; Santa Fe Public Schools. (Mike Landavazo)
  - c) Request for Approval of Amendment No. 1 to Vendor Agreement – Services Program for Senior Division; North Central New Mexico Economic Development District Non-Metro Area Agency on Aging. (Ron Vialpando)
    - 1) Request for Approval of Budget Decrease from Grant Revenues– Grant Fund.
  - d) Request for Approval of Amendment No. 1 to Agreement – Nutrition Service Incentive Program for Senior Division; North Central New Mexico Economic Development District Non-Metro Area Agency on Aging. (Ron Vialpando)



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- 1) Request for Approval of Budget Increase from Grant Revenues – Grant Fund.
- e) Request for Approval of Grant Application and Award – FY 2010/2011 Law Enforcement Protection Fund for Police Department; State of New Mexico Department of Finance Local Government Division. (Police Chief Aric Wheeler)
- f) Request for Approval to Publish Notice of Public Hearing on March 31, 2010:
  - 1) Bill No. 2010 – 8: An Ordinance Amending Rule 18 of Exhibit A, Chapter 25 SFCC 1987 Regarding Water Meters. (Councilor Dominguez and Councilor Bushee) (Brian Snyder)
  - 2) Bill No. 2010 – 9: An Ordinance Amending Section 25-4.2 SFCC 1987 Regarding Water Rate Adjustments. (Mayor Coss and Councilor Wurzbarger) (Brian Snyder)
12. Request for Approval of an Application for a Federal Airport Improvement Program Grant in the Amount of \$776,000 for the Purpose of Completing Phase 2 of Reconstruction of the East Apron. (Jim Montman)
  - a) Request for Approval for the Airport Manager to Accept the Federal Grant Once Formally Offered in Order to Meet Federal Airport Improvement Program Deadlines.
13. CONSIDERATION OF RESOLUTION NO. 2010-\_\_\_\_\_. (Councilor Chavez)  
A Resolution Supporting the 75<sup>th</sup> Anniversary of the Sociedad Folklorica; Recognizing the Baile de Los Cascarones to be Held at the Santa Fe Community Convention Center on April 10, 2010 as an Official Event of the Governing Body; and Waiving all Related Fees and Charges Accordingly. (Keith Toler and Jeanne Price)
14. MATTERS FROM THE CITY MANAGER
15. MATTERS FROM THE CITY ATTORNEY
16. MATTERS FROM THE CITY CLERK
  - a) Canvass of Election Results – March 2, 2010 Regular Municipal Election.



# Agenda

REGULAR MEETING OF  
THE GOVERNING BODY  
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## 17. 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 AmRest, LLC for a Transfer of Ownership of Dispenser License #2743 from Restaurant Concepts II, LLC, to AmRest, LLC. The license will Remain at Applebee's Neighborhood Grill & Bar, 4246 Cerrillos Road. (Yolanda Y. Vigil)
  - 2) CONSIDERATION OF BILL NO. 2010-2: ADOPTION OF ORDINANCE NO. 2010-\_\_\_\_\_.  
An Ordinance Repealing Chapter 27 SFCC 1987 and Creating a New Chapter 27 SFCC 1987 Regarding Telecommunication and Cable Services. (Maureen Reed) (Postponed at February 10, 2010 City Council Meeting) **(PUBLIC HEARING IS CLOSED)**
  - 3) CONSIDERATION OF BILL NO. 2010-3: ADOPTION OF ORDINANCE NO. 2010-\_\_\_\_\_.  
An Ordinance Granting a Non Exclusive Franchise to Newpath Networks, LLC to Rent, Use and Occupy the City's Public Rights-of-Way in the City of Santa Fe, New Mexico, and Fixing the Terms and Conditions Thereof. (Maureen Reed) (Postponed at February 10, 2010 City Council Meeting) **(PUBLIC HEARING IS CLOSED) (Postponed to March 31, 2010 City Council Meeting)**



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CITY COUNCIL CHAMBERS

- 4) CONSIDERATION OF BILL NO. 2010-4: ADOPTION OF ORDINANCE NO. 2010-\_\_\_\_\_.  
An Ordinance Granting a Non-Exclusive Franchise to Citylink Fiber Holdings of Santa Fe, New Mexico, LLC to Rent, Use and Occupy the City's Public Rights-of-Way in the City of Santa Fe, New Mexico, Fixing the Terms and Conditions Thereof. (Maureen Reed) (Postponed at February 10, 2010 City Council Meeting) **(PUBLIC HEARING IS CLOSED) (Postponed to March 31, 2010 City Council Meeting)**
- 5) Request from The National Dance Institute of New Mexico (NDI-NM) for a Permanent Waiver of the 300 Foot Location Restriction to Allow the Dispensing/Sale of Alcoholic Beverages at NDI-NM, 1140 Alto Street which is within 300 feet of Desert Academy and the Former Alameda Middle School. (Yolanda Y. Vigil) (Postponed at February 10, 2010 City Council Meeting) **(Postponed to March 31, 2010 City Council Meeting)**

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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<b><u>PUBLIC HEARINGS</u></b>		
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<u>PUBLIC HEARINGS</u>		
REQUEST FROM AMREST, LLC, FOR A TRANSFER OF OWNERSHIP OF DISPENSER LICENSE #2743 FROM RESTAURANT CONCEPTS II, LLC, TO ARMREST, LLC. THE LICENSE WILL REMAIN AT APPLEBEE'S NEIGHBORHOOD GRILL & BAR, 4246 CERRILLOS ROAD	Approved	22-23
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REQUEST FROM THE NATIONAL DANCE INSTITUTE OF NEW MEXICO (NDI-NM) FOR A PERMANENT WAIVER OF THE 300 FOOT LOCATION RESTRICTION TO ALLOW THE DISPENSING/SALE OF ALCOHOLIC BEVERAGES AT NDI-NM, 1140 ALTO STREET, WHICH IS WITHIN 300 FEET OF DESERT ACADEMY AND THE FORMER ALAMEDA MIDDLE SCHOOL	Postponed to 05/12/2010	24
ADJOURN		24

**MINUTES OF THE  
REGULAR MEETING OF THE  
GOVERNING BODY  
Santa Fe, New Mexico  
March 10, 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 March 10, 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**

Councilor Bushee would like to postpone Items H(2), H(3) and H(4) for two months, because she thinks the ordinance needs to be re-advertised because of the number of changes, and needs to go back through the Committee process.

**MOTION:** Councilor Bushee moved to postpone Items H(2), H(3) and H(4) for two months. **THE MOTION DIED FOR LACK OF A SECOND.**

Mayor Coss said the Council might consider this motion again at the Evening Session.

**MOTION:** Councilor Wurzbarger moved, seconded by Councilor Romero, to approve the agenda as published.

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

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

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

**VOTE:** 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.

**Absent:** Councilor Calvert.

- a) **REQUEST FOR APPROVAL OF GRANT AGREEMENTS – 2009 SPECIAL SESSION 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.**
- b) **REQUEST FOR APPROVAL OF MEMORANDUM OF AGREEMENT – SCHOOL CROSSING GUARD PROGRAM; SANTA FE PUBLIC SCHOOLS. (MIKE LANDAVAZO)**
- c) **REQUEST FOR APPROVAL OF AMENDMENT NO. 1 TO VENDOR AGREEMENT – SERVICES PROGRAM FOR SENIOR DIVISION; NORTH CENTRAL NEW MEXICO ECONOMIC DEVELOPMENT DISTRICT, NON-METRO AREA AGENCY ON AGING. (RON VIALPANDO)**
  - 1) **REQUEST FOR APPROVAL OF BUDGET DECREASE FROM GRANT REVENUES – GRANT FUND.**

- d) **REQUEST FOR APPROVAL OF AMENDMENT NO. 1 TO AGREEMENT – NUTRITION SERVICE INCENTIVE PROGRAM FOR SENIOR DIVISION; NORTH CENTRAL NEW MEXICO ECONOMIC DEVELOPMENT DISTRICT NON-METRO AREA AGENCY ON AGING. (RON VIALPANDO)**
  - 1) **REQUEST FOR APPROVAL OF BUDGET INCREASE FROM GRANT REVENUES – GRANT FUND.**
- e) **REQUEST FOR APPROVAL OF GRANT APPLICATION AND AWARD – FY 2010/2011 LAW ENFORCEMENT PROTECTION FUND FOR POLICE DEPARTMENT; STATE OF NEW MEXICO, DEPARTMENT OF FINANCE, LOCAL GOVERNMENT DIVISION. (POLICE CHIEF ARIC WHEELER)**
- f) **REQUEST FOR APPROVAL TO PUBLISH NOTICE OF PUBLIC HEARING ON MARCH 31, 2010:**
  - 1) **BILL NO. 2010-8: AN ORDINANCE AMENDING RULE 18 OF EXHIBIT A, CHAPTER 25, SFCC 1987, REGARDING WATER METERS (COUNCILOR DOMINGUEZ AND COUNCILOR BUSHEE). (BRIAN SNYDER)**
  - 2) **BILL NO. 2010-9: AN ORDINANCE AMENDING SECTION 25-4.2 SFCC 1987, REGARDING WATER RATE ADJUSTMENTS. (MAYOR COSS AND COUNCILOR WURZBURGER). (BRIAN SNYDER)**

## **8. APPROVAL OF MINUTES: REGULAR CITY COUNCIL MEETING – FEBRUARY 24, 2010**

**MOTION:** Councilor Wurzburger moved, seconded by Councilor Chavez, to approve the minutes of the Regular City Council meeting of February 24, 2010, as presented.

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

## **9. PRESENTATIONS**

### **a) 2010 LEGISLATIVE UPDATE. (MARK DURAN)**

Mark Duran noted he sent the Council a report after the regular session, and highlighted information regarding the regular session, as follows:

- The Water Trust Board bill passed the Legislature with \$6 million in it for the City, including \$4 million for the BDD. The Board still needs to meet in April to approve its approved projects, noting the City's projects are ranked very high.

- The Return to Work bill was passed. Any retired PERA employee must sit out 12 months before returning to a PERA job, and suspend payment of their PERA pension. Employees retiring prior to July 1, 2010, are grandfathered. Beginning July 1, 2010, the employee must pay the employee portion of PERA.

Mark Duran highlighted information regarding the special session, as follows:

- The State increased the State GRT by 1/8%, and reimposed the GRT on food at the City and County level. The City's share of the GRT is reduced to 1.05%, which is a loss of \$600,000 annually to the City, and is effective in 2012. Governor Richardson is considering vetoing this legislation. He is working, along with the NMML, to veto it correctly and not to the hold harmless provision which would be a \$10 million hit to Santa Fe.

Responding to Mayor Coss, Mr. Duran explained how some cities are impacted worse than other cities, and has to do with the imposition of the additional 1/4% without election, noting this doesn't impact Santa Fe.

- The Legislator passed the reauthorization bill allowing General Services to purchase the land adjacent to the College of the Santa Fe from the City for \$5 million. He thanked Mayor Coss and Councilors Wurzbarger and Romero for their assistance in this effort.
- Mr. Duran said he met with Governor Richardson and former Governor Anaya regarding the \$4 million in stimulus funds committed by the Governor, and the City has submitted the paperwork and he is comfortable that we will receive these funds.

Mr. Duran said the local delegation did a great job, and thanked them for their great work. He thanked Mayor Coss and the Councilors for their assistance, as well as City staff, especially Robert Romero.

Mayor Coss said there were problems last year with regard to funding from the Water Trust Board, and asked Mr. Duran if he sees problems again this year.

Mr. Duran said no, because of the City's high ranking, explaining that a project was added during the last Legislature which wasn't recommended and that caused the problem.

Councilor Bushee asked what we got from the Gonzales Pact.

Mr. Romero said we haven't heard the final decision, but the City is in the final running for \$250,000, and he is communicating with the DOT.

**b) SOUTHWEST CARE CENTER. (STELLA REED)**

A copy of an article from the newspaper regarding Ventanilla de Salud is incorporated herewith to these minutes as Exhibit "1."

Stella Reed said the Southwest Care Center now serves about 600 people with HIV/AIDS in Santa Fe County and counties north. She said this is done through its medical services which are paired with case management. The new patients are those who are showing up in the ER with full block AIDS, which hasn't happened since 1990's, noting most of those are monolingual Spanish speakers who haven't gotten a test. She said with testing there is a better survival rate.

Ms. Reed presented information on their program to combat HIV – "It's Better to Know." This targets the Spanish community, pairing up with the Mountain Center and its outreach programs. She said they want to do outreach through public murals, and they need Governing Body assistance to find public space for a mural.

Responding to Councilor Bushee, Ms. Reed said every Monday night, 5:30 to 7:00 p.m., there is free testing, and they are working with El Paisano Market, and probably will have a mobile testing unit there.

Mayor Coss believes the Arts Commission and City Public Works can find a spot for a mural.

Councilor Romero appreciates the work of Southwest Care Center, noting she served on the Board 10 years ago. She said the Mayor has a talk show he will taking over in April, and suggested Ms. Reed work with the Mayor to get on the talk show.

Councilor Romero suggested contacting private homeowners for murals on big outside walls and said she will help in this regard.

Ms. Reed said they are now also doing research protocol for people with hepatitis-B.

**c) IMMIGRATION COMMITTEE REPORT. (CARLA MARIA CHRISTINA LOPEZ)**

Betty Jean Shinas, Committee Vice-Chair, thanked the City for the invitation to report, and invited the Councilor to attend Committee meetings on the first Tuesday of each month. She noted that 2/3 of the issues with which they deal impact the community as a whole.

Maria Christina Lopez, Committee Chair, presented highlights of the things they did this year:

- Participated with the Police Department in drafting an anti-bias based policing policy in response to State legislation requiring this be done. The Policy has been approved by the City Attorney, and has been adopted by the Police Department, noting it will benefit many groups, and not just the immigrants.

- Worked with the Escuela de Fronteras, in response to parents and students who felt the school system was not responding to them, and they were being pushed out. She said it has been approved by the School Board and the Superintendent, noting it is an alternative school which is being conducted at the bilingual buildings at Alameda Jr. High. The school includes many of our local students as well as immigrants.
- Worked toward immigration reform, noting the recent surge in this regard. She said local elected officials were asked to sign a pledge in support of immigration reform, and most Councilors and the Mayor signed. The County and the NMML passed a Resolution supporting immigration reform.

Ms. Lopez said they will be taking the pledges to Washington D.C., and there will be a march on March 21<sup>st</sup> and they are hoping for a groundswell of people. She said Rep. Gutierrez of Illinois introduced bill in Congress in December. The Senate is ready to move in this regard, noting Senators Schumer and Graham introducing bills.

Councilor Bushee said she will introduce a Resolution for the City, using the NMML Resolution as a model.

Mayor Coss said he would like to cosponsor the Resolution. Responding to Ms. Lopez, Mayor Coss said the Council won't adopt the Resolution until March 31, 2010, therefore she won't be able to take a copy of the Resolution with her to Washington, D.C.

#### **d) COMPLETE COUNT COMMITTEE CENSUS 2010 REPORT.**

Teri Rodriguez introduced Committee Co-Chairs Amy Summa and Susan Odiseos

Susan Odiseos said the inauguration was wonderful. She spoke about the goals of the 2010 Census and overcoming barriers to giving information. She said the Committee is working with the federal census group, and spoke about a function on March 23, 2010, where food will be furnished by El Paisano.

Ms. Odiseos reported on the census effort in Santa Fe and said federal law requires people to participate. She said there will be no mailings to people in group quarters, shelters and the homeless, and they will make every effort to count these people. She said they want to put a local face on the effort.

Amy Summa reported on the work in the schools which are committed to help. She said the census numbers support entitlement programs in terms of funds. It is in our best interest to get everyone counted.

Ms. Odiseos said the final report is due in December 2010, and should be made available to the public in March 2010.

**10. ORGANIZATIONAL SESSION**

**a) EXECUTIVE SESSION:**

- 1) REQUEST TO GO INTO EXECUTIVE SESSION – PURSUANT TO SECTION 10-15-1(H)(2) NMSA 1978, TO DISCUSS LIMITED PERSONNEL MATTERS REGARDING THE APPOINTMENT OF ROBERT P. ROMERO AS THE CITY MANAGER.**
- 2) REQUEST TO GO INTO EXECUTIVE SESSION – PURSUANT TO SECTION 10-15-1(H)(2) NMSA 1978, TO DISCUSS LIMITED PERSONNEL MATTERS REGARDING THE APPOINTMENT OF YOLANDA Y. VIGIL AS THE CITY CLERK.**
- 3) REQUEST TO GO INTO EXECUTIVE SESSION – PURSUANT TO SECTION 10-15-1(H)(2) NMSA 1978, TO DISCUSS LIMITED PERSONNEL MATTERS REGARDING THE APPOINTMENT OF GENO ZAMORA AS THE CITY ATTORNEY.**

It was the consensus among the Governing Body that there is no need for an executive session in this regard, since there had been no changes in the terms of the employment contracts.

**b) APPOINTMENTS:**

- 1) REQUEST FOR APPROVAL OF APPOINTMENT OF ROBERT P. ROMERO AS THE CITY MANAGER.**

**MOTION:** Councilor Bushee moved, seconded by Councilor Romero, to approve the appointment of Robert P. Romero as the City Manager.

**VOTE:** 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.

**Absent:** Councilor Calvert

- 2) REQUEST FOR APPROVAL OF APPOINTMENT OF YOLANDA Y. VIGIL AS THE CITY CLERK.**

**MOTION:** Councilor Bushee moved, seconded by Councilor Wurzburger, to approve the appointment of Yolanda Y. Vigil as the City Clerk.



**VOTE:** 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.

**Absent:** Councilor Calvert.

**3) REQUEST FOR APPROVAL OF APPOINTMENT OF GENO ZAMORA AS THE CITY ATTORNEY**

**MOTION:** Councilor Bushee moved, seconded by Councilor Romero, to approve the appointment of Geno Zamora as the City Attorney.

**VOTE:** 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.

**Absent:** Councilor Calvert.

**c) APPOINTMENT OF MAYOR PRO-TEM**

Mayor Coss appointed Rebecca Wurzbarger as Mayor Pro-Tem.

**MOTION:** Councilor Romero moved, seconded by Councilor Ortiz, to approve the appointment of Rebecca Wurzbarger, as the Mayor-Pro Tem.

**VOTE:** 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.

**Absent:** Councilor Calvert.

**d) APPOINTMENT OF PARLIAMENTARIAN**

Mayor Coss appointed Councilor Matthew Ortiz as the Parliamentarian.

Councilor Ortiz accepted the appointment.

**e) APPOINTMENT OF CITY COMMITTEES**

A copy of the Mayor's appointments of City Councilors to City Committees is incorporated herewith to these minutes as Exhibit "2." Please see Exhibit "2" for a complete list of Mayor Coss's appointments of City Councilors to City Committee appointments.

Mayor Coss presented his Committee appointment list. He proposed changes to the list as follows: Councilor Chavez will be appointed to ELUA instead of Councilor Romero, and add Councilor Bushee to the Public Utilities Committee.

**MOTION:** Councilor Ortiz moved, seconded by Councilor Romero, to approve these appointments, as amended.

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

**12. REQUEST FOR APPROVAL OF AN APPLICATION FOR A FEDERAL AIRPORT IMPROVEMENT PROGRAM GRANT IN THE AMOUNT OF \$776,000 FOR THE PURPOSE OF COMPLETING PHASE 2 OF RECONSTRUCTION OF THE EAST APRON. (JIM MONTMAN)**  
**a) REQUEST FOR APPROVAL FOR THE AIRPORT MANAGER TO ACCEPT THE FEDERAL GRANT ONCE FORMALLY OFFERED IN ORDER TO MEET FEDERAL AIRPORT IMPROVEMENT PROGRAM DEADLINES**

Jim Montman, Airport manager, presented information regarding this matter from the materials in the Council packet.

**MOTION:** Councilor Bushee moved, seconded by Councilor Dominguez, to approve the requests in Item 12 and 12(a).

**VOTE:** 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.

**Absent:** Councilor Calvert

**13. CONSIDERATION OF RESOLUTION NO. 2010- 13 (COUNCILOR CHAVEZ). A RESOLUTION SUPPORTING THE 75<sup>TH</sup> ANNIVERSARY OF THE SOCIEDAD FOLKLORICA; RECOGNIZING THE BAILE DE LOS CASCARONES TO BE HELD AT THE SANTA FE COMMUNITY CONVENTION CENTER ON APRIL 10, 2010, AS AN OFFICIAL EVENT OF THE GOVERNING BODY; AND WAIVING ALL RELATED FEES AND CHARGES ACCORDINGLY. (KEITH TOLER AND JEANNE PRICE)**

A proposed amendment to the proposed Resolution, submitted by staff, is incorporated herewith to these minutes as Exhibit "3."

Jeanne Price presented information regarding this matter from the materials in the Council packet, noting there are concerns about the nature of the event and the difficulty of cleaning up confetti. She said the Convention Center Policy is to prevent the use of confetti.

Councilor Chavez said they can't have the Baile without the confetti, and asked staff what we can do to get around this requirement now, and in years to come.

Mary Pat Kloenne, SFCVB Sales and Marketing Supervisor, said the floor could be covered which would cost an \$2,250 additional, or 25 cents a sq. ft., which covers ½ of the ball room.

Councilor Chavez said this is an example of the inability of the Convention Center to accommodate the local population, and the reason the Resolution is before this Committee. Councilor Chavez said this group has been trying for months to fit in, and there is one financial hurdle after another. He believes we were better off with the old gym and didn't have to worry so much about security and the floor and clean-up. He said the group can't afford the expense and the expense will have to be added to the Resolution.

Ms. Kloenne said there is an issue with respect to disposing of confetti, and the reason this is in the policy is because their vacuum cleaners will break down if they try to vacuum the confetti. She said another issue is that glitter, balloons, confetti and such stick in the carpet and become difficult or impossible to remove. She said these things have been eliminated to protect equipment and man hours.

Ms. Kloenne said there also is a concern that once the other non-profits find out we have waived these fees, we will get calls from large numbers of non-profits asking for the same treatment.

Councilor Bushee spoke about the Animal Shelter event, noting the Convention Center staff didn't want dogs in the Center, although the event was all about dogs. The staff covered the floor with this special covering which is like "saran wrap." She said there also was an issue with the Annual Children's Water Festival with some of their projects. She doesn't believe the actual cost of the floor covering is \$2,000. She recalls having the event outside at the Plaza in past years, which was a lot of fun, commenting that the event doesn't generate enormous amounts of confetti.

Ms. Kloenne said she is just passing along the operations staffs' concerns, noting this currently is Convention Center policy.

Councilor Trujillo said the Council has asked staff to work on the proposed policies and procedures for approval by the Council. He said the cost seems to be rather high, and believes the actual cost is much less, saying he wants to cosponsor the Resolution. He said this is the first he's heard of this policy, which he thinks is ridiculous, and these are the kinds of things which are keeping people away from the Convention Center. He said staff has to do a lot of work on this.

Responding to Councilor Trujillo, Ms. Kloenne said they will cover half of the ballroom, noting the event is for 300 people, which is ample space for a group of that size. Councilor Trujillo said the entire ballroom will have to be covered because of the nature of the event. He said the \$2,000 fee to cover the floor would allow the purchase of a really good shop vacuum to remove the graffiti after the event.

Councilor Dominguez asked Ms. Kloenne if either she or staff have attended the Baile. Ms. Kloenne said no, and Rosalinda Grace said she had attended the Baile when she was very young.

Councilor Dominguez believes staff can be creative and come up with a solution. He said this dance is important to the indigenous people of the community, and it would behoove staff to go back and look at this. He said a hardwood floor will cover part of the area. This is an important event which he supports.

Councilor Ortiz said he is a cosponsor of the Resolution, although he isn't listed. He said the Resolution didn't go to Finance, but if it had, they would have picked up "this last minute staff adding on costs to this for a fiscal impact." He said the Resolution can go through Finance in the future if there are associated costs.

Councilor Ortiz said this Committee already has given Mr. Toler and the entire CVB direction that they need to update the policies and procedures and bring those to this Committee for discussion and approval.

Ms. Kloenne said that is in the works.

Chair Ortiz said he understands that it is. He said there is no language in the Resolution making this an annual event, noting this is an event celebrating 75 years of operations by an organization with roots in this community. He said, regarding the fear expressed by staff that other non-profits will ask for the same treatment in waiving fees, he would like to consider other organizations with 75 years of involvement and with civic interest in Santa Fe. He said if it is a large equivalent event, we probably would give it the same consideration.

Chair Ortiz said some of us on the Council who questioned the financing and purposes of the Civic Center, were given many different assurances from many different people, that this was going to be for this community and it would be handled as such for the community. However, we continue to hear different issues involving these community organizations and community events that want to access the Convention Center.

Chair Ortiz said if this is an additional cost, and if we have money in our discretionary accounts, we can do BARs to cover some of the costs. He said Mr. Toler promised to update the policies and procedures, and he [the Chair] expects them during the budget process for discussion, approval and adoption by the Finance Committee. He said it is hoped that the staffs' concerns will be mitigated through the budget process.

Chair Ortiz said the Convention Center is supported by public monies as well as Lodger's Tax, so this Center isn't just for tourists, it is also for the public.

**MOTION:** Councilor Ortiz moved, seconded by Councilor Chavez, to adopt Resolution No. 2010-13, as amended.

**DISCUSSION:** Councilor Wurzbarger said she also is concerned that this wasn't heard at the Finance Committee. She would like, in the future, as part of the budget process, to put this on the agenda to develop a policy in this regard. She would surmise, regardless of how the new guidelines come to the Committee, that there are situations where the Council needs a policy to decide which groups will have no fees, and a budget item to cover those expenses. She said this is some of the policy work that we need to do through the Finance Committee.

**FRIENDLY AMENDMENT:** Councilor Chavez noted there was an amendment sheet [Exhibit "3"] on the Councilors' desks which speaks to the waiver or reduction of fees for the use of City facilities for an event of a non-profit organization, and the Motion should include the amendment, noting this was included at the request of a member of the Governing Body. **THE AMENDMENT WAS FRIENDLY TO THE MAKER, AND THERE WERE NO OBJECTIONS BY THE OTHER COUNCILORS.**

Councilor Chavez said La Sociedad Folklorica came with this request, noting there was no opportunity to take this to the Finance Committee because of the timing. He said the window of opportunity was somewhat short, and La Sociedad wanted confirmation that they could have this event at the Community Convention Center this year, with the hope that they can do so in the future. He said they have to look for a space every year, and they get bounced around from place to place. He said it would be good if it could be scheduled and on the calendar as a yearly event.

Councilor Chavez thanked La Sociedad Folklorica for the work it does, which is voluntary. It goes into the school system and exposes students to its work in dance and other aspects of the culture.

*Councilor Calvert arrived at the meeting.*

Councilor Bushee asked to be added as a cosponsor, and looks forward to the work on the review of the various guidelines. She understands the staff predicament, that they are trying to protect the facility and that the budget is of concern. She stressed that she didn't try to get the Convention Center for free for the Animal Shelter and they paid for everything. She said we need to look at lowering the cost for the special floor cover for the non-profits, and should reflect the actual cost, rather than the 25 cents per square ft.

Mary Pat Kloenne, SFCVB Sales and Marketing Supervisor, said there already would have been a discount coming to this group. She said the Convention Center is offering a discount of 60% to locals for all bookings between now and the end of the year. Ms. Kloenne said they will take good care of the group.

Councilor Bushee said, for example, the GCCC isn't compensated for any of the events or uses by any other agency. She said we need to apply this consistently and determine that policy, but we have to have something which is more equitable across the Board..

Jeanne Price said, "I'd like to clarify what additional amendments, besides the one that was on the sheet [Exhibit "4."]. You wanted the waiver for the use of confetti and a waiver of the cost of the plastic flooring as it may be needed."

**EXPLANATION BY THE MAKER OF MOTION:** Councilor Ortiz said, "I don't think it's a waiver so much as... I guess, since I'm the maker of the motion, Councilor Chavez you're the main sponsor. I guess the Amendment I would put to that is that staff continue to work with this non-profit to come up with an equitable amount, and speak with some members of the Governing Body regarding their discretionary account to cover whatever costs that..." [Councilor Bushee said they don't have a discretionary account any more.]

Councilor Ortiz continued, "That's what I would recommend. I think that if you're working... you're right, I forgot about that. After we had that hearing, Keith Toler came out with his own policy, because he didn't give it to us, about locals and getting a discount. So, I don't know if those costs are reflected in these amounts that were presented to us. And so, maybe, it's a matter of sitting down and talking to them and figuring out what those costs actually are, and then coming up with some dollar amount. It's not until April 10<sup>th</sup>, so they have the space, and we just need to figure out what that cost is. Is that okay with you Councilor Chavez. Let's not waive it, let's have staff go back and work with them to come up with what's the real amount – what's their cost amount for the saran mat so they do the confetti, or whatever that is. And, then come back with an actual dollar amount that we can somehow find to reimburse the operations at the Civic Center."

Ms. Klonne said staff will be happy to get started on that tomorrow.

Councilor Chavez said, "I guess that would be fine with me Councilor Ortiz – just to be clear, the group did ask, they were very specific in asking that the fees be waived – if we can come up with money to compensate for that. I think even at the 60% reduction, there are groups in the City that are not going to be able to afford even the 60%, and they are going to be non-profits. I don't think that there are many non-profits that have the track record and the history like the one we're discussing here this evening."

Councilor Ortiz said, "I think we're waiving the fees. What we're asking staff to do is go back and work with this non-profit on the extra charges that the, specifically, confetti causes. It's an extra charge. We're waiving the fees, the rental fees and what ever is originally intended. But, these extra costs that were brought up tonight, we're asking staff to go back with actual costs, and work with them to come up with solutions to those extra costs. Those aren't fees, those are costs."

Councilor Chavez said, "I think that's fine. And I think that it would have been better if this would have come up sooner as a detail, because again, the group has been trying to fit in, cannot afford it, and so that's why we're here this evening."

Councilor Ortiz reiterated if it had been brought to Finance when we were talking about the CVB budget, we would have solved it then.

Ms. Klonne said they are responsible for the cleaning and damage deposit, and waiving the cleaning and damage deposit is not part of the resolution. She said they would like to be able to refund it, and staff is trying to make that possible so there isn't a problem. She said the policy is that "our rooms," have to be returned to us the way they were found. If the organization cleans-up after themselves they will get the refund, but if it is necessary for staff to put in man hours, they won't get all of their refund.

Councilor Chavez said the group is good about clean up.

Councilor Romero said it was just noted that we have no discretionary funds. However, the candidates who just ran for office may have some left-over campaign funds to contribute.

Mayor Coss said he has no left-over campaign funds.

Councilor Romero said, secondly, when we didn't have a Convention Center, many of the large functions were held in other places throughout Santa Fe. She said we need to do an asset accounting of what is available for all non-profits who are scrambling, oftentimes, at the last minute. She suggested we also look at the availability of GCCC, El Museo and others.

Councilor Chavez said it is good we have other facilities, but it is even better that we have the new Convention Center, noting "Community," in the name. He said people want to use this space.

Mayor Coss said this case might be illustrative as we look at the policy, because fees are not the same as the Convention Center's costs. He said if it is empty we aren't getting fees, but we still have the daily costs of staff whether or not it is empty. He said we need to look at the costs if it is empty and a non-profit wants to use it, and how that differs from competing with something which is going to bring down the Convention Center deficit, and the difference between costs we incur versus the fees that we would like to charge.

Ms. Kloenne asked if this is an evening event, and Mayor Coss said the dance is an evening event. Ms. Kloenne said there normally aren't staff working in the evening, so there would be an additional cost.

Mayor Coss said we are saying that it is only once every 75 years, but Councilor Chavez said it would be nice if it was held there every year. He said there will be groups which are just as worthy which want to use the Center, but without a 75 year history, noting this is something to be considered by the Governing Body.

Responding to Councilor Bushee, Ms. Kloenne said there is no staff at the Convention Center, other than security, when no events are being held.

**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

Councilors Trujillo, Dominguez and Bushee asked to be added as sponsors.

**14. MATTERS FROM THE CITY MANAGER.**

There were no matters from the City Manager.

**15. MATTERS FROM THE CITY ATTORNEY**

There were no matters from the City Attorney.

**16. MATTERS FROM THE CITY CLERK**

**a) CANVASS OF ELECTION RESULTS – MARCH 2, 2010 REGULAR MUNICIPAL ELECTION.**

A copy of "City of Santa Fe Regular Municipal Election – March 2, 2010 – Official Results," is incorporated herewith to these minutes as Exhibit "4."

Yolanda Vigil, City Clerk said she would like to enter the "Official Canvass of Election Results for the March 2, 2010 Regular Municipal election," into the record [Exhibit "4"].

**17. COMMUNICATIONS FROM THE GOVERNING BODY**

A copy of the amended "Bills and Resolutions scheduled for introduction by members of the Governing Body," for the Council meeting of March 10, 2010," is incorporated herewith to these minutes as Exhibit "5"

**Councilor Dominguez**

Councilor Dominguez thanked Yolanda Vigil and staff for their work during the recent election. He thanked everyone who went to the polls and voted for him. He gave a special thanks to Eli Sena who got him organized and "ready to roll," and Anthony Gonzales for his wisdom before he passed. He thanked his wife & children because they allowed him to do this, and for their perseverance and resiliency to things that



oftentimes happen in the community. He thanked his mom and dad for teaching him about respect, wisdom and humiliation.

Councilor Dominguez read a passage from *Philippians 2:3-4*, "Let nothing be done through selfish ambition or conceit, but in lowliness of mind let each esteem others better than himself. Let each of you look out not only for his own interests, but also for the interests of others."

### **Councilor Calvert**

Councilor Calvert thanked Yolanda Vigil and staff for their work in making this a smooth election.

Councilor Calvert introduced a Resolution supporting the Santa Fe Trails request for FTA capital funds necessary to deliver ongoing urban transit services in the greater Santa Fe area. A copy of the proposed Resolution is incorporated herewith to these minutes as Exhibit "6."

### **Councilor Trujillo**

Councilor Trujillo thanked Yolanda Vigil and staff for their work on the election. He thanked his wife, children, mother and the rest of his family for their contributions. He thanked everyone for going to vote. He congratulated the Councilors who were reelected, and said he looks forward to the next four years. Councilor Trujillo thanked his father who, although deceased, is a big reason he is the person he is today

Councilor Trujillo said today is his wife's grandmother's 99<sup>th</sup> birthday and sent her a very happy 99<sup>th</sup> birthday.

### **Councilor Wurzbarger**

Councilor Wurzbarger thanked Yolanda Vigil, her son, her friends and District 2 for its vote of confidence, and believes together we can do wonderful things.

Councilor Wurzbarger introduced the following:

1. An Ordinance increasing the maximum income of eligible buyers to 120% of area median income, to allow the grouping of Santa Fe Homes program units and other changes. She said this is one of the efforts to jump start the construction industry. A copy of the Ordinance is incorporated herewith to these minutes as Exhibit "7."
2. A Resolution amending the Santa Fe Homes Program Administrative Procedures to increase maximum income of eligible to 120% of area median income; to allow the grouping of Santa Fe Homes program units; eliminate first-time homebuyer status

requirement, and other changes. A copy of the proposed Resolution is incorporated herewith to these minutes as Exhibit "8."

3. A Resolution designating up to \$1 million of the City's 2010 Capital Improvements Program (CIP) bond for the purpose of funding infrastructure for the units at all income tiers, and directing staff to prepare policies and procedures for the use of these funds. A copy of the proposed Resolution is incorporated herewith to these minutes as Exhibit "9"

### **Councilor Bushee**

Councilor Bushee introduced a Resolution regarding immigration reform modeled on the New Mexico Municipal League Resolution. A copy of the proposed Resolution is incorporated herewith to these minutes as Exhibit "10."

Councilor Bushee asked the City Manager to look into the decision to discontinue the Household Hazardous Waste Collection Day. She said it is not appropriate for staff to make that decision.

Councilor Bushee said there is a lot of concern about what happened with the denuding along the River. She said there will be a meeting tomorrow night at the Library. She said people are lumping everything together and presuming that the denuding happened through Porfirio's group, but this is not the case. She wants to hear from Porfirio and someone from Parks about what happened.

Councilor Bushee wished everyone a Happy St. Paddy's Day

### **Councilor Ortiz**

Councilor Ortiz had no communications.

### **Councilor Romero**

Councilor Romero introduced a Resolution reestablishing the Transit Advisory Committee. A copy of the proposed Resolution is incorporated herewith to these minutes as Exhibit "11."

Councilor Romero said she is a member of the SWMA Board, which has been dealing with deficits for the past two years. She said the construction waste isn't coming to the landfill. She said the decision to discontinue the Hazardous Household Waste pickup day was made by SWMA. She said this service is costly. She said the construction waste from some of the City permitted facilities didn't go to the landfill.

Councilor Bushee said the City initiated the pickup, and doesn't believe it can be discontinued. She said she has asked the City Manager to look into the issue.

Councilor Trujillo said the gentleman took a lot of flack about this. He said in that section which was denuded there were a lot of hypodermic needles and feces, and it was not safe for people. He said this is the section where they had the Fishing Derby. He said it looks beautiful now. He said it is grass and will grow back by July. He said some people wanted to fire the gentleman for this action, but he said it looks great and it is now a place that he would go with his children.

Councilor Bushee said she isn't asking for anything around staff, but just asking that staff be present because it is confusing. She hopes it wasn't a directive from someone from the City, commenting that she believes it was just a mistake.

**Mayor Coss**

Mayor Coss thanked Yolanda Vigil for an excellent election, and thanked all of the community that worked so hard on this election.

**END OF AFTERNOON SESSION AT 6:40 P.M.**

## **EVENING SESSION**

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

The Evening Session was called to order by Mayor David Coss, at approximately 7:00 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

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**MOTION:** Councilor Bushee moved, seconded by Councilor Chavez, to postpone consideration of Bill No. 2010-3 to the first Council meeting in May, which is May 12, 2010.

**DISCUSSION:** Councilor Bushee said the ordinance still needs work. There have been substantial changes, therefore she believes it has to go through a public hearing process anew. She would like to take the next two months to send it back through the committee process for review and discussion.

Councilor Chavez said he would like to amend the motion to direct staff to encourage public participation in the drafting of this ordinance.

Councilor Bushee said in view of the limited amount of time and the lack of a formal process, she would suggest that people continue to email both the Councilors and the City Attorney's office with their concerns, and thinks the Councilors should do the same. She said if heard at Committees, she would suggest that there be public hearings, although that is at the discretion of the Chair.

Councilor Romero said it seems, with a two month time frame, that the public comment and interaction could be done at the Committee level, noting she believes the Committee process is a vetting process.

Councilor Chavez said we are being rushed into this, and the reason he wants public participation is because people are interested in a moratorium, and he thinks we can accommodate them outside of, and in addition to, the Committee process. He said if we can't find a way to do this, it is unfortunate.

Councilor Bushee said Councilor Chavez isn't proposing a specific process, just suggesting that the public participate.

Councilor Chavez said "public participation," means that those who are here this evening and are willing to participate, are allowed to participate. He asked if staff can accommodate public comment before and during the Committee process, so they are not limited to commenting at public hearings at committee meetings. He believes they should be able to meet with staff before that.

Councilor Bushee they already can do that.

Councilor Chavez asked if staff is directed to do this, what staff would be assigned.

Mayor Coss said that would be from the City Attorney and the Land Use Department.

Councilor Chavez would like staff to identify a simple process where staff would be willing to meet with the public between now and the date of postponement.

Mr. Zamora said he respects the public process, and it is his understanding that this is what the committee does by having public participation at that Committee. He said if you schedule a meeting with each member of the public, utilizing City staff, to meet individually with each person for their input, would usurp the Committee process.

Councilor Chavez doesn't believe it would usurp the Committee process, but it would provide additional time for interested public to meet with staff.

Councilor Bushee believes the Committees err on the side of public participation and doesn't know how you would manage that much time with the City Attorney, other than a formal recommendation.

**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..

Mayor Coss said this means we won't have the discussion and review of this ordinance tonight. The ordinance will be republished on March 31, 2010, then will go to Committees, and will be heard by the Council at the first Council meeting in May.

Mayor Coss said we need to move Items H(3) and (4) to May, and asked if we can consider all of the items in May.

Mr. Zamora, reminded the Governing Body that the secondary issues are acting on applications, which means there needs to be an ordinance in place. He said the Board should consider postponing these items to a date certain or postponing them indefinitely and requiring those to go through advertising as well.

Councilor Wurzbarger said she believes we can decide when to hear these at the March 31, 2010 meeting. She said we do need an ordinance and administrative procedures which she hopes can be part of what is done during the next two months.

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

There were no petitions from the floor.

#### **G. APPOINTMENTS**

##### **Children and Youth Commission**

Mayor Coss made the following appointment to the Children and Youth Commission:

Rev. Jon R. Anderson – term ending 01/2013.

**MOTION:** Councilor Wurzbarger 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 Wurzbarger voting for the motion and none against.

##### **Arts Commission**

Mayor Coss made the following appointment to the Arts Commission:

Kirk Ellis – Appointment as Chair – term ending 10/2010.

**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 Wurzbarger voting for the motion and none against.

### **Mayor's Youth Advisory Board**

Mayor Coss made the following appointment to the Mayor's Youth Advisory Board:

Vaughn Fortier-Shultz – Alternate #3 – term ending 12/2010;  
Lauren Buchanan – term ending 12/2011; and  
Adriana Torres – Alternate #2 – term ending 12/2010.

**MOTION:** Councilor Wurzbarger moved, seconded by Councilor Romero, to approve these appointments.

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

### **Human Services Committee**

Mayor Coss made the following appointment to the Human Services Committee:

Kathleen Rowe – term ending 3/2012.

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

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

## **H. PUBLIC HEARINGS**

- 1) **REQUEST FROM AMREST, LLC, FOR A TRANSFER OF OWNERSHIP OF DISPENSER LICENSE #2743 FROM RESTAURANT CONCEPTS II, LLC, TO ARMREST, LLC. THE LICENSE WILL REMAIN AT APPLEBEE'S NEIGHBORHOOD GRILL & BAR, 4246 CERRILLOS ROAD. (YOLANDA Y. VIGIL)**

The staff report was given by Yolanda Vigil, City Clerk, noting the license changes in name only, and staff is requesting that the applicant 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 Romero, to approve the request for a transfer of ownership of Dispenser License #2743 from Restaurant Concepts II, LLC, to AmRest, LLC, with the license to remain at Appleby's Neighborhood Grill & Bar, 4246 Cerrillos Road.

**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.

- 2) **CONSIDERATION OF BILL NO. 2010-2: ADOPTION OF ORDINANCE NO. 2010- \_\_\_\_ (COUNCILOR BUSHEE AND COUNCILOR WURZBURGER). AN ORDINANCE REPEALING CHAPTER 27 SFCC 1987 AND CREATING A NEW CHAPTER 27 SFCC 1987, REGARDING TELECOMMUNICATION AND CABLE SERVICES. (MAUREEN REED) (Postponed at the February 10, 2010 City Council Meeting) (Public Hearing is Closed)**

This item is postponed to the Council meeting of May 12, 2010.

- 3) **CONSIDERATION OF BILL NO. 2010-3: ADOPTION OF ORDINANCE NO. 2010- \_\_\_\_ . AN ORDINANCE GRANTING A NON EXCLUSIVE FRANCHISE TO NEWPATH NETWORKS, LLC, TO RENT, USE AND OCCUPY THE CITY'S PUBLIC RIGHTS-OF-WAY IN THE CITY OF SANTA FE, NEW MEXICO, AND FIXING THE TERMS AND CONDITIONS THEREOF (MAUREEN REED) (Postponed at the February 10, 2010 City Council Meeting) (PUBLIC HEARING IS CLOSED) (Postponed to March 31, 2010 City Council Meeting)**

This item is postponed to the Council meeting of March 31, 2010.

- 4) **CONSIDERATION OF BILL NO. 2010-4: ADOPTION OF ORDINANCE NO. 2010- \_\_\_\_ . AN ORDINANCE GRANTING A NON EXCLUSIVE FRANCHISE TO CITYLINK FIBER HOLDINGS OF SANTA FE, NEW MEXICO, LLC, TO RENT, USE AND OCCUPY THE CITY'S PUBLIC RIGHTS-OF-WAY IN THE CITY OF SANTA FE, NEW MEXICO, AND FIXING THE TERMS AND CONDITIONS THEREOF (MAUREEN REED) (Postponed at the February 10, 2010 City Council Meeting) (PUBLIC HEARING IS CLOSED) (Postponed to March 31, 2010 City Council Meeting)**

This item is postponed to the City Council meeting of March 31, 2010



- 5) **REQUEST FROM THE NATIONAL DANCE INSTITUTE OF NEW MEXICO (NDI-NM) FOR A PERMANENT WAIVER OF THE 300 FOOT LOCATION RESTRICTION TO ALLOW THE DISPENSING/SALE OF ALCOHOLIC BEVERAGES AT NDI-NM, 1140 ALTO STREET, WHICH IS WITHIN 300 FEET OF DESERT ACADEMY AND THE FORMER ALAMEDA MIDDLE SCHOOL (YOLANDA Y. VIGIL) (Postponed at February 10, 2010 City Council Meeting) (Postponed to March 31, 2010 City Council Meeting.)**

This item is postponed to the City Council meeting of May 12, 2010.

**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 7:20 p.m.

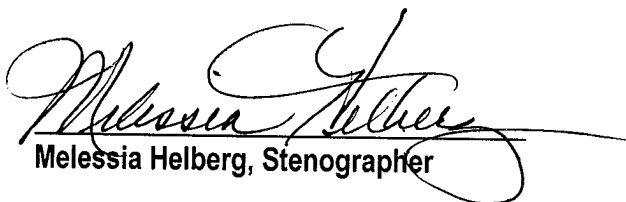
**Approved by:**

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

**ATTESTED TO:**

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

**Respectfully submitted:**

  
**Melessia Helberg, Stenographer**