



Agenda

REGULAR MEETING OF
THE GOVERNING BODY
NOVEMBER 14, 2007
CITY COUNCIL CHAMBERS

AMENDED – 8-d

AFTERNOON SESSION – 5:00 P.M.

CITY CLERK'S OFFICE

DATE 11/13/07 TIME 11:40 am

SERVED BY _____

RECEIVED BY Jana Dominguez

1. CALL TO ORDER
2. PLEDGE OF ALLEGIANCE
3. INVOCATION
4. ROLL CALL
5. APPROVAL OF AGENDA
6. APPROVAL OF CONSENT CALENDAR
7. APPROVAL OF MINUTES: Reg. City Council Meeting – October 29, 2007
Joint City Council/Santa Fe School Board
Study Session – October 30, 2007
8. PRESENTATIONS
 - a) Employees of the Month for November, 2007 – Greg Aragon, Armando Gabaldon, Walter Dalton, Kevin Martinez and Cyrus Trujillo; Solid Waste Division. (5 minutes)
 - b) Muchas Gracias – Beni-Leigh Dupree, Genoveva Chavez Community Center Lifeguard. (5 minutes)
 - c) Muchas Gracias – Capital High School Theater Awards. (Bernadette Pena) (5 minutes)
 - d) Presentation of ARTsmart Check to Santa Fe Public Schools – Leslie Carpenter, Superintendent. (Mary Harbour, ARTsmart)
 - e) State of Municipal Court Semi-Annual Report. (Judge Yalman) (5 minutes)
9. CONSENT CALENDAR
 - a) Bid No. 08/03/B – Railyard Offsite Improvements Project and Construction Agreement; A.S. Horner, Inc. (Eric Martinez)
 - 1) Request for Approval of Budget Increase – Development Impact Fees.



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- b) Bid No. 08/10/B – Santa Fe Municipal Airport Fencing and Construction Contract; Apache Construction Co., Inc. d/b/a Valley Fence Company. (Mary MacDonald)
 - 1) Request for Approval of Budget Adjustment – Project fund.
- c) Bid No. 08/11/B – Two (2) Heavy Duty Variable Frequency Drives for Wastewater Management Division; Alpha Southwest, Inc. (Luis Orozco)
- d) Request for Approval of Procurement for Additional Order of Refuse Bags for Solid Waste Management Division (Under Bid No. 04/57/B); Resourceful Bag and Tag. (Robert Rodarte)
- e) Request for Approval of Procurement Under State Price Agreement – Natural Gas Services; BP Energy Company. (Nick Schiavo)
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- g) Request for Approval of Sole Source Procurement – Four (4) John Deere Engines for Transit Division; John Deere. (Ken Smithson)
 - 1) Request for Approval of Budget Increase – Transit Enterprise Fund/CIP Reallocation Fund.
- h) Request for Approval of Sole Source Procurement and Professional Services Agreement – Targeted Community Action Plan Program Services; Mary Louise Romero. (Richard DeMella)
- i) Request for Approval of Sole Source Procurement and Professional Services Agreement – Targeted Community Action Plan Services; Youthworks. (Richard DeMella)
- j) Request for Approval of Agreement – Juvenile Detention Services for Juvenile Offenders; State of New Mexico Children, Youth and Families Department. (Richard DeMella)
 - 1) Request for Approval of Budget Increase from Grant Revenues – Grant Fund.



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- k) Request for Approval of Lease Agreements:
 - 1) Airline Terminal Building Office; Counter and Floor Space at Santa Fe Municipal Airport; American Eagle Airlines. (Jim Montman)
 - 2) Airline Terminal Building Counter and Floor Space at Santa Fe Municipal Airport; Delta Air Lines. (Jim Montman)
- l) Request for Approval of Sole Source Procurement and Professional Services Agreement – Manage Affordable Housing Roundtable; The Enterprise Foundation, Inc. (Kathy McCormick)
- m) Request for Approval of Procurement Under State Price Agreement – Furniture and Work Stations for Community & Economic Development Department; Creative Interiors, Inc. (Kathy McCormick)
- n) CONSIDERATION OF RESOLUTION NO. 2007-_____. (Councilor Trujillo)
A Resolution Directing Staff to Prepare a Report to the Governing Body Proposing Solutions to the Continued Practice of Improper Disposal of Used Motor Oil and Antifreeze. (Jim Salazar)
- o) CONSIDERATION OF RESOLUTION NO. 2007-_____.
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 - 1) Request for Approval of Increase from Grant Revenues – Grant Fund.
- q) Request for Approval of Donation to Police Department – Faith Summit on Domestic Violence, Sexual Assault and Stalking; the Cathedral Basilica of St. Francis of Assisi. (Police Chief Eric Johnson)
 - 1) Request for Approval of Budget Increase – General Fund Police.
- r) Request for Approval of Agreement – Santa Fe Firefighters Association; International Association of Firefighters. (Assistant Fire Chief Randy Neumann)



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- s) CONSIDERATION OF RESOLUTION NO. 2007-_____. (Councilor Ortiz and Councilor Heldmeyer)
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- t) Request for Approval of Logo for the New Santa Fe Government (SFG) Channel. (Sevastian Gurule)
- u) Request for Approval of Donation for Messaging Sign Center at GCCC; Los Alamos National Bank. (Liz Roybal)
- v) Consideration and Adoption of Findings of Fact, Conclusions of Law and Final Order for Case # A-2007-03 – 1003 Governor Dempsey Variance. (Frank Katz)
- w) Consideration and Adoption of Findings of Fact, Conclusions of Law and Final Order for Case # H-07-15 – 126 Quintana Street. (Frank Katz)
- x) Request for Approval to Publish Notice of Public Hearing on December 12, 2007:
 - 1) Bill No. 2007-56 – An Ordinance Amending Article 23-5.2 SFCC 1987 to Include "Pride on the Plaza" as an Additional Permitted Annual Major Commercial Event on the Plaza. (Councilor Bushee) (Sevastian Gurule and Barbara Lopez)
 - 2) Bill No. 2007-57 – An Ordinance Amending Article 23-5 SFCC 1987 Regarding Plaza Vendors; Requirements; Selection Process; Conditions of Operations. (Councilor Chavez) (Sevastian Gurule)
 - a) CONSIDERATION OF RESOLUTION NO. 2007-_____. (Councilor Chavez)
A Resolution Establishing an Application Fee for Artists/Artisans who Apply for a License Under the Santa Fe Plaza Park Artist/Artisan Program. (Sevastian Gurule)
 - 3) Bill No. 2007-59 – An Ordinance Amending Section 24-1.1 SFCC 1987 Regarding the City of Santa Fe Uniform Traffic Code; and Amending Various Sections of the City of Santa Fe Uniform Traffic Code (Councilor Heldmeyer and Councilor Bushee) (Police Chief Eric Johnson)



