



Agenda

REGULAR MEETING OF
THE GOVERNING BODY
JULY 27, 2011
CITY COUNCIL CHAMBERS

AFTERNOON SESSION – 5:00 P.M.

CITY CLERK'S OFFICE

DATE 7/22/11 TIME 4:25 pm

SERVED BY

RECEIVED BY Tina Y. Dominguez

1. CALL TO ORDER
2. PLEDGE OF ALLEGIANCE
3. SALUTE TO THE NEW MEXICO FLAG
4. INVOCATION
5. ROLL CALL
6. APPROVAL OF AGENDA
7. APPROVAL OF CONSENT CALENDAR
8. APPROVAL OF MINUTES: Reg. City Council Meeting – July 13, 2011
9. PRESENTATIONS
 - a) Proclamation – Dr. Norman Levan. (5 minutes)
10. CONSENT CALENDAR
 - a) Bid No. 11/42/B – Taxiway A and Taxiway C Reconstruction at Santa Fe Municipal Airport; Mountain States Constructors, Inc. (Jim Montman)
 - 1) Request for Approval of Federal Grant Application and Award – Reconstruction/Relocation of Taxiway A and Reconstruction of Taxiway C; U.S. Department of Transportation Federal Aviation Administration. (Jim Montman)
 - 2) Request for Approval of State Grant Application and Agreement – Reconstruction/Relocation of Taxiway A and Reconstruction of Taxiway C; New Mexico Department of Transportation Aviation Division. (Jim Montman)
 - b) Request for Approval of Sole Source Procurement – Bomb Squad Equipment for Police Department; Allen-Vanguard Technologies, Inc., Ideal Products Inc., and Logo Imaging, LLC. (Police Chief Raymond Rael)



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- c) Request for Approval of Amendment No. 2 to Professional Services Agreement – Advertising Services at Santa Fe Convention and Visitors Bureau; TKO Advertising, Inc. (James Bradbury)
- d) Request for Concept Approval of Lease Agreement – Parking Areas With Right-Of-Way of Camino Entrada Adjoining Northerly Boundary of 2571 Cristo's Road; Daisy Lay II, LLC. (Edward Vigil)
- e) Request for Approval of Amendment No. 2 to Professional Services Agreement – Engineering Services for Buckman Trunk Parallel Transmission Pipeline Extension Phase I Design; Bohannon Houston, Inc. (Robert Jorgensen)
- f) Request for Approval of Sale of Roll-Off Truck to Buckman Direct Diversion Water Project. (Regina Wheeler)
- g) Request for Approval of Sole Source Procurement and Maintenance Agreement – Santa Fe Public Library Integrated Library System; Innovative Interfaces, Inc. (III). (Patricia Hodapp)
- h) Request for Approval of Sole Source Procurement Under State Price Agreement – Library Books for Library Division; Baker & Taylor Inc., and Book Wholesalers Inc. (Patricia Hodapp)
- i) CONSIDERATION OF RESOLUTION NO. 2011-_____.
A Resolution Relating to a Request for Approval of Fourth Quarter Budget Adjustments for Fiscal Year 2010/2011 Quarter Ending June 30, 2011. (Cal Probasco)
- j) Zia Rail Runner Express Station: (Finance Committee) (Keith Wilson)
 - 1) CONSIDERATION OF RESOLUTION NO. 2011-_____.
A Resolution Amending Table 22 (Page 23) of the City of Santa Fe Impact Fees Capital Improvements Plan Regarding Planned Major Road Improvements and Adding "Zia Station Infrastructure Improvements" and "Zia Road Intersection Improvements" As Eligible Projects to Receive "Road" Impact Fees.
 - 2) CONSIDERATION OF RESOLUTION NO. 2011-_____.
A Resolution Directing Staff to Submit A Request to the New Mexico Department of Transportation to Open the Zia Station for Rail Runner Express Service.



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- k) Request for Approval of Consideration to Fill Vacant Positions. (Robert Romero)
- l) Request for Approval of Amendment No. 1 to Professional Services Agreement – Website Management and Social Media Marketing Services for Santa Fe Convention and Visitors Bureau; Studio X, Inc. (James Bradbury)
- 11. Request for Approval of the Recommendation of the City Attorney Pursuant to Santa Fe City Code §14-3.17(D)(6) that the Governing Body Dismiss the Appeal of Kathleen Brennen from an Issuance of a Building Permit # 11-365 for a Fence at 824 ½ W Manhattan – Case #2011-78. (Marcos Martinez)
- 12. Request for Approval of the Recommendation of the City Attorney Pursuant to Santa Fe City Code §14-3.17(D)(6) that the Governing Body Dismiss the Appeal of Ian Brownlow from the Decision of the Historic Design Review Board in Case #H-11-009 for the Construction of a Multi-Family Compound Composed of 5 Residential Units in 2 Free-Standing Building Blocks and Related Improvements at 635 Alto Street – Case #2011-91. (Kelley Brennen) **(Withdrawn by Appellant)**
- 13. MATTERS FROM THE CITY MANAGER
- 14. MATTERS FROM THE CITY ATTORNEY
- EXECUTIVE SESSION:
 - a) Consideration and Discussion of Settlement with Santa Fe Mobile Home Hacienda, in Accordance with §10-15-1(H)(7), NMSA 1978.
 - b) Pursuant to City of Santa Fe Resolution No. 2010-24, Discussion of Threatened or Pending Litigation in which the City of Santa Fe is or May Become a Participant, in Accordance with §10-15-1(H)(7), NMSA 1978
- 15. Action Regarding Settlement of Threatened Litigation Regarding Santa Fe Mobile Home Hacienda. (Geno Zamora and Marcos Martinez)
- 16. MATTERS FROM THE CITY CLERK
- 17. COMMUNICATIONS FROM THE GOVERNING BODY



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THE GOVERNING BODY
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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 M2 Productions for a Waiver of the 300 Foot Location Restriction and Approval to Allow the Dispensing/Consumption of Beer and Wine at El Museo Cultural, 555 Camino de la Familia, which is Within 300 Feet of the Tierra Encantada Charter School at Alvord, 551 Alarid. The Requests are for the Two Opening Events for the Santa Fe Show "Objects of Art" to be held on August 12, 2011 and August 18, 2011 from 6:00 p.m. to 9:00 p.m. (Yolanda Y. Vigil)
 - 2) Request from Santa Fe Children's Museum for a Waiver of the 300 Foot Location Restriction and Approval to Allow the Dispensing/Consumption of Alcoholic Beverages at Santa Fe Children's Museum, 1050 Old Pecos Trail, which is Within 300 Feet of St. John's United Methodist Church, 1200 Old Pecos Trail. The Request is for the MIX Networking Event to be held on August 18, 2011 from 6:00 p.m. to 9:00 p.m. (Yolanda Y. Vigil)
 - 3) CONSIDERATION of BILL NO. 2011-19: ADOPTION of ORDINANCE NO 2011-_____. (Councilor Wurzbarger)
An Ordinance Approving a Lease Between the City of Santa Fe and Whiskey Golf Investments, L.P. for Approximately 0.465 Acres of City Owned Land Located at the Santa Fe Municipal Airport for Construction of Aircraft Hangars for its Own Private Use and Other Related Purposes. (Jim Montman)
(Postponed at June 29, 2011 City Council)



Agenda

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- a) Request for Approval of Lease Agreement – Constructing a Hangar and Related Office Space for Private Use at Santa Fe Municipal Airport; Whiskey Golf Investments, L.P. (Jim Montman) **(Postponed at June 29, 2011 City Council)**
- 4) CONSIDERATION of RESOLUTION NO 2011-_____.
Case# 2011-01. Purple Horizon Mobile Home Park General Plan Amendments. James W. Siebert, Agent for Purple Horizon Properties, LLC, Requests General Plan Future Land Use Map Amendments to Change the Designation of 0.84± Acres from Community Commercial to Medium Density Residential; 2.10± Acres from Mixed Use Transitional to Medium Density Residential; and 4.68± Acres from Low Density Residential to Medium Density Residential. The Property is Located North of Cerrillos Road, South of Rufina St. and West of Home Depot. (Dan Esquibel) **(Postponed at June 29, 2011 City Council)**
- 5) CONSIDERATION of BILL NO. 2011-28: ADOPTION of ORDINANCE NO 2011-_____.
Case #2011-02. Purple Horizon Mobile Home Park Rezoning. James W. Siebert, Agent for Purple Horizon Properties, LLC, Requests Rezoning of 7.62± Acres from R-3 (Residential, Single Family) to MHP (Mobile Home Park). The Application Includes a Development Plan for 44 Modular Home Spaces for Senior Housing. The Property is Located North of Cerrillos Road, South of Rufina St. and West of Home Depot. (Dan Esquibel) **(Postponed at June 29, 2011 City Council)**
- 6) Case #H-10-033 (B-F). 801 Griffin Street, St. Catherine's Industrial Indian School. Landmark (Outside of Historic Districts). Patricia Barey, Agent for NM Consolidated Construction Services LLC, Owner, Proposes to Demolish Five (5) City Landmarks on the Campus (#7 Senior High Building, #9 Joe Montoya House, #10 Nat Chavez House, #11 Joe Abeyta House, and #12 Cemetery with 16 Marked Graves). (Matthew O'Reilly and David Rasch).

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.



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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
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CONSIDERATION OF BILL NO. 2011-19:
ADOPTION OF ORDINANCE NO. 2011-26. AN
ORDINANCE APPROVING A LEASE BETWEEN
THE CITY OF SANTA FE AND WHISKEY GOLF
INVESTMENTS, L.P., FOR APPROXIMATELY
0.465 ACRES OF CITY OWNED LAND LOCATED
AT THE SANTA FE MUNICIPAL AIRPORT FOR
CONSTRUCTION OF AIRCRAFT HANGARS FOR
ITS OWN PRIVATE USE AND OTHER RELATED
PURPOSES.

Approved

14-15

REQUEST FOR APPROVAL OF LEASE
AGREEMENT – CONSTRUCTING A HANGAR
AND RELATED OFFICE SPACE FOR PRIVATE
USE AT SANTA FE MUNICIPAL AIRPORT;
WHISKEY GOLF INVESTMENTS, L.P.

Approved

14-15

CONSIDERATION OF RESOLUTION NO. 2011- ____.
CASE #2011-01. PURPLE HORIZON MOBILE HOME
PARK GENERAL PLAN AMENDMENTS. JAMES W.
SIEBERT, AGENT FOR PURPLE HORIZON PROPERTIES,
LLC, REQUESTS GENERAL PLAN FUTURE LAND USE
MAP AMENDMENTS TO CHANGE THE DESIGNATION
OF 0.84± ACRES FROM COMMUNITY COMMERCIAL
TO MEDIUM DENSITY RESIDENTIAL; 2.10± ACRES
FROM MIXED USE TRANSITIONAL TO MEDIUM
DENSITY RESIDENTIAL; AND 4.68± ACRES FROM
LOW DENSITY RESIDENTIAL TO MEDIUM DENSITY
RESIDENTIAL. THE PROPERTY IS LOCATED NORTH
OF CERRILLOS ROAD, SOUTH OF RUFINA ST. AND
WEST OF HOME DEPOT

Postponed to 08/10/11

15

CONSIDERATION OF BILL NO 2011-28; ADOPTION OF
ORDINANCE NO. 2011- ____ CASE #2011-02. PURPLE
HORIZON MOBILE HOME PARK REZONING. JAMES
W. SIEBERT, AGENT FOR PURPLE HORIZON
PROPERTIES, LLC, REQUESTS REZONING OF 7.62±
ACRES FROM R-3 (RESIDENTIAL, SINGLE-FAMILY)
TO MPH (MOBILE HOME PARK). THE APPLICATION
INCLUDES A DEVELOPMENT PLAN FOR 44 MODULAR
HOME SPACES FOR SENIOR HOUSING. THE
PROPERTY IS LOCATED NORTH OF CERRILLOS ROAD,
SOUTH OF RUFINA ST. AND WEST OF HOME DEPOT

Postponed to 08/10/11

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<u>ITEM</u>	<u>ACTION</u>	<u>PAGE #</u>
CASE #H-10-033 (B-F). 801 GRIFFIN STREET, ST. CATHERINE'S INDUSTRIAL INDIAN SCHOOL. LANDMARK (OUTSIDE OF HISTORIC DISTRICTS). PATRICIA BAREY, AGENT FOR NM CONSOLIDATED CONSTRUCTION SERVICES LLC, OWNER, PROPOSES TO DEMOLISH FIVE (5) CITY LANDMARKS ON THE CAMPUS (#7 SENIOR HIGH BUILDING, #9 JOE MONTOYA HOUSE, #10 NAT CHAVEZ HOUSE, #11 JOE ABEYTA HOUSE AND #12 CEMETERY WITH 16 MARKED GRAVES)	Postponed to 08/30/11	16
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**MINUTES OF THE
REGULAR MEETING OF THE
GOVERNING BODY
Santa Fe, New Mexico
July 27, 2011**

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 July 27, 2011, 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 Ronald S. Trujillo

Members Excused

Councilor Christopher Calvert
Councilor Matthew E. Ortiz
Councilor Rosemary Romero

Others Attending

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

6. APPROVAL OF AGENDA

Mr. Romero said there has been a request to postpone Item 10(j)(1) & (2) to the Council meeting of August 30, 2011, for a public hearing, to postpone Items H(4) and (5) on the evening agenda to the next meeting of the City Council on August 10, 2011, and to postpone Item H(6) to the meeting of August 30, 2011.

Mayor Coss and Councilor Trujillo said they will not be in attendance at the next meeting, but they will be attending the meeting of August 30, 2011.

MOTION: Councilor Wurzbarger moved, seconded by Councilor Dominguez, to approve the agenda as amended.

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

7. APPROVAL OF CONSENT CALENDAR

Councilor Bushee arrived at the meeting

MOTION: Councilor Wurzbarger moved, seconded by Councilor Trujillo, 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 Trujillo and Councilor Wurzbarger.

Against: None.

A copy of an Action Sheet from the Public Works/CIP and Land Use Committee meeting of Monday, July 25, 2011, regarding Item 10(a) is incorporated herewith to these minutes as Exhibit "1."

- a) **BID NO. 11/42/B – TAXIWAY A AND TAXIWAY C RECONSTRUCTION AT SANTA FE MUNICIPAL AIRPORT; MOUNTAIN STATES CONSTRUCTORS, INC. (JIM MONTMAN)**
 - 1. **REQUEST FOR APPROVAL OF FEDERAL GRANT APPLICATION AND AWARD – RECONSTRUCTION/RELOCATION OF TAXIWAY A AND RECONSTRUCTION OF TAXIWAY C; U.S. DEPARTMENT OF TRANSPORTATION, FEDERAL AVIATION ADMINISTRATION. (JIM MONTMAN)**

2. REQUEST FOR APPROVAL OF STATE GRANT APPLICATION AND AGREEMENT – RECONSTRUCTION/RELOCATION OF TAXIWAY A AND RECONSTRUCTION OF TAXIWAY C; NEW MEXICO DEPARTMENT OF TRANSPORTATION AVIATION DIVISION (JIM MONTMAN)
- b) REQUEST FOR APPROVAL OF SOLE SOURCE PROCUREMENT – BOMB SQUAD EQUIPMENT FOR POLICE DEPARTMENT; ALLEN-VANGUARD TECHNOLOGIES, INC., IDEAL PRODUCTS INC., AND LOGO IMAGING, LLC. (POLICE CHIEF RAYMOND RAE)
- c) REQUEST FOR APPROVAL OF AMENDMENT NO. 2 TO PROFESSIONAL SERVICES AGREEMENT – ADVERTISING SERVICES AT SANTA FE CONVENTION AND VISITORS BUREAU; TKO ADVERTISING, INC. (JAMES BRADBURY)
- d) REQUEST FOR CONCEPT APPROVAL OF LEASE AGREEMENT – PARKING AREAS WITH RIGHT-OF-WAY OF CAMINO ENTRADA ADJOINING NORTHERLY BOUNDARY OF 2571 CRISTO'S ROAD; DAISY LAY II, LLC. (EDWARD VIGIL)
- e) REQUEST FOR APPROVAL OF AMENDMENT NO. 2 TO PROFESSIONAL SERVICES AGREEMENT – ENGINEERING SERVICES FOR BUCKMAN TRUNK PARALLEL TRANSMISSION PIPELINE EXTENSION PHASE 1 DESIGN; BOHANNAN HOUSTON, INC. (ROBERT JORGENSEN)
- f) REQUEST FOR APPROVAL FOR SALE OF ROLL-OFF TRUCK TO BUCKMAN DIRECT DIVERSION WATER PROJECT. (REGINA WHEELER)
- g) REQUEST FOR APPROVAL OF SOLE SOURCE PROCUREMENT AND MAINTENANCE AGREEMENT – SANTA FE PUBLIC LIBRARY INTEGRATED LIBRARY SYSTEM; INNOVATIVE INTERFACES, INC. (III). (PATRICIA HODAPP)
- h) REQUEST FOR APPROVAL OF SOLE SOURCE PROCUREMENT UNDER STATE PRICE AGREEMENT – LIBRARY BOOKS FOR LIBRARY DIVISION; BAKER & TAYLOR, INC., AND BOOK WHOLESALERS, INC. (PATRICIA HODAPP)

- i) **CONSIDERATION OF RESOLUTION NO. 2011-41. A RESOLUTION RELATING TO A REQUEST FOR APPROVAL OF FOURTH QUARTER BUDGET ADJUSTMENTS FOR FISCAL YEAR 2010/2011 QUARTER ENDING JUNE 30, 2011. (CAL PROBASCO)**
- j) **ZIA RAIL RUNNER EXPRESS STATION (FINANCE COMMITTEE). (KEITH WILSON)**
 - A. **CONSIDERATION OF RESOLUTION NO. 2011-____. A RESOLUTION AMENDING TABLE 22 (PAGE 23) OF THE CITY OF SANTA FE IMPACT FEES CAPITAL IMPROVEMENTS PLAN REGARDING PLANNED MAJOR ROAD IMPROVEMENTS AND ADDING “ZIA STATION INFRASTRUCTURE IMPROVEMENTS” AND “ZIA ROAD INTERSECTION IMPROVEMENTS” AS ELIGIBLE PROJECTS TO RECEIVE “ROAD”IMPACT FEES.**
 - B. **CONSIDERATION OF RESOLUTION NO. 2011-____. A RESOLUTION DIRECTING STAFF TO SUBMIT A REQUEST TO THE NEW MEXICO DEPARTMENT OF TRANSPORTATION TO OPEN THE ZIA STATION FOR RAIL RUNNER EXPRESS SERVICE.**

This item is postponed to the meeting of August 30, 2011, for a public hearing
- k) **REQUEST FOR APPROVAL OF CONSIDERATION TO FILL VACANT POSITIONS. (ROBERT ROMERO)**
- l) **REQUEST FOR APPROVAL OF AMENDMENT NO. 1 TO PROFESSIONAL SERVICES AGREEMENT – WEBSITE MANAGEMENT AND SOCIAL MEDIA MARKETING SERVICES FOR SANTA FE CONVENTION AND VISITORS BUREAU; STUDIO X, INC. (JAMES BRADBURY)**

8. APPROVAL OF MINUTES: REGULAR CITY COUNCIL MEETING –JULY 13, 2011

MOTION: Councilor Trujillo moved, seconded by Councilor Chavez, to approve the minutes of the Regular City Council meeting of July 13, 2011, as presented.

For: Councilor Bushee, Councilor Chavez, Councilor Dominguez, Councilor Trujillo and Mayor Coss.

Against: None.

Absent for the vote: Councilor Wurzburger.

9. PRESENTATIONS

a) PROCLAMATION – DR. NORMAN LEVAN.

Mayor Coss read a Proclamation into the record acknowledging Dr. Levan's gracious contributions to our community.

Councilor Wurzbarger said the Proclamation will be hand-delivered to Dr. Levan, noting he was unable to attend today because of health issues.

11. REQUEST FOR APPROVAL OF THE RECOMMENDATION OF THE CITY ATTORNEY, PURSUANT TO SANTA FE CITY CODE §14-3.17(D)(6) THAT THE GOVERNING BODY DISMISS THE APPEAL OF KATHLEEN BRENNAN FROM AN ISSUANCE OF A BUILDING PERMIT #11-365, FOR A FENCE AT 824½ MANHATTAN – CASE #2011-78. (MARCOS MARTINEZ)

Geno Zamora said there are materials in the Council packet, regarding the review by the City Attorney's Office to determine whether the appeal process was proper. He said, "The determination was made that this would not be a proper appeal and would recommend that the Governing Body dismiss this appeal."

Councilor Bushee asked what recourse Ms. Brennan has to her.

Mr. Zamora said, "The recourse in the City Attorney's analysis is this is a property dispute between two property owners, and their remedies are either resolving that among themselves, or, if necessary, the pursuit of litigation between themselves."

Councilor Bushee asked if there is anything in the City Code which would allow someone to appeal the issuance of a building permit.

Mr. Zamora said, "This building permit was properly received and considered by the City. The City has done whatever it can in the analysis of the building permit, but the remedy that the two parties seek is between them."

Councilor Bushee said then there is no recourse to appeal through the City, and Mr. Zamora can find nothing that "says they would come to us."

Mr. Zamora said, "Correct."

MOTION: Councilor Trujillo moved, seconded by Councilor Chavez, to approve the recommendation of the City Attorney to dismiss this appeal.

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

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

Against: None.

12. **REQUEST FOR APPROVAL OF THE RECOMMENDATION OF THE CITY ATTORNEY, PURSUANT TO SANTA FE CITY CODE §14-3.17(D)(6) THAT THE GOVERNING BODY DISMISS THE APPEAL OF IAN BROWNLOW FROM THE DECISION OF THE HISTORIC DESIGN REVIEW BOARD IN CASE #H-11-009 FOR THE CONSTRUCTION OF A MULTI-FAMILY COMPOUND COMPOSED OF 5 RESIDENTIAL UNITS IN 2 FREE-STANDING BUILDING BLOCKS AND RELATED IMPROVEMENTS AT 635 ALTO STREET – CASE #2011-91. (KELLY BRENNAN) (Withdrawn by Appellant)**

This item was withdrawn by the applicant.

13. **MATTERS FROM THE CITY MANAGER.**

There were no matters from the City Manager.

14. **MATTERS FROM THE CITY ATTORNEY**

EXECUTIVE SESSION

- a) **CONSIDERATION AND DISCUSSION OF SETTLEMENT WITH SANTA FE MOBILE HOME HACIENDA, IN ACCORDANCE WITH §10-15-1(H)(7) NMSA 1978.**
- b) **PURSUANT TO CITY OF SANTA FE RESOLUTION NO. 2010-24, DISCUSSION OF THREATENED OR PENDING LITIGATION IN WHICH THE CITY OF SANTA FE IS OR MAY BECOME A PARTICIPANT ACCORDANCE WITH §10-15-1(H)(7) NMSA 1978.**

MOTION: Councilor Wurzbarger moved, seconded by Councilor Chavez, that the Council go into Executive Session for the discussion of settlement with Santa Fe Mobile Home Hacienda in accordance with §10-15-1(H)(7), NMSA 1968, and pursuant to SF Resolution No. 2010-24, discussion of threatened or pending litigation in which the City of Santa Fe is or may become a participant, in accordance with §10-15-1(H)(7) NMSA 1978.

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

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

Against: None.

Mayor Coss invited the Boy Scouts in attendance to stand and introduce themselves.

The Council went into Executive Session at 5:20 p.m.

MOTION TO COME OUT OF EXECUTIVE SESSION

MOTION: At 5:35 p.m. Councilor Wurzbarger moved, seconded by Councilor Trujillo, 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, Trujillo and Wurzbarger voting for the motion and no one voting against.

15. ACTION REGARDING SETTLEMENT OF THREATENED LITIGATION REGARDING SANTA FE MOBILE HOME HACIENDA. (GENO ZAMORA AND MARCOS MARTINEZ)

MOTION: Councilor Wurzbarger moved, seconded by Councilor Dominguez, to accept the recommendation of staff with respect to this item.

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

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

Against: None.

16. MATTERS FROM THE CITY CLERK

Ms. Vigil reminded everyone of the parade and reception on Monday honoring Medal of Honor recipient Sgt. Leroy Petry.

Mayor Coss said Sgt. Petry will be in town most of the weekend, and working with the Army, we are going to have a parade for him from Fire Station #1, and around the Plaza, then to the Convention Center for a reception. The parade begins at 11:00 a.m., and the reception will be 11:30 a.m. to 12:30 p.m.

Mayor Coss thanked Yolanda Vigil, Carla Lopez, the Department of Veterans Affairs, the National Guard for their efforts.

17. 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 July 27, 2011, is incorporated herewith to these minutes as Exhibit "2."

Councilor Wurzburger

Councilor Wurzburger had no communications.

Councilor Dominguez

Councilor Dominguez had no communications.

Councilor Trujillo

Councilor Trujillo said he has an issue dealing with the City police cars which were sent to Colorado to be fitted, and wants an explanation, as well as the cost to do this, and asked if this is a savings to the City.

Mr. Romero said he will look into this.

Councilor Wurzbarger said the contract has been let as part of a larger contract, and she has asked City legal to see if there is a possibility of revisiting that decision.

Councilor Trujillo told Mr. Romero he would like to be a part of any of the Pecos League discussions.

Councilor Bushee

Councilor Bushee introduced a Resolution adopting, as City policy, the La Tierra Trails Master Plan for use by the City as a guide for development of City wilderness trails and open space in the Northwest Quadrant. A copy of the Resolution is incorporated herewith to these minutes as Exhibit "3."

Councilor Bushee said when they had the La Tierra/NWQ preview of the trails, she thought the consultant did an excellent job, commenting this is really shaping up and she is thrilled it is moving along.

Councilor Dominguez

Councilor Dominguez introduced a Resolution adopting an Infrastructure Capital Improvements Plan (ICIP). A copy of the Resolution is incorporated herewith to these minutes as Exhibit "4."

Mayor Coss

Mayor Coss said he had a great tour of the River Project between Camino Alire and Frenchy's today, and it's really coming together, noting they are doing a great job.

Mayor Coss said he and Commissioner Anaya will be setting up a tour of the beaver dams and La Bajada next week.

Councilor Bushee said she would like to go on the tour.

Mayor Coss introduced an Ordinance repealing the City Taxicab Act, Article 18-6 SFCC 1987; creating a new Article 18-6, regarding the licensing of taxicab services; and amending Section 18-8.10 SFCC 1987, to establish a business license fee for taxicab services. A copy of the Ordinance is incorporated herewith to these minutes as Exhibit "5."

END OF AFTERNOON SESSION AT 5:40 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 Carmichael A. Dominguez
Councilor Ronald S. Trujillo

Members Excused

Councilor Christopher Calvert
Councilor Miguel Chavez
Councilor Matthew E. Ortiz
Councilor Rosemary Romero

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 for the record by David Pease, entered for the record by David Pease, is incorporated herewith to these minutes as Exhibit "6."

David McQuarie said he has a question for Mr. Romero: How many City Halls in the United States have accessible entrances which are blocked by trip hazards. Secondly, he hit a broken curb with his scooter and was dumped into the traffic and cars were honking at him telling him to get out of the way. He said the City and Risk Management are on notice to take care of this curb. He said lastly, he would like to ask Councilor Bushee why there are no trails in the Transition Plan. He thought the plan was supposed to cover all facilities, and that trails were facilities. He said the City was supposed to pick up the slack, but in 2 years it hasn't.

David Pease read a statement into the record with regard to the proposed Zia Station, saying he wants to see public hearings on this issue. Please see Exhibit "6" for the text of Mr. Pease's statement for the record.

G. APPOINTMENTS

Ethics and Campaign Review Board

Mayor Coss made the following appointments to the Ethics and Campaign Review Board:

Tyler John Atkins

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

VOTE: The motion was approved unanimously on a voice vote with Councilors Bushee, Dominguez, Trujillo, Wurzbarger and Mayor Coss voting for the motion and none against.

H. PUBLIC HEARINGS

- 1) **REQUEST FROM M-2 PRODUCTIONS FOR A WAIVER OF THE 300 FOOT LOCATION RESTRICTION AND APPROVAL TO ALLOW THE DISPENSING/ CONSUMPTION OF BEER AND WINE AT EL MUSEO CULTURAL, 555 CAMINO DE LA FAMILIA, WHICH IS WITHIN 300 FEET OF THE TIERRA ENCANTADA CHARTER SCHOOL AT ALVORD, 551 ALARID. THE REQUESTS ARE FOR THE TWO OPENING EVENTS FOR THE SANTA FE SHOW "OBJECTS OF ART," TO BE HELD ON AUGUST 12, 2011 AND AUGUST 18, 2011, FROM 6:00 P.M. TO 9:00 P.M. (YOLANDA Y VIGIL)**

The staff report was given by Yolanda Y. Vigil, City Clerk, noting there is a letter of support for this request in the packet from Daniel P. Benavidez, Director, Tierra Encantada Charter School at Alvord.

Public Hearing

There was no one speaking for or against this request.

The Public Hearing was closed

MOTION: Councilor Wurzbarger moved, seconded by Councilor Trujillo, to grant the waiver of the 300 foot location restriction to allow dispensing/consumption of beer and wine at El Museo Cultural, 555 Camino de la Familia, for the two opening events for the Santa Fe Show "Objects of Art," on August 12, 2011, and August 18, 2011, from 6:00 p.m. to 9:00 p.m.

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

For: Councilor Bushee, Councilor Dominguez, Councilor Trujillo, Councilor Wurzbarger and Mayor Coss.

Against: None.

- 2) **REQUEST FROM SANTA FE CHILDREN'S MUSEUM FOR A WAIVER OF THE 300 FOOT LOCATION RESTRICTION AND APPROVAL TO ALLOW THE DISPENSING/ CONSUMPTION OF ALCOHOLIC BEVERAGES AT SANTA FE CHILDREN'S MUSEUM, 1050 OLD PECOS TRAIL, WHICH IS WITHIN 300 FEET OF ST. JOHN'S METHODIST CHURCH, 1200 OLD PECOS TRAIL. THE REQUEST IS FOR THE MIX NETWORKING EVENT TO BE HELD ON AUGUST 18, 2011 FROM 6:00 P.M. TO 9:00 P.M. (YOLANDA Y. VIGIL)**

The staff report was presented by Yolanda Y. Vigil, City Clerk, noting there is a letter in the Council packet from the Rev. Greg Kennedy, St. John's United Methodist Church, expressing support for the proposed event.

Public Hearing

Speaking to the request

There was no one speaking for or against this request.

The Public Hearing was closed

MOTION: Councilor Wurzbarger moved, seconded by Councilor Dominguez, to grant the request for waiver of the 300 foot restriction to allow the dispensing of alcoholic beverages at the Santa Fe Children's Museum, 1050 Old Pecos Trail at the MIX Networking Event to be held on August 18, 2011 from 6:00 p.m. to 9:00 p.m.

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

For: Councilor Bushee, Councilor Dominguez, Councilor Trujillo, Councilor Wurzbarger and Mayor Coss.

Against: None.

- 3) **CONSIDERATION OF BILL NO. 2011-19: ADOPTION OF ORDINANCE NO. 2011-26 (COUNCILOR WURZBURGER). AN ORDINANCE APPROVING A LEASE BETWEEN THE CITY OF SANTA FE AND WHISKEY GOLF INVESTMENTS, L.P., FOR APPROXIMATELY 0.465 ACRES OF CITY OWNED LAND LOCATED AT THE SANTA FE MUNICIPAL AIRPORT FOR CONSTRUCTION OF AIRCRAFT HANGARS FOR ITS OWN PRIVATE USE AND OTHER RELATED PURPOSES. (JIM MONTMAN) (Postponed at June 29, 2011 City Council Meeting)**
- a) **REQUEST FOR APPROVAL OF LEASE AGREEMENT – CONSTRUCTING A HANGAR AND RELATED OFFICE SPACE FOR PRIVATE USE AT SANTA FE MUNICIPAL AIRPORT; WHISKEY GOLF INVESTMENTS, L.P. (JIM MONTMAN) (Postponed at June 29, 2011 City Council Meeting)**

The staff report was presented by Jim Montman.

Public Hearing

Speaking to the request

There was no one speaking for or against this request.

The Public Hearing was closed

MOTION: Councilor Wurzbarger moved, seconded by Councilor Trujillo, to adopt Ordinance No. 2011-26.

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

For: Councilor Bushee, Councilor Dominguez, Councilor Trujillo, Councilor Wurzbarger and Mayor Coss.

Against: None.

MOTION: Councilor Wurzburger moved, seconded by Councilor Trujillo, to approve Item 3(a).

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

For: Councilor Bushee, Councilor Dominguez, Councilor Trujillo, Councilor Wurzburger and Mayor Coss.

Against: None.

- 4) **CONSIDERATION OF RESOLUTION NO. 2011- ____ . CASE #2011-01. PURPLE HORIZON MOBILE HOME PARK GENERAL PLAN AMENDMENTS. JAMES W. SIEBERT, AGENT FOR PURPLE HORIZON PROPERTIES, LLC, REQUESTS GENERAL PLAN FUTURE LAND USE MAP AMENDMENTS TO CHANGE THE DESIGNATION OF 0.84± ACRES FROM COMMUNITY COMMERCIAL TO MEDIUM DENSITY RESIDENTIAL; 2.10± ACRES FROM MIXED USE TRANSITIONAL TO MEDIUM DENSITY RESIDENTIAL; AND 4.68± ACRES FROM LOW DENSITY RESIDENTIAL TO MEDIUM DENSITY RESIDENTIAL. THE PROPERTY IS LOCATED NORTH OF CERRILLOS ROAD, SOUTH OF RUFINA ST. AND WEST OF HOME DEPOT. (DAN ESQUIBEL) (Postponed at June 29, 2011 City Council).**

A copy of a letter dated July 26, 2011, to Yolanda Vigil, City of Santa Fe Clerk, from James W. Siebert, requesting postponement of Items H(4) and H(5) to the meeting of August 10, 2011, is incorporated herewith to these minutes as Exhibit "7."

- 5) **CONSIDERATION OF BILL NO 2011-28; ADOPTION OF ORDINANCE NO. 2011- ____ . CASE #2011-02. PURPLE HORIZON MOBILE HOME PARK REZONING. JAMES W. SIEBERT, AGENT FOR PURPLE HORIZON PROPERTIES, LLC, REQUESTS REZONING OF 7.62± ACRES FROM R-3 (RESIDENTIAL, SINGLE-FAMILY) TO MPH (MOBILE HOME PARK). THE APPLICATION INCLUDES A DEVELOPMENT PLAN FOR 44 MODULAR HOME SPACES FOR SENIOR HOUSING. THE PROPERTY IS LOCATED NORTH OF CERRILLOS ROAD, SOUTH OF RUFINA ST. AND WEST OF HOME DEPOT. (DAN ESQUIBEL) (Postponed at June 29, 2011 City Council).**

See item H(4) above.

- 6) CASE #H-10-033 (B-F). 801 GRIFFIN STREET, ST. CATHERINE'S INDUSTRIAL INDIAN SCHOOL. LANDMARK (OUTSIDE OF HISTORIC DISTRICTS). PATRICIA BAREY, AGENT FOR NM CONSOLIDATED CONSTRUCTION SERVICES LLC, OWNER, PROPOSES TO DEMOLISH FIVE (5) CITY LANDMARKS ON THE CAMPUS (#7 SENIOR HIGH BUILDING, #9 JOE MONTOYA HOUSE, #10 NAT CHAVEZ HOUSE, #11 JOE ABEYTA HOUSE AND #12 CEMETERY WITH 16 MARKED GRAVES). (MATTHEW O'REILLY AND DAVID RASCH)

This case is postponed to the Council meeting of August 30, 2011.

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 7:30 p.m.

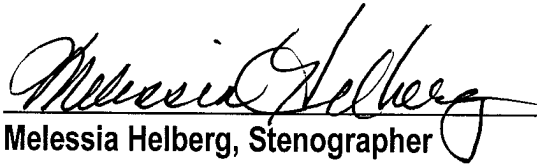
Approved by:

Mayor David Coss

ATTESTED TO:

Yolanda Y. Vigil, City Clerk

Respectfully submitted:


Melessia Helberg, Stenographer