



Agenda

REGULAR MEETING OF
THE GOVERNING BODY
AUGUST 11, 2010
CITY COUNCIL CHAMBERS

AFTERNOON SESSION – 5:00 P.M.

CITY CLERK'S OFFICE

DATE 8-6-10 TIME 1:40 pm

SERVED BY _____

RECEIVED BY tydominguez

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 – July 28, 2010.
9. PRESENTATIONS
 - a) Employee of the Month for August 2010 – Eloisa Valverde, Youth Specialist; Public Works Department. (5 minutes)
 - b) Muchas Gracias – Karen Valdez, Budget Analyst; Police Department. (5 minutes)
 - c) Muchas Gracias – David Miller, Economic Development Review Subcommittee. (5 minutes)
10. CONSENT CALENDAR
 - a) Request for Approval of Professional Services Agreement – Public Access and Education Portion of the PEG Channels for City of Santa Fe; The Santa Fe Community College. (Joe Abeyta)
 - b) Request for Approval of General Obligation Bond Award – Procurement of Audio, Visual and Spanish Language Materials for the Library Division; New Mexico State Library. (Patricia Hodapp)
 - 1) Request for Approval of Budget Increase – Grant Fund.



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- c) Request for Approval of Equipment Donation to Pecos Fire Department and Santa Fe Community College EMS Program. (Fire Chief Barbara Salas)
- d) Request for Approval of Agreements – Emergency Medical Services and Emergency Response Billing for Fire Department; EF Recovery. (Gilberto Valenzuela)
- e) Request for Approval of Budget Increase for the Neighborhood Stabilization Program through Housing Partners Homewise and Life Link/La Luz. (Melisa Dailey)
- f) Request for Approval and Adoption of The Emergency Operations Plan. (Joyce Purley)
- g) Request for Approval of Amendment No. 2 to Professional Services Agreement – Security Services for GCCC; Chavez Security, Inc. (Liza Suzanne)
- h) Request for Approval of Selection Criteria for City's Scholarship Program at The College of Santa Fe. (Lee Depietro)
- i) CONSIDERATION OF RESOLUTION NO. 2010-_____. (Councilor Bushee)
A Resolution Amending Resolution No. 2010-33 Regarding the Bicycle and Trail Advisory Committee in Order to Authorize Subcommittees; and Clarifying Duties Related to Cycling and Pedestrians as Safe Alternative Means of Transportation. (Robert Siqueiros)
- j) CONSIDERATION OF RESOLUTION NO. 2010-_____. (Mayor Coss and Councilor Calvert)
A Resolution in Full Support of the Food Depot's Capital Campaign Grant Proposal to the U.S. Economic Development Administration (EDA) for \$1.5 Million. (Terrie Rodriguez)
- k) CONSIDERATION OF RESOLUTION NO. 2010-_____. (Councilor Dominguez)
A Resolution Adopting Guidelines for Landscaping Medians and Planting Strips. (Wendy Blackwell)



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- l) CONSIDERATION OF RESOLUTION NO. 2010-_____. (Mayor Coss)
A Resolution Supporting the Efforts of Graduate New Mexico and Acknowledging the Importance of Collaborative Partnerships to Make High School Graduation "Everybody's Business" and Enabling Every Student to Succeed. (Jeanne Price)
- m) CONSIDERATION OF RESOLUTION NO. 2010-_____. (Councilor Dominguez and Mayor Coss)
A Resolution Amending the Duties and Responsibilities of the Santa Fe Regional Juvenile Justice Board ("Board"); Reducing the Number of Members on the Board; and Making Other Necessary Format Changes. (Richard DeMella)
- n) Request for Approval of City of Santa Fe Redemption of Single Family Mortgage Revenue Bonds Series 1995a, 1995b-1 and 1995b-2; First Southwest Company. (Kathryn Raveling)
- 11. Request for Approval to Publish Notice of Public Hearing on September 15, 2010:

Bill No. 2010-24: An Ordinance Repealing Section 16-7.4 SFCC 1987, Indecent Exposure; and Creating a New Section 16-7.4 SFCC 1987 Regarding Public Indecency. (Mayor Coss, Councilor Ortiz, Councilor Trujillo and Councilor Dominguez) (Marcos Martinez)
- 12. MATTERS FROM THE CITY MANAGER
- 13. MATTERS FROM THE CITY ATTORNEY

EXECUTIVE SESSION:

Discussion of Possible Purchase or Acquisition of Real Property by the City of Santa Fe; Consideration of Request for Approval for Letter of Intent to Purchase Pete's Pets for Use as Homeless Shelter; Pursuant to §10-15-1(H)(8) NMSA 1978.
- 14. Action on Possible Purchase or Acquisition of Real Property by the City of Santa Fe; Consideration of Request for Approval for Letter of Intent to Purchase Pete's Pets for Use as Homeless Shelter. (Geno Zamora)
- 15. MATTERS FROM THE CITY CLERK



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THE GOVERNING BODY
AUGUST 11, 2010
CITY COUNCIL CHAMBERS

16. COMMUNICATIONS FROM THE GOVERNING BODY

EVENING SESSION – 7:00 P.M.

- A. CALL TO ORDER
- B. PLEDGE OF ALLEGIANCE
- C. SALUTE TO THE NEW MEXICO FLAG
- D. INVOCATION
- E. ROLL CALL
- F. PETITIONS FROM THE FLOOR
- G. APPOINTMENTS
- H. PUBLIC HEARINGS
No Public Hearings Scheduled.
- 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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August 11, 2010**

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**MINUTES OF THE
REGULAR MEETING OF THE
GOVERNING BODY
Santa Fe, New Mexico
August 11, 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 August 11, 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 Wurzburger, Mayor Pro-Tem
Councilor Patti J. Bushee
Councilor Miguel Chavez
Councilor Carmichael A. Dominguez
Councilor Matthew E. Ortiz
Councilor Rosemary Romero

Members Excused

Councilor Christopher Calvert
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

MOTION: Councilor Wurzburger moved, seconded by Councilor Ortiz, to approve the agenda as published.

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

7. APPROVAL OF CONSENT CALENDAR

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

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

For: Councilor Bushee, Councilor Dominguez, Councilor Ortiz, Councilor Romero and Councilor Wurzburger.

Against: None.

Absent for the vote: Councilor Chavez

- a) **REQUEST FOR APPROVAL OF PROFESSIONAL SERVICES AGREEMENT – PUBLIC ACCESS AND EDUCATION PORTION OF THE PEG CHANNELS FOR CITY OF SANTA FE; THE SANTA FE COMMUNITY COLLEGE. (JOE ABEYTA)**
- b) **REQUEST FOR APPROVAL OF GENERAL OBLIGATION BOND AWARD – PROCUREMENT OF AUDIO, VISUAL AND SPANISH LANGUAGE MATERIALS FOR THE LIBRARY DIVISION; NEW MEXICO STATE LIBRARY. (PATRICIA HODAPP)**
 - 1. **REQUEST FOR APPROVAL OF BUDGET INCREASE – GRANT FUND.**
- c) **REQUEST FOR APPROVAL OF EQUIPMENT DONATION TO PECOS FIRE DEPARTMENT AND SANTA FE COMMUNITY COLLEGE EMS PROGRAM. (FIRE CHIEF BARBARA SALAS)**
- d) **REQUEST FOR APPROVAL OF AGREEMENTS – EMERGENCY MEDICAL SERVICES AND EMERGENCY RESPONSE BILLING FOR FIRE DEPARTMENT; EF RECOVERY. (GILBERTO VALENZUELA)**

- e) **REQUEST FOR APPROVAL OF BUDGET INCREASE FOR THE NEIGHBORHOOD STABILIZATION PROGRAM THROUGH HOUSING PARTNERS, HOMEWISE AND LIFE LINK/LA LUZ. (MELISA DAILEY)**
- f) **REQUEST FOR APPROVAL AND ADOPTION OF THE EMERGENCY OPERATIONS PLAN. (JOYCE PURLEY)**
- g) **REQUEST FOR APPROVAL OF AMENDMENT NO. 2 TO PROFESSIONAL SERVICES AGREEMENT – SECURITY SERVICES FOR GCCC; CHAVEZ SECURITY, INC. (LIZA SUZANNE)**
- h) **REQUEST FOR APPROVAL OF SELECTION CRITERIA FOR CITY'S SCHOLARSHIP PROGRAM AT THE COLLEGE OF SANTA FE. (LEE DePIETRO)**
- i) **CONSIDERATION OF RESOLUTION NO. 2010-10- 64 (COUNCILOR BUSHEE). A RESOLUTION AMENDING RESOLUTION NO. 2010-33, REGARDING THE BICYCLE AND TRAIL ADVISORY COMMITTEE IN ORDER TO AUTHORIZE SUBCOMMITTEES; AND CLARIFYING DUTIES RELATED TO CYCLING AND PEDESTRIANS AS SAFE ALTERNATIVE MEANS OF TRANSPORTATION. (ROBERT SIQUEIROS)**
- j) **CONSIDERATION OF RESOLUTION NO. 2010-65 (MAYOR COSS AND COUNCILOR CALVERT). A RESOLUTION IN FULL SUPPORT OF THE FOOD DEPOT'S CAPITAL CAMPAIGN GRANT PROPOSAL TO THE U.S. ECONOMIC DEVELOPMENT ADMINISTRATION (EDA) FOR \$1.5 MILLION. (TERRIE RODRIGUEZ)**
- k) **CONSIDERATION OF RESOLUTION NO. 2010-66 (COUNCILOR DOMINGUEZ). A RESOLUTION ADOPTING GUIDELINES FOR LANDSCAPING MEDIANS AND PLANTING STRIPS. (WENDY BLACKWELL)**
- l) **CONSIDERATION OF RESOLUTION NO. 2010- 67 (MAYOR COSS). A RESOLUTION SUPPORTING THE EFFORTS OF GRADUATE NEW MEXICO AND ACKNOWLEDGING THE IMPORTANCE OF COLLABORATIVE PARTNERSHIPS TO MAKE HIGH SCHOOL GRADUATION "EVERYBODY'S BUSINESS," AND ENABLING EVERY STUDENT TO SUCCEED. (JEANNE PRICE)**

- m) **CONSIDERATION OF RESOLUTION NO. 2010- 68 (COUNCILOR DOMINGUEZ AND MAYOR COSS). A RESOLUTION AMENDING THE DUTIES AND RESPONSIBILITIES OF THE SANTA FE REGIONAL JUVENILE JUSTICE BOARD ("BOARD"); REDUCING THE NUMBER OF MEMBERS ON THE BOARD; AND MAKING OTHER NECESSARY FORMAT CHANGES. (RICHARD DeMELLA)**
- n) **REQUEST FOR APPROVAL OF CITY OF SANTA FE REDEMPTION OF SINGLE FAMILY MORTGAGE REVENUE BONDS SERIES 1995a, 1995b-1 AND 1995b-2; FIRST SOUTHWEST COMPANY. (KATHRYN RAVELING)**

8. APPROVAL OF MINUTES: REGULAR CITY COUNCIL MEETING – JULY 28, 2010.

MOTION: Councilor Dominguez moved, seconded by Councilor Romero, to approve the minutes of the Regular City Council meeting of July 28, 2010, as presented.

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

9. PRESENTATIONS

- a) **EMPLOYEE OF THE MONTH FOR AUGUST 2010 – ELOISA VALVERDE, YOUTH SPECIALIST; PUBLIC WORKS DEPARTMENT.**

Mayor Coss read the letter of nomination into the record, and presented her with a plaque and a check for \$100 from the Employee Benefit fund. He thanked her for her outstanding service to the City of Santa Fe.

Ms. Valverde thanked everyone and said she has enjoyed working for the City and will miss everyone.

- b) **MUCHAS GRACIAS – KAREN VALDEZ, BUDGET ANALYST; POLICE DEPARTMENT.**

Mayor Coss presented a Muchas Gracias certificate to Karen Valdez, assisted by Chief Wheeler.

Chief Wheeler said Ms. Valdez retired last week. She was a very valued employee over the past 15 years, and guided him through the process of finance and budgeting for many years.

Ms. Valdez thanked special coworkers who also gave her assistance and provided training for the past 25 years, with a special thanks to Jimmie Joe Gonzales, her late uncle Sheriff Elias Valdez and former City Councilor Diego Martinez for their support and encouragement. She thanked Chief Wheeler for his guidance and support, as well as others in the department. She said it is very hard to just walk away.

c) MUCHAS GRACIAS – DAVID MILLER, ECONOMIC DEVELOPMENT REVIEW SUBCOMMITTEE.

Mayor Coss, assisted by Councilor Wurzbarger, presented a Muchas Gracias certificate to David Miller for his service on the Economic Development Review Subcommittee.

Councilor Wurzbarger read a letter of commendation into the record from Mayor Coss and herself, thanking Mr. Miller for his dedicated service on the Committee, and the time and effort he has volunteered to the City.

Mr. Miller said he believes if the Mayor and Council will embrace the new leader at Economic Development, and join with the State of New Mexico's efforts, we can attract more businesses to Santa Fe, noting there are those who say that Santa Fe is not business friendly. He said if you can get the client to come to Santa Fe, they will talk to them about Santa Fe. He said we need to build more businesses and thus more tax revenue to the City. He thanked the City for this award.

CONSENT CALENDAR DISCUSSION

There were no consent items for discussion.

- 11. REQUEST FOR APPROVAL TO PUBLISH NOTICE OF PUBLIC HEARING ON SEPTEMBER 15, 2010: BILL NO. 2010-24; AN ORDINANCE REPEALING SECTION 16-7.4 SFCC 1987, INDECENT EXPOSURE; AND CREATING A NEW SECTION 16-7.4 SFCC 1987, REGARDING PUBLIC INDECENCY. (MAYOR COSS, COUNCILOR ORTIZ, COUNCILOR TRUJILLO AND COUNCILOR DOMINGUEZ). (MARCOS MARTINEZ)**

MOTION: Councilor Ortiz moved, seconded by Councilor Dominguez, to approve this request.

DISCUSSION: Councilor Bushee said she will vote against this Ordinance, because it isn't ready to go as "we've discussed."

Mayor Coss said there will be great discussions, and he appreciates the discussions he has had with Councilor Bushee and all the members of the Council.

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

For: Councilor Dominguez, Councilor Ortiz, Councilor Romero and Councilor Wurzburger.

Against: Councilor Bushee

Absent for the vote: Councilor Chavez.

Explaining her vote: Councilor Wurzburger voted yes, however, noting she agrees with Councilor Bushee that more discussion is needed.

Explaining her vote: Councilor Romero voted yes, saying she also is looking forward to the discussions during the public hearings where public input will be received.

12. MATTERS FROM THE CITY MANAGER.

There were no matters from the City Manager.

Councilor Chavez arrived at the meeting

13. MATTERS FROM THE CITY ATTORNEY

EXECUTIVE SESSION:

DISCUSSION OF POSSIBLE PURCHASE OR ACQUISITION OF REAL PROPERTY BY THE CITY OF SANTA FE; CONSIDERATION OF REQUEST FOR APPROVAL FOR LETTER OF INTENT TO PURCHASE PETE'S PETS FOR USE AS HOMELESS SHELTER; PURSUANT TO §10-15-1(H)(8) NMSA 1978.

MOTION: Councilor Wurzburger moved, seconded by Councilor Ortiz, that the Council go into Executive Session for the purpose of discussion of possible purchase or acquisition of real property

by the City of Santa Fe; consideration of request for approval for Letter of Intent to purchase Pete's Pets for use as a homeless shelter, pursuant to §10-15-1(H)(8).

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

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

Against: Councilor Chavez.

Explaining his vote: Councilor Chavez said, "I'm going to be consistent and vote against going into executive session, and question the purchase and the liability if we purchase. In fact, are we responsible for the operation and maintenance. I don't know, so I vote no."

The Council went into Executive Session at 5:15 p.m.

MOTION TO COME OUT OF EXECUTIVE SESSION

MOTION: At 5:35 p.m. Councilor Dominguez 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, Chavez, Dominguez, Ortiz, and Wurzbarger voting for the motion, no one voting against, and Councilor Romero absent for the vote.

14. ACTION ON POSSIBLE PURCHASE OR ACQUISITION OF REAL PROPERTY BY THE CITY OF SANTA FE; CONSIDERATION OF REQUEST FOR APPROVAL FOR LETTER OF INTENT TO PURCHASE PETE'S PETS FOR USE AS A HOMELESS SHELTER.

MOTION: Councilor Ortiz moved, seconded by Councilor Bushee, to approve the action as described by staff with regard to this matter, in accordance with the previous Resolution.

DISCUSSION: Councilor Chavez said the City is moving toward the purchase of this building, and if that happens, he asked if the City will be responsible for the operation, maintenance and programming of the building. He asked if the City, as owner, will have some liability in the ownership of the building. He said these questions may not be in sequence, and he is stating the questions for the record.

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

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

Against: Councilor Chavez.

Absent for the vote: Councilor Romero

Explaining his vote: Councilor Chavez said he would like to note that there has been very little public notice or outreach to the neighbors, and for these reasons, he votes no.

15. MATTERS FROM THE CITY CLERK

There were no matters from the City Clerk.

16. COMMUNICATIONS FROM THE GOVERNING BODY

A copy of "Bills and Resolutions scheduled for introduction by members of the Governing Body," for the Council meeting of August 11, 2010, is incorporated herewith to these minutes as Exhibit "1."

Councilor Romero arrived at the meeting after the break for Executive Session

Councilor Wurzbarger

Councilor Wurzbarger thanked the County for sponsoring the presentation for Commissioners and members of the Governing Body on fraud, waste and abuse. She has discussed several ideas with Councilor Ortiz, Finance Committee Chair, which she believes we need to implement based on this presentation, and hopefully, will be coming forward with those at the next Finance Committee meeting for discussion.

Councilor Wurzbarger introduced an Ordinance amendment regarding water rates. A copy of the Ordinance is incorporated herewith to these minutes as Exhibit "2."

Councilor Dominguez

Councilor Dominguez introduced a Resolution adopting an Infrastructure Capital Improvements Plan. A copy of the Resolution is incorporated herewith to these minutes as Exhibit "3.

Councilor Ortiz

Councilor Ortiz had no communications.

Councilor Bushee

Councilor Bushee introduced a Resolution amending Resolution No. 2009-121, consenting to inclusion of the City of Santa Fe in the Santa Fe County Renewable Energy Financing District, noting this is supposed to be Joint Resolution with Commissioner Holian, but she doesn't see that. She said the title is incorrect, and the Resolution is supposed to be a request to Fannie Mae and Freddie Mac. A copy of the Resolution is incorporated herewith to these minutes as Exhibit "4."

Councilor Bushee said she continues to get calls from neighborhoods and people about burglary – property crimes and what the City is doing, noting she understands Santa Fe is now number 2 on the FBI list of property crimes which is not acceptable to her. She wants to know the plan, and believes there should be a public hearing with public input. She said one person has been burglarized 6 times in 1½ years, one who was burglarized twice in week, and then again six months later.

Councilor Bushee wants to follow-up on the changing of the take home policy on vehicles, noting Albuquerque has moved forward on this. She wants to know what is being done, and asked to be included in any meetings in this regard.

Councilor Bushee said she has a small building permit issue on Fiesta Street and she will follow-up with Matthew O'Reilly in this regard.

Councilor Bushee would like, at the next Finance Committee, to have the original resolution donating the land to the cemetery, and to move forward with that process. She would like to move forward with this and not stall any longer.

Councilor Ortiz said he will send an email, noting the meeting agenda was okayed for publication. He said this item was removed, specifically because of information we received from Mr. Tafoya. He can put it on the Agenda for Monday's meeting if she would like.

Councilor Bushee would like someone to follow up with the veterans who have been trying to track this.

Mayor Coss asked Tina Dominguez if that item will be published on the agenda and she said yes.

Councilor Romero

Councilor Romero said, based on the training done by the State Auditor yesterday, she sent out an email to all in attendance, pulling out key points, including possibly an Audit Committee.

Councilor Romero introduced a Resolution Repealing Resolution No. 2000-32 that established the Ethics and Rules Committee for the purpose of eliminating the Ethics and Rules Committee. A copy of the Resolution is incorporated herewith to these minutes as Exhibit " 5."

Councilor Romero introduced an Ordinance amending the Ethics and Campaign Review Board. A copy of the Resolution is incorporated herewith to these minutes as Exhibit "6."

Councilor Romero introduced an Ordinance amending the Code of Ethics and repealing Section 1-7.8 SFCC 1987, of the Code of Ethics. A copy of the Resolution is incorporated herewith to these minutes as Exhibit "7."

Councilor Romero said this is part of the work they have been doing the last few weeks and will be going through Committee process.

Councilor Chavez

Councilor Chavez said, based on the presentation from the State Auditor, and the fix on the Ethics Review Board, he thought the State Auditor was suggesting that be part of the Audit Committee, and asked if these bills [introduced by Councilor Romero] will be moved ahead of that, or if would one wait for the other.

Councilor Romero said no, noting her understanding was that the State Auditor uses lots of examples, and they suggested an Audit Committee, which is separate from which she is doing here. The Committee would be composed of professionals who have a lot of experience in auditing, and would be separate from the conflict of interest.

Councilor Chavez understood it could include both, and would review the ordinances regarding ethics and campaign issues as well.

Councilor Chavez said he has received two emails from residents around the Country Club expressing concern about the strobe light. He said some residents are connecting this with the telecommunication tower at the Santa Fe Country Club, and gave the emails to Robert Romero. He said Mr. O'Reilly is working on this, and we may want to send a response.

Mayor Coss

Mayor Coss introduced a Resolution directing staff to prepare a lease with YouthWorks for the use of vacant municipal real property located off Rodeo Road adjacent to the Genoveva Chavez Community Center. A copy of the Resolution is incorporated herewith to these minutes as Exhibit "8."

END OF AFTERNOON SESSION AT 5:50 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. Roll Call indicated the presence of a quorum as follows:

Members Present

Mayor David Coss
Councilor Patti J. Bushee
Councilor Miguel Chavez
Councilor Carmichael A. Dominguez
Councilor Matthew E. Ortiz
Councilor Rosemary Romero

Members Excused

Councilor Rebecca Wurzbarger, Mayor Pro-Tem
Councilor Christopher Calvert
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

A copy of the statement entered for the record by Gloria Mendoza is incorporated herewith to these minutes as Exhibit "9."

Gloria Mendoza asked, regarding the green box on the plaza, if the H-Board or City Hall was able to see the plans, where it would go and the size. She said we now have to spend money to try to move it. she said her husband is an electrician, and he says it will cost \$250,000 to \$300,000 to move to the green box. She said, "I say wait until the economy gets better. You don't have any business spending that amount of taxpayer dollars, that amount of money, just because it is an eyesore to all your preservationists, historic preservationists in Santa Fe. I don't think we

need to spend that amount of money just because they don't want to look at it. If it's an eyesore, just tell them not to look at it. When I go downtown, I look at it, because it doesn't bother me any, but if it bothers any people, they shouldn't even look at it. But, that's what I think about that."

Councilor Romero arrived at the meeting

Ms. Mendoza entered her statement for the record [Exhibit "9"], with regard to her opposition to the proposed amendment to the Indecent Exposure Ordinance, because it doesn't go far enough. She said she has petitioned the Council to amend this ordinance for some time. She expressed displeasure with the positions of the female members of the Council. She petitioned the Governing Body to make a better ordinance than this one, to protect our City. Please see Exhibit "8" for specifics of this statement for the record.

Stephanie Beninato said, "I had a couple of things. I have talked to the City Manager once again about requesting a meeting to talk about accommodation of my disability. It is an ongoing problem. Today, the pool door was propped open at seven o'clock in the morning. Again, it's a waste of energy. It does not allow the pool to function efficiently. It needs to be at seventy-five degrees, and if we're allowing energy to flow out the door, we're not being green, and we certainly could afford the disability program if we kept those doors and windows closed. So, that's one issue."

Ms. Beninato continued, "I would applaud the speaker before me, coming forward to express her points to you. However, I would like to thank the three women City Councilors who are not going the full way in trying to prohibit women from showing their nipples if they will not prohibit men from showing their nipples. Because, again I think you have a Constitutional problem of equal protection. And I think it has been established in other states that it is a problem. So, if you're going to ban genitals, you ban everybody's genitals. If you're going to ban nipples, you ban everybody's nipples. And the way to take care of it if no morality... should the Catholic church morality should be the one that rules here. In responding to this, that's not why I came here, but I did read that in the paper and I did appreciate that the three women Councilors had what I thought to be sensible views on that."

Ms. Beninato continued, "I'm here today, because I wanted to thank you again for voting for me a variance on my second story at Galisteo Street. And I know that my neighbor, Owen Nelson, came afterwards and screamed out that you should also be ashamed. But, it's Mr. Nelson who should be ashamed, because we do have a signed agreement that was approved by the Court. I show you the endorsed page and Paragraph 4 clearly states that, excuse me, Paragraph 5, clearly

states the Nelsons agreed to support and not oppose the granting of the variance needed for approval of the second story at 604 ½ Galisteo Street. I don't think yelling out that you should be ashamed is exactly supporting the ordinance. So, I think, just for the record I should let you know that that's what the agreement was and that Mr. Nelson did not comply with the agreement."

Ms. Beninato continued, " For those of you who thought that his project was making something better and was you know, an improvement on the building, I have to say that a woman bought Unit B there, 610 Galisteo, Unit B, and she now has come in for a permit to be able to dig up the entire north line and undo the drainage problems that have occurred there, including water damage on the outside and inside of that wall, and to put real waterproofing on their [inaudible] rather than whatever material Mr. Nelson had, whatever actually sofa upholsterers put on there. Again, it's nice for someone to get up and have their lawyers tell you, oh it looks better, it looks glitzy, it looks better. But, in fact the construction of those buildings were not done that well, in my opinion, and apparently in the opinion of licesened contractors as well, and has caused subsequent owners to have to come back in and redo them. So, maybe next time, when the Nelsons come in and ask you for permits, maybe you'll look a little more closely at the documents you're given, rather than take it somehow as blanket-wise, because he's a big tall white man that he speaks the truth."

G. APPOINTMENTS

Library Board

Mayor Coss made the following appointments to the Library Board:

Grace Brill – Reappointment – term ending 07/2013;
Angelo Jaramillo – Reappointment – term ending 07/2013; and
Luis Hernandez – term ending 07/2013.

MOTION: Councilor Bushee moved, seconded by Councilor Dominguez, to approve these appointments.

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

Economic Development Review Subcommittee

Mayor Coss made the following appointments to the Economic Development Review Subcommittee:

Lillian Montoya-Rael – Reappointment – term ending 05/2012;
Fidel Gutierrez – Reappointment – term ending 05/2012;
Simon Brackley – Reappointment – term ending 05/2012;
Stephanie Spong – to fill unexpired term ending 05/2011; and
Stephen M. Guerin – to fill unexpired term ending 05/2011.

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

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

College of Santa Fe Local Advisory Group

Mayor Coss made the following appointments to the College of Santa Fe Local Advisory Group:

Elena Tercero – term ending 08/2012;
Valerie Martinez – term ending 08/2012;
Michael D. Swain – term ending 08/2012;
Jane Sauer – term ending 08/2012;
Dr. Carla Aragon, Alternate 1 – term ending 08/2012; and
Carol Robertson Lopez, Alternate 2 – term ending 08/2012.

Mayor Coss noted that the College of Santa Fe has indicated it will accept all of these individuals to serve on the Advisory Board.

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

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

Public Utilities Committee

Mayor Coss made the following appointment to the Public Utilities Committee:

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

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

H. PUBLIC HEARINGS

No Public Hearings were scheduled.

I. ADJOURN

There was no further business to come before the Governing Body, and upon completion of the Agenda, the meeting was adjourned at approximately 7:30 p.m.


Approved by:

Mayor David Coss

ATTESTED TO:

Yolanda Y. Vigil, City Clerk

Respectfully submitted:


Melessia Helberg, Stenographer