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- y) CONSIDERATION OF RESOLUTION NO. 2007-_____. (Mayor Coss)
A Resolution Calling for a Regular Municipal Election to be Held March 4, 2008 for the Purpose of Electing One City Councilor From Each Council District and Electing One Municipal Judge At-Large; and Voting For or Against Amendments to the Santa Fe Municipal Charter Regarding Referendum, Initiative, Recall, Public Financing of Campaigns, Ranked Choice Voting, the Powers and Duties of the Mayor and the Qualifications of the Municipal Judge. (Yolanda Vigil)

Resolucion Que Convoca Una Elección Municipal Ordinaria Que Tendra Lugar el Dia 4 de Marzo 2008 con el fin de Elegir un Concejero Municipal de Cada Distrito de Concejales y Elegir un Juez Municipal para toda la Municipalidad y Votar a Favor o en Contra de Las Enmiendas de la Carta Constitucional Municipal Respecto al Referendo, Iniciativa o Destitucion, Financiamiento Público de Campañas, Selección de Votacion en Orden de Preferencia, las Facultades y Responsabilidades del Alcalde y las Calificaciones del Juez Municipal.

- a) Request for Approval of Consolidated Precincts.

- z) CONSIDERATION OF RESOLUTION NO. 2007-_____. (Councilor Ortiz, Councilor Bushee, Councilor Trujillo and Councilor Dominguez)
A Resolution Calling a Special Election to be Held in the City of Santa Fe on March 4, 2008, in Conjunction with the Regular Municipal Election for the Purpose of Voting on the Issuance of General Obligation Recreational Purpose Bonds in an Aggregate Principal Amount of \$30,300,000; Describing the Purposes to Which the Bond Proceeds Would be Put; Providing the Form of the Bond Question; Providing for Notice of the Election; Prescribing Other Details in Connection with Such Election and Bonds; and Ratifying Action Previously Taken in Connection Therewith. (Yolanda Vigil)

Resolucion Convoca Una Elección Extraordinaria Que Tendra Lugar en la Municipalidad de Santa Fe el Dia 4 de Marzo 2008, Conjuntamente con la Elección Municipal Ordinaria con el fin de Votar si se Van a Emitir Bonos de Obligación General con el Proposito de Recreación en Suma Principal Agregada de \$30,300,000; se Describen los Propositos para los cuales se Dedicaran el Producto; Disponiendo la Forma de la Cuestion de Bonos; Disponiendo la Notificación de la Elección; se Prescriben Otros Detalles en Relacion Con Dicha Elección y Los Bonos; y se Ratifica la Acción Tomada Previamente En Relacion Con lo Dicho.



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- aa) Request for Approval for Sewer Service Under the Provision of SFCC, Section 22-6.2 by Karl Sommer on Behalf of the Proposed Lexus of Santa Fe Dealership on Cerrillos Road. (Stan Holland).
- 10) Bi-Annual Review of the Allocation Analysis - Water Budget Administrative Ordinance. (Claudia Borchert) **(Postponed at the October 29, 2007 City Council Meeting)**
- 11) CONSIDERATION OF RESOLUTION NO. 2007-_____. (Councilor Ortiz)
A Resolution Amending the City of Santa Fe Personnel Rules and Regulations by Creating a New Rule 13.32 Regarding the Establishment of a Sick Leave Incentive Program for Non-Union Employees. (Kristine Kuebli) **(Postponed at the October 29, 2007 City Council Meeting)**
- 12) MATTERS FROM THE CITY MANAGER
- 13) MATTERS FROM THE CITY ATTORNEY

EXECUTIVE SESSION:

Potential Settlement of Annexation Litigation; Pursuant to §10-15-1 (H) (7) NMSA 1978.

- 14) Action on Settlement of Annexation Litigation. (Frank Katz)
- 15) MATTERS FROM THE CITY CLERK
- 16) COMMUNICATIONS FROM THE GOVERNING BODY

EVENING SESSION – 7:00 P.M.

- A. CALL TO ORDER
- B. PLEDGE OF ALLEGIANCE
- C. INVOCATION



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D. ROLL CALL

E. PETITIONS FROM THE FLOOR

F. APPOINTMENTS

G. PUBLIC HEARINGS:

- 1) Pursuant to §60-6B-10 NMSA 1978, a Request for a Waiver of the 300 Foot Location Restriction and Approval to Allow the Sale/Consumption of Alcoholic Beverages at El Museo Cultural de Santa Fe, 1615 B. Paseo de Peralta, Which is Within 300 Feet of Alvord Elementary School, 551 Alarid and Located on City Property. The Request is for the Following Event: (Yolanda Y. Vigil)
 - a) Santa Fe Winter Antiquities Show to be held on Friday, December 28, 2007, from 5:30-8:30 p.m.; Rodeo Plaza Liquors.
- 2) CONSIDERATION OF RESOLUTION NO. 2007-_____. (Councilor Chavez)
A Resolution Adopting the Southwest Santa Fe Community Area Master Plan as an Amendment to the General Plan. (Richard Macpherson)
- 3) CONSIDERATION OF BILL NO. 2007-50: ADOPTION OF ORDINANCE NO. 2007-_____. (Councilor Trujillo)
An Ordinance Amending Section 24-2.6 SFCC 1987 to Restrict Truck, Truck Trailer and Other Large Vehicle Traffic on Richards Avenue Between James Street and Siringo Road. (Rick Devine)

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*Translator for the hearing impaired available through the City Clerk's Office upon 5 days notice.



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DATE 11/9/07 TIME 4:53pm

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**SANTA FE CITY COUNCIL MEETING
November 14, 2007**

<u>ITEM</u>	<u>ACTION</u>	<u>PAGE #</u>
<u>AFTERNOON SESSION</u>		
ROLL CALL	Quorum	1
APPROVAL OF AGENDA	Approved [amended]	1
APPROVAL OF CONSENT CALENDAR	Approved [amended]	2
CONSENT CALENDAR LISTING		2-6
APPROVAL OF MINUTES: Reg. City Council Meeting – October 29, 2007	Approved	6
Joint City Council/Santa Fe School Board Meeting – October 30, 2007	Approved	6
PRESENTATIONS		
EMPLOYEES OF THE MONTH FOR NOVEMBER 2007 – GREG ARAGON, ARMANDO GABALDON, WALTER DALTON, KEVIN MARTINEZ AND CYRUS TRUJILLO; SOLID WASTE DIVISION		6
MUCHAS GRACIAS – BENI-LEIGH DUPREE, GENOVEVA CHAVEZ COMMUNITY CENTER LIFEGUARD		6-7
MUCHAS GRACIAS – CAPITAL HIGH SCHOOL THEATER AWARDS		7
PRESENTATION OF ARTSMART CHECK TO SANTA FE PUBLIC SCHOOLS – LESLIE CARPENTER, SUPERINTENDENT		7
STATE OF MUNICIPAL COURT, SEMI-ANNUAL REPORT		8
<u>CONSENT CALENDAR DISCUSSION</u>		
REQUEST FOR APPROVAL OF SOLE SOURCE PROCUREMENT AND PROFESSIONAL SERVICES AGREEMENT – MANAGE AFFORDABLE HOUSING ROUNDTABLE; THE ENTERPRISE FOUNDATION, INC.	Approved	8-9
REQUEST FOR APPROVAL OF AGREEMENT – SANTA FE FIREFIGHTERS ASSOCIATION; INTERNATIONAL ASSOCIATION OF FIREFIGHTERS	Approved	9-10

<u>ITEM</u>	<u>ACTION</u>	<u>PAGE #</u>
REQUEST FOR APPROVAL OF LOGO FOR THE NEW SANTA FE GOVERNMENT (SFG) CHANNEL.	Approved	10-11
BIANNUAL REVIEW OF THE ALLOCATION ANALYSIS – WATER BUDGET ADMINISTRATIVE ORDINANCE	Approved	11
***** END OF CONSENT CALENDAR DISCUSSION *****		
CONSIDERATION OF RESOLUTION NO. 2007- 105 COUNCILOR ORTIZ). A RESOLUTION AMENDING THE CITY OF SANTA FE PERSONNEL RULES AND REGULATIONS BY CREATING A NEW RULE 13-32 REGARDING THE ESTABLISHMENT OF A SICK LEAVE INCENTIVE PROGRAM FOR NON-UNION EMPLOYEES	Postponed to 11/28/07	12
MATTERS FROM THE CITY MANAGER	None	12
MATTERS FROM THE CITY ATTORNEY EXECUTIVE SESSION	Approved	12-13
MOTION TO COME OUT OF EXECUTIVE SESSION	Approved	13
ACTION ON SETTLEMENT OF ANNEXATION LITIGATION	No action	13
<u>EVENING SESSION</u>		
CALL TO ORDER AND ROLL CALL	Quorum	14
PETITIONS FROM THE FLOOR		14
APPOINTMENTS		
Capital Improvements Advisory Committee	Approved	14-15
Ethics and Campaign Review Board	Approved	15
Healthy Lifestyles for Children and Adolescents Task Force	Approved	15
City Business and Quality of Life Committee	Approved	16
Library Board	Approved	16

<u>ITEM</u>	<u>ACTION</u>	<u>PAGE #</u>
PUBLIC HEARINGS		
<p>PURSUANT TO §60-6B-10 NMSA 1978, A REQUEST FOR A WAIVER OF THE 300 FOOT LOCATION RESTRICTION AND APPROVAL TO ALLOW THE SALE/CONSUMPTION OF ALCOHOLIC BEVERAGES AT EL MUSEO CULTURAL DE SANTA FE, 1615 B, PASEO DE PERALTA, WHICH IS WITHIN 300 FEET OF ALVORD ELEMENTARY SCHOOL, 551 ALARID AND LOCATED ON CITY PROPERTY. THE REQUEST IS FOR THE FOLLOWING EVENT:</p> <p style="padding-left: 40px;">SANTA FE WINTER ANTIQUITIES SHOW TO BE HELD ON FRIDAY, DECEMBER 28, 2007, FROM 5:30-8:30 P.M.; RODEO PLAZA LIQUORS</p>	Approved	16-17
<p>CONSIDERATION OF RESOLUTION NO. 2007-105 A RESOLUTION ADOPTING THE SOUTHWEST SANTA FE COMMUNITY ARE MASTER PLAN AS AN AMENDMENT TO THE GENERAL PLAN</p>	Approved	17-20
<p>CONSIDERATION OF BILL NO. 2007-50; ADOPTION OF ORDINANCE NO. 2007- 41. AN ORDINANCE AMENDING SECTION 24-2.6 SFCC 1987, TO RESTRICT TRUCK, TRUCK TRAILER AND OTHER LARGE VEHICLE TRAFFIC ON RICHARDS AVENUE BETWEEN JAMES STREET AND SIRINGO ROAD</p>	Approved	20
MATTERS FROM THE CITY CLERK	None	20
COMMUNICATIONS FROM THE GOVERNING BODY	Information/discussion	21-24
ADJOURN		24

**MINUTES OF THE
REGULAR MEETING OF THE
GOVERNING BODY
Santa Fe, New Mexico
November 14, 2007**

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 November 14, 2007, at approximately 5:00 p.m., in the City Hall Council Chambers. Following the Pledge of Allegiance and Invocation, roll call indicated the presence of a quorum, as follows:

Members Present

Mayor David Coss
Councilor Patti J. Bushee
Councilor Christopher Calvert
Councilor Carmichael A. Dominguez
Councilor Karen Heldmeyer
Councilor Matthew E. Ortiz
Councilor Ronald S. Trujillo
Councilor Rebecca Wurzbarger

Members Excused

Councilor Miguel Chavez, Mayor Pro-Tem

5. APPROVAL OF AGENDA

A copy of an Action Sheet from the Public Works/CIP and Land Use Committee regarding Item 9(x)(2)(a), dated November 13, 2007, is incorporated herewith to these minutes as Exhibit "1."

Mayor Coss said Item 9(k)(1) and (2) is postponed to the meeting of December 12, 2007. Mr. Buller said Item 9(x)(2)(a) needs to be removed from the agenda because it was disapproved in Public Works last night, noting there is an action sheet from Public Works on the Council desks.

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

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

6. APPROVAL OF CONSENT CALENDAR

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

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

Against: None.

- a) BID NO.08/03/B – RAILYARD OFFSITE IMPROVEMENTS PROJECT AND CONSTRUCTION AGREEMENT; A.S. HORNER, INC. (ERIC MARTINEZ)
1) REQUEST FOR APPROVAL OF BUDGET INCREASE – DEVELOPMENT IMPACT FEES.**
- b) BID NO. 08/10/B – SANTA FE MUNICIPAL AIRPORT FENCING AND CONSTRUCTION CONTRACT; APACHE CONSTRUCTION CO., INC. D/B/A VALLEY FENCE COMPANY. (MARY MacDONALD)
1) REQUEST FOR APPROVAL OF BUDGET ADJUSTMENT – PROJECT FUND.**
- c) BID NO. 08/11/B – TWO (2) HEAVY DUTY VARIABLE FREQUENCY DRIVES FOR WASTEWATER MANAGEMENT DIVISION; ALPHA SOUTHWEST, INC. (LUIS OROZCO)**
- d) REQUEST FOR APPROVAL OF PROCUREMENT FOR ADDITIONAL ORDER OF REFUSE BAGS FOR SOLID WASTE MANAGEMENT DIVISION (UNDER BID NO. 04/57/B); RESOURCEFUL BAG AND TAG. (ROBERT RODARTE)**
- e) REQUEST FOR APPROVAL OF PROCUREMENT UNDER STATE PRICE AGREEMENT – NATURAL GAS SERVICES; BP ENERGY COMPANY. (NICK SCHIAVO)**
- f) REQUEST FOR APPROVAL OF MEMORANDUM OF UNDERSTANDING – ARTWORKS PROGRAM IN SANTA FE PUBLIC ELEMENTARY SCHOOLS; SANTA FE PUBLIC SCHOOLS. (SABRINA PRATT)**
- g) REQUEST FOR APPROVAL OF SOLE SOURCE PROCUREMENT – FOUR (4) JOHN DEERE ENGINES FOR TRANSIT DIVISION; JOHN DEERE. (KEN SMITHSON)
1. REQUEST FOR APPROVAL OF BUDGET INCREASE – TRANSIT ENTERPRISE FUND/CIP REALLOCATION FUND.**

- h) **REQUEST FOR APPROVAL OF SOLE SOURCE PROCUREMENT AND PROFESSIONAL SERVICES AGREEMENT – TARGETED COMMUNITY ACTION PLAN PROGRAM SERVICES; MARY LOUISE ROMERO. (RICHARD DEMELLA)**
- i) **REQUEST FOR APPROVAL OF SOLE SOURCE PROCUREMENT AND PROFESSIONAL SERVICES AGREEMENT – TARGETED COMMUNITY ACTION PLAN SERVICES; YOUTHWORKS. (RICHARD DEMELLA)**
- j) **REQUEST FOR APPROVAL OF AGREEMENT – JUVENILE DETENTION SERVICES FOR JUVENILE OFFENDERS; STATE OF NEW MEXICO CHILDREN, YOUTH AND FAMILIES DEPARTMENT. (RICHARD DEMELLA)**
- k) **REQUEST FOR APPROVAL OF LEASE AGREEMENTS:**
 - 1) **AIRLINE TERMINAL BUILDING OFFICE; COUNTER AND FLOOR SPACE AT SANTA FE MUNICIPAL AIRPORT; AMERICAN EAGLE AIRLINES. (JIM MONTMAN)**
 - 2) **AIRLINE TERMINAL BUILDING COUNTER AND FLOOR SPACE AT SANTA FE MUNICIPAL AIRPORT; DELTA AIR LINES. (JIM MONTMAN)**

This item was withdrawn from the agenda, and postponed to 12/12/07.

- l) ***[Removed for discussion by Councilor Bushee]***
- m) **REQUEST FOR APPROVAL OF PROCUREMENT UNDER STATE PRICE AGREEMENT – FURNITURE AND WORK STATIONS FOR COMMUNITY & ECONOMIC DEVELOPMENT DEPARTMENT; CREATIVE INTERIORS, INC. (KATHY McCORMICK)**
- n) **CONSIDERATION OF RESOLUTION NO. 2007- 100 (COUNCILOR TRUJILLO). A RESOLUTION DIRECTING STAFF TO PREPARE A REPORT TO THE GOVERNING BODY PROPOSING SOLUTIONS TO THE CONTINUED PRACTICE OF IMPROPER DISPOSAL OF USED MOTOR OIL AND ANTIFREEZE. (JIM SALAZAR)**
- o) **CONSIDERATION OF RESOLUTION NO. 2007-101. A RESOLUTION AMENDING TABLE 27 OF CITY OF SANTA FE IMPACT FEES CAPITAL IMPROVEMENTS PLAN REGARDING PLANNED MAJOR ROAD IMPROVEMENTS AND ADDING GUADALUPE STREET AND PASEO DE PERALTA AS ELIGIBLE PROJECTS TO RECEIVE ARTERIAL IMPACT FEES. (FRANK ROMERO)**
- p) **REQUEST FOR APPROVAL OF GRANT AWARD – HAZARDOUS MATERIALS FOR FIRE DEPARTMENT; STATE FIRE MARSHAL’S OFFICE. (FIRE CHIEF CHRIS RIVERA)**
 - 1) **REQUEST FOR APPROVAL OF INCREASE FROM GRANT REVENUES – GRANT FUND.**

- q) **REQUEST FOR APPROVAL OF DONATION TO POLICE DEPARTMENT – FAITH SUMMIT ON DOMESTIC VIOLENCE, SEXUAL ASSAULT AND STALKING; THE CATHEDRAL BASILICA OF ST. FRANCIS OF ASSISI. (POLICE CHIEF ERIC JOHNSON)**
 - 1) **REQUEST FOR APPROVAL OF BUDGET INCREASE – GENERAL FUND POLICE.**
- r) ***[Removed for discussion by Councilor Bushee]***
- s) **CONSIDERATION OF RESOLUTION NO. 2007-102 (COUNCILOR ORTIZ AND COUNCILOR HELDMEYER). A RESOLUTION REFINING RESOLUTION 2003-70 AND REQUIRING THE STATE OF NEW MEXICO TO ANSWER, ADDRESS AND MITIGATE CERTAIN ISSUES INVOLVING THE “RAIL RUNNER” COMMUTER RAIL PROJECT. (JON BULTHUIS)**
- t) ***[Removed for discussion by Councilor Wurzbarger]***
- u) **REQUEST FOR APPROVAL OF DONATION FOR MESSAGING SIGN CENTER AT GCCC; LOS ALAMOS NATIONAL BANK. (LIZ ROYBAL)**
- v) **CONSIDERATION AND ADOPTION OF FINDINGS OF FACT, CONCLUSIONS OF LAW AND FINAL ORDER FOR CASE #A-2007-03 – 1003 GOVERNOR DEMPSEY VARIANCE. (FRANK KATZ)**
- w) **CONSIDERATION AND ADOPTION OF FINDINGS OF FACT, CONCLUSIONS OF LAW AND FINAL ORDER FOR CASE #H-07-15 – 126 QUINTANA STREET. (FRANK KATZ)**
- x) **REQUEST FOR APPROVAL TO PUBLISH NOTICE OF PUBLIC HEARING ON DECEMBER 12, 2007:**
 - 1) **BILL NO. 2007-56 – AN ORDINANCE AMENDING ARTICLE 23-5.2 SFCC 1987, TO INCLUDE “PRIDE ON THE PLAZA” AS AN ADDITIONAL PERMITTED ANNUAL MAJOR COMMERCIAL EVENT ON THE PLAZA (COUNCILOR BUSHEE). (SEVASTIAN GURULE AND BARBARA LOPEZ)**
 - 2) **BILL NO. 2007-57 – AN ORDINANCE AMENDING ARTICLE 23-5 SFCC 1987, REGARDING PLAZA VENDORS; REQUIREMENTS; SELECTION PROCESS; CONDITIONS OF OPERATIONS (COUNCILOR CHAVEZ). (SEVASTIAN GURULE)**
 - a) **CONSIDERATION OF RESOLUTION NO. 2007-____ (COUNCILOR CHAVEZ). A RESOLUTION ESTABLISHING AN APPLICATION FEE FOR ARTISTS/ARTISANS WHO APPLY FOR A LICENSE UNDER THE SANTA FE PLAZA PARK ARTIST/ARTISAN PROGRAM. (SEVASTIAN GURULE)**
[This item was withdrawn from the agenda]

- 3) **BILL NO. 2007-59 – AN ORDINANCE AMENDING SECTION 24-1.1 SFCC 1987, REGARDING THE CITY OF SANTA FE UNIFORM TRAFFIC CODE (COUNCILOR HELDMEYER AND COUNCILOR BUSHEE). (POLICE CHIEF ERIC JOHNSON)**

- y) **CONSIDERATION OF RESOLUTION NO. 2007-103 (MAYOR COSS). A RESOLUTION CALLING FOR A REGULAR MUNICIPAL ELECTION TO BE HELD MARCH 4, 2008, FOR THE PURPOSE OF ELECTING ONE CITY COUNCILOR FROM EACH COUNCIL DISTRICT AND ELECTING ONE MUNICIPAL JUDGE AT-LARGE; AND VOTING FOR OR AGAINST AMENDMENTS TO THE SANTA FE MUNICIPAL CHARTER REGARDING REFERENDUM, INITIATIVE, RECALL, PUBLIC FINANCING OF CAMPAIGNS, RANKED CHOICE VOTING, THE POWERS AND DUTIES OF THE MAYOR AND THE QUALIFICATIONS OF THE MUNICIPAL JUDGE. (YOLANDA VIGIL)**

RESOLUCION QUE CONVOCA UNA ELECCIÓN MUNICIPAL ORDINARIA QUE TENDRA LUGAR EL DIA 4 DE MARZO 2008, CON EL FIN DE ELEGIR UN CONCEJERO MUNICIPAL DE CADA DISTRITO DE CONCEJALES Y ELEGIR UN JUEZ MUNICIPAL PARA TODA LA MUNICIPALIDAD Y VOTAR A FAVOR O EN CONTRA DE LAS ENMIENDAS DE LA CARTA CONSTITUCIONAL MUNICIPAL RESPECTO AL REFERENDO, INICIATIVA O DESTITUCION, FINANCIAMIENTO PUBLICO DE CAMPAÑAS, SELECCION DE VOTACION EN ORDEN DE PREFERENCIA, LAS FACULTADES Y RESPONSABILIDADES DEL ALCALDE Y LAS CALIFICACIONES DEL JUEZ MUNICIPAL.

- a) **REQUEST FOR APPROVAL OF CONSOLIDATED PRECINCTS.**

- z) **CONSIDERATION OF RESOLUTION NO. 2007-104 (COUNCILOR ORTIZ, COUNCILOR BUSHEE, COUNCILOR TRUJILLO AND COUNCILOR DOMINGUEZ). A RESOLUTION CALLING A SPECIAL ELECTION TO BE HELD IN THE CITY OF SANTA FE ON MARCH 4, 2008, IN CONJUNCTION WITH THE REGULAR MUNICIPAL ELECTION FOR THE PURPOSE OF VOTING ON THE ISSUANCE OF GENERAL OBLIGATION RECREATIONAL PURPOSE BONDS IN AN AGGREGATE PRINCIPAL AMOUNT OF \$30,300,000; DESCRIBING THE PURPOSES TO WHICH THE BOND PROCEEDS WOULD BE PUT; PROVIDING THE FORM OF THE BOND QUESTION; PROVIDING FOR NOTICE OF THE ELECTION; PRESCRIBING OTHER DETAILS IN CONNECTION WITH SUCH ELECTION AND BONDS; AND RATIFYING ACTION PREVIOUSLY TAKEN IN CONNECTION THEREWITH. (YOLANDA VIGIL)**

RESOLUCION CONVOCA UNA ELECCIÓN EXTRAORDINARIA QUE TENDRA LUGAR EN LA MUNICIPALIDAD DE SANTA FE EL DIA 4 DE MARZO 2008, CONJUNTAMENTE CON LA ELECCIÓN MUNICIPAL ORDINARIA CON EL FIN DE VOTAR SI SE VAN A EMITIR BONOS DE OBLIGACIÓN GENERAL CON EL PROPOSITO DE RECREACIÓN EN SUMA PRINCIPAL AGREGADA DE \$30,300,000; SE DESCRIBEN LOS PROPOSITOS PARA LOS CUALES SE

DEDICARAN EL PRODUCTO; DISPONIENDO LA FORMA DE LA CUESTION DE BONOS; DISPONIENDO LA NOTIFICACIÓN DE LA ELECCIÓN; SE PRESCRIBEN OTROS DETALLES EN RELACION CON DICHA ELECCIÓN Y LOS BONOS; Y SE RATIFICA LA ACCIÓN TOMADA PREVIAMENTE EN RELACION CON LO DICHO.

- aa) REQUEST FOR APPROVAL FOR SEWER SERVICE UNDER THE PROVISION OF SFCC, SECTION 22-6.2 BY KARL SOMMER ON BEHALF OF THE PROPOSED LEXUS OF SANTA FE DEALERSHIP ON CERRILLOS ROAD. (STAN HOLLAND)**

**7. APPROVAL OF MINUTES: Reg. City Council Meeting – October 29, 2007.
Joint City Council/Santa Fe School Board Meeting – October 30, 2007.**

Councilor Heldmeyer moved, seconded by Councilor Wurzburger, to approve the minutes of the Regular City Council Meeting of October 29, 2007, as presented. The motion was approved on a voice vote, with Councilors Bushee, Calvert, Dominguez, Heldmeyer, Ortiz, Trujillo and Wurzburger voting for the motion and none against.

Councilor Calvert moved, seconded by Councilor Trujillo, to approve the minutes of the Joint City Council/Santa Fe School Board Meeting of October 30, 2007, as presented. The motion was approved on a voice vote, with Councilors Bushee, Calvert, Dominguez, Ortiz, Trujillo and Wurzburger voting for the motion, none against, and Councilor Heldmeyer abstaining.

8. PRESENTATIONS

- a) EMPLOYEES OF THE MONTH FOR NOVEMBER 2007 – GREG ARAGON, ARMANDO GABALDON, WALTER DALTON, KEVIN MARTINEZ AND CYRUS TRUJILLO; SOLID WASTE DIVISION.**

Mayor Coss presented a plaque to each of the employees and a check for \$200 from the Employee Benefit Committee. Mayor Coss read the nomination into the record, and thanked each of them for their quick action in this situation, and for their dedicated day to day work on behalf of the City.

- b) MUCHAS GRACIAS – BENI-LEIGH DUPREE, GENOVEVA CHAVEZ COMMUNITY CENTER LIFEGUARD.**

Mayor Coss presented Ms. Dupree with a Muchas Gracias Certificated for her quick action and exceptional skills which saved a three-year-old boy from death after noticing he was submerged beneath the water in the pool, noting the boy is doing fine now and is recovering.

Ms. Dupree thanked the great management staff which keeps them updated with all the latest skills which are needed, and Ron Robinson, Manager and Liz Roybal, Director, who do a great job.

**c) MUCHAS GRACIAS – CAPITAL HIGH SCHOOL THEATER AWARDS.
(BERNADETTE PENA)**

Mayor Coss presented Muchas Gracias Certificates to each of the members of the Capital High School Theater Group who won first place in the New Mexico AAAA One-Act Play competition in Farmington. Ms. Bernadette Pena, educator, thanked the Governing Body for recognizing the group today.

Councilor Dominguez added his congratulations, noting this is what hard work can get.

**d) PRESENTATION OF ARTSMART CHECK TO SANTA FE PUBLIC SCHOOLS
– LESLIE CARPENTER, SUPERINTENDENT. (MARY HARBOUR,
ARTSMART)**

Mary Harbour, ARTsmart announced the kickoff for ArtFeast, which is a weekend of art, food, wine and fashion, February 21-24-2008, which raises funds for art, programs and supplies in the public schools. This year, they have \$90,000 which they are giving back to the community, which includes \$10,000 for each high school, and \$6,000 to elementary schools for ARTsmart projects which are special projects with which they work with the teachers to do. There is another \$10,000 for fine arts for children and teens. She said this year they started a scholarship program, and awarded a \$4,000 scholarship to a graduating senior who now is in art school.

Ms. Harbour said this year there is \$10,000 to be split among all of the art teachers for supplies and creative projects, and presented the checks for each of the teachers to Amy Sena, Arts School Specialist.

Ms. Sena thanked ARTsmart on behalf of all of the art teachers, saying these funds mean so much to all of them.

Ms. Harbour presented a check to Dr. Leslie Carpenter, Superintendent, in the amount of \$50,000 for the art programs in Santa Fe Public Schools, which doubles the line item budget for the art programs in schools.

Dr. Carpenter thanked ARTsmart on behalf of all of the children of Santa Fe, saying the \$50,000 is a tremendous amount of money and will go a long way. She said this supply money makes a great difference, and is needed to ensure adequate supplies for arts in the schools.

Dr. Carpenter invited everyone to the State of the Schools address she will be giving tomorrow at 4:00 p.m., at the Willie Ortiz Building on Cerrillos Road, at the State Personnel Office.

e) STATE OF MUNICIPAL COURT, SEMI-ANNUAL REPORT. (JUDGE YALMAN)

A copy of "State of the Municipal Court Semi-Annual Report," dated November 14, 2007, submitted for the record by Judge Yalman, is incorporated herewith to these minutes as Exhibit "2."

Judge Yalman presented her semi-annual report. Please see Exhibit "2" for specifics of this presentation. She spoke about several IT capabilities which she hopes will be available in the near future, including daily transporting of financial data to the Finance Department, and said she is particularly excited about the IT program which will allow the importing and exporting of citations and dispositions between the Court and the Police Department, which will prevent significant duplication of effort. She commented that Court Call allows for telephonic hearings and is working quite well.

Mayor Coss thanked Judge Yalman for these periodic updates, noting he is especially interested in the IT setup between the Police Department and the Court, and he looks forward to the CIP request on her courtroom. He commended her for her work and for the beneficial changes she has made during her term of office.

Councilor Wurzbarger thanked Judge Yalman for the valuable report and for what she has accomplished during her time in office.

CONSENT CALENDAR DISCUSSION

9(I) REQUEST FOR APPROVAL OF SOLE SOURCE PROCUREMENT AND PROFESSIONAL SERVICES AGREEMENT – MANAGE AFFORDABLE HOUSING ROUNDTABLE; THE ENTERPRISE FOUNDATION, INC. (KATHY McCORMICK)

Councilor Bushee said she hasn't had an opportunity to see what the Affordable Housing Roundtable, noting she understands this request is more than just managing its meetings. She said she wants to know what the Affordable Housing Roundtable has done and the status of the funds it oversees, given that the contractor is paying an assistant \$33.41 per hour, and the local Office Director makes \$84.15 an hour. She said we have been doing this for years, saying she knows this group offers lots of technical expertise. She said she is someone who doesn't get to ask these questions at the Finance Committee. She asked if a City staff could do this, and use that \$47,000 for other problems. She wants justification for this contract with those hourly rates.

Ms. McCormick said when you have a contract with Enterprise, the City gets more than just the local office, and gets the entire Enterprise community partners. Enterprise has access to capital which we do not, and they actually brought dollars to some of our projects. Enterprise has been a good partner in those projects. Enterprise has the ability to research, for example, how land leases might work, for which we do not have the staff or expertise. She believes that the City gets \$100,000 worth of work for the \$47,000. She said she would need two additional staff people to do the kinds of research, background assistance and grantwriting provided by

the Enterprise Foundation. Their services are much more broad than just the Affordable Housing Roundtable.

Councilor Bushee suggested she should indicate it is more than managing the Affordable Housing Roundtable. She asked Ms. McCormick to report to the Public Works Committee on its activities, and on the funds it oversees.

Councilor Wurzburger would like the report also to include the funds which we get from the Enterprise Foundation.

Ms. McCormick said she would be happy to do so.

Councilor Bushee moved, seconded by Councilor Ortiz, to approve this request. The motion was approved on the following roll call vote:

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

Against: None.

9(r) REQUEST FOR APPROVAL OF AGREEMENT – SANTA FE FIREFIGHTERS ASSOCIATION; INTERNATIONAL ASSOCIATION OF FIREFIGHTERS. (ASSISTANT FIRE CHIEF RANDY NEUMANN)

Councilor Bushee said she removed this item for two reasons. First of all, she isn't on the Finance Committee, commenting that she's never seen a contract approved on a consent calendar. Secondly, she wants to know why it took so long to get here, and felt it should have more fanfare than quietly being approved on the Consent Calendar. She wants to understand why this took so long, and how not to do that in the future.

Councilor Bushee moved, seconded by Councilor Calvert, to approve this request.

Discussion: Councilor Bushee said she does want an answer on the process of this agreement, and said it is a rarity in her experience.

Captain Charlie Velarde said Chief Neumann was unable to be here this afternoon, but he will try to answer questions. He said this was a long process and there were several issues which had to be resolved. He said, hopefully, next year when they discuss financials, they will try to ensure someone from Finance is in attendance to help them go through the numbers. He said they did a lot by cell phone, and what couldn't, they would meet with Ms. Raveling.

Councilor Bushee said that's normal, but this year the process seemed convoluted, and she wants a report on the holdups and an assessment from management and the Union as to the problems, and how to avoid those in the future.

Mayor Coss asked David Jenkins of the Firefighters Union to speak to this issue if he would like to do so.

David Jenkins, President of Local 2059, said fundamentally the structure of the negotiations is flawed and we really aren't negotiating with the appropriate people on finance matters. He said this isn't a slight against the management team. However, the management team isn't versed in City finance, nor are they authorized to approve, or to explain why they wouldn't approve a certain proposal made by the union, which just delays and extends the process. He said it normally doesn't take this long. However, he believes we are doomed to repeat this outcome so long as we have this inefficient structure in place.

Councilor Bushee reiterated that she would like a report on the process.

Councilor Ortiz said he said he didn't let this item go quietly and without fanfare at Finance Committee. He agrees with Councilor Bushee that we want a report. He also wants to schedule an executive session to give clear direction to the management team: (1) that the team has to follow the new timelines which were put back, so we don't have this kind of delay in the future; and (2) to have the decision makers at the table to resolve the consistent problems which arise because the management team doesn't have the authority to make agreements or to give answers, and he wants this practice changed the next time we have negotiations.

Councilor Ortiz reiterated that he would like staff to schedule an executive session prior to the next contract to receive a report and to give direction to the management team.

The motion was approved on the following roll call vote:

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

Against: None.

9(t) REQUEST FOR APPROVAL OF LOGO FOR THE NEW SANTA FE GOVERNMENT (SFG) CHANNEL. (SEVASTIAN GURULE)

Councilor Wurzbarger said she thought the SFG initials were to have been removed from the logo.

Mr. Gurule noted he has an updated version of the logo for the Council. He said during the Finance Committee meeting it was requested that SFG be removed from the shield, so it was moved to the banner. He said it is important to have these initials on the logo, because the franchise agreement with Comcast refers to the pay channels – Public Access, Education and one Government channel. He said, because the City now has taken control of, and is broadcasting the Government Channel, it is important to make that identification on the logo.

Councilor Wurzbarger likes this logo better, but questioned whether the SFG will mean something to the public.

Councilor Calvert said this is the one we saw at Finance Committee.

Councilor Wurzburger moved, seconded by Councilor Calvert, to approve the logo for Santa Fe Government television as presented at the Finance Committee. The motion was approved on the following roll call vote:

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

Against: None.

END OF CONSENT CALENDAR DISCUSSION

10. BIENNIAL REVIEW OF THE ALLOCATION ANALYSIS – WATER BUDGET ADMINISTRATIVE ORDINANCE. (CLAUDIA BORCHERT). (Postponed at the October 29, 2007 City Council Meeting)

Claudia Borchert presented information to the Council from her Memorandum of October 19, 2007, with attachments, to the City Council, which is in the Council Packet.

Councilor Calvert moved, seconded by Councilor Heldmeyer, for purposes of discussion, to accept the updated Annual Water Budget Report.

Discussion: Councilor Calvert said he hopes, in the process, we make the water budget more meaningful and more useful. However, the current format doesn't lend itself as a tool for planning, or anything else, because of all of the assumptions we make and such.

Councilor Heldmeyer said there was a lot of discussion at Public Utilities as to what the future water plan will look like. She said the way this is set up, our demand in the future exceeds our supply. She said the reality is unless we change the behaviors that go with the numbers, the demand will exceed the supply at some point in the near future. There were suggestions about what we need to be doing in the future to deal with that demand, and a lot of questions about how new facilities will impact these numbers. She said there is the whole unanswered question of where the Buckman Wells fit into our overall water supply plan. She said, depending on the particular meeting, she hears different things about that. She said it is related to the issue of the BDD which we hope will move forward sometime soon. She said the diversion, as it's being permitted, is not going to add to the overall capacity of the City or the County's system. There are things we can do which will add to the City's capacity. However, these are two very big things which we have to examine very carefully, and agree upon as a Governing Body. She said the work session a week ago was the beginning of that discussion. She hopes all of the Councilors will participate, whether or not they are on Public Utilities.

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

11. CONSIDERATION OF RESOLUTION NO. 2007- ____ COUNCILOR ORTIZ). A RESOLUTION AMENDING THE CITY OF SANTA FE PERSONNEL RULES AND REGULATIONS BY CREATING A NEW RULE 13-32 REGARDING THE ESTABLISHMENT OF A SICK LEAVE INCENTIVE PROGRAM FOR NON-UNION EMPLOYEES. (KRISTINE KUEBLI) (Postponed at the October 29, 2007 City Council Meeting)

Councilors Bushee and Wurzburger said they have no materials in the packet for this agenda item.

Councilor Wurzburger said she would like to study the materials regarding this item, and asked if this could be postponed.

Ms. Kuebli said the information in the packet is a duplication of what was presented previously to the Finance Committee, and in the Council packet for the October 29, 2007 Council meeting. She said the only additional items are a two-page addendum and what was provided in the Council boxes in the past two days.

Councilor Bushee asked Councilor Ortiz, the sponsor, if it would be an inconvenience to postpone this item, and she will ask her questions of the sponsor and staff in the interim.

Councilor Ortiz said he is willing to postpone this matter. He asked Councilor Calvert if the additional information was what he requested.

Councilor Calvert said it is, noting it was in the Council boxes.

Ms. Kuebli believes there was an error in the duplication of the materials for Item 11.

Councilor Bushee moved, seconded by Councilor Ortiz, to postpone this item to the next Council meeting, November 28, 2007. The motion was approved on a voice vote, with Councilors Bushee, Calvert, Dominguez, Heldmeyer, Ortiz, Trujillo and Wurzburger voting for the motion and none against.

12. MATTERS FROM THE CITY MANAGER

There were no matters from the City Attorney.

13. MATTERS FROM THE CITY ATTORNEY

EXECUTIVE SESSION

POTENTIAL SETTLEMENT OF ANNEXATION LITIGATION; PURSUANT TO §10-15-1(H)(7) NMSA 1978.

Councilor Calvert moved, seconded by Councilor Wurzburger, that the Council go into Executive Session for the purpose of discussing the potential settlement of

annexation litigation, pursuant to §10-15-1(H) (7). The motion was approved on a Roll Call vote as follows:

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

Against: None.

The Council went into Executive Session at 6:08 p.m.

MOTION TO COME OUT OF EXECUTIVE SESSION

At 7:03 p.m., Councilor Bushee moved, seconded by Councilor Trujillo, that the City Council come out of Executive Session and stated that the only item which was discussed in executive session was the potential settlement of annexation litigation.

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

14. ACTION ON SETTLEMENT OF ANNEXATION LITIGATION. (FRANK KATZ)

No action was taken on this item.

Mayor Coss moved Items 15 and 16 to the end of the agenda.

END OF AFTERNOON SESSION AT 7:05 P.M.

The Council moved directly into the Evening Session without a break

EVENING SESSION

A. CALL TO ORDER AND ROLL CALL

The Evening Session was called to order by Mayor David Coss, at approximately 7:06 p.m. Roll Call indicated the presence of a quorum as follows:

Members Present

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

E. PETITIONS FROM THE FLOOR

Fred Flatt said he is here to talk about the Ethics Board. Mr. Flatt expressed displeasure with the new appointments which were made to the Board. He said the members of this Board originally were to have been chosen by the individual Councilors. He said many of the appointees have been shopped to you by certain people, and he believes that not all of the Councilors selected their own person. He said the Board is now very political and in favor of one of the Councilors. He believes the new appointments were not picked by the people who appointed them.

Raymond Herrera, 379 Hillside Avenue, requested that this Governing Body consider Councilor Bushee's proposal to place a moratorium on all building between the Railyard and St. Francis Drive. He is very surprised that a three-story building was allowed in that area. He said he doesn't know what happened to the ENN process, but believes if the neighbors knew about it, they would have done something. This is a dangerous situation because it sets precedence for the area in the future. He asked that the City Council either impose a moratorium or prohibit the issuance of new building permits, saying that this action may bring more lawsuits against the City.

F. APPOINTMENTS

Capital Improvements Advisory Committee

Mayor Coss appointed the following individuals to the Capital Improvements Advisory Committee:

Maria Higuera Pope – reappointment – term ending 11/2009;

Kim Shanahan – reappointment – term ending 11/2009;
Margaret “Marg” Veneklassen – reappointment – term ending 11/2009;
Edmundo Lucero – reappointment – term ending 11/2009;
Karen Walker – reappointment – term ending 11/2009; and
Michael Trujillo – term ending 11/2009.

Councilor Ortiz moved, seconded by Councilor Heldmeyer, to approve these appointments. The motion was approved unanimously on a voice vote, with Councilors Bushee, Calvert, Dominguez, Heldmeyer, Ortiz, Trujillo and Wurzburger voting for the motion and none against.

Ethics and Campaign Review Board

Mayor Coss appointed the following individuals to the Ethics and Campaign Review Board:

Thomas A. Fiorina – term ending 01/2009; and
Patricio C. Larragoite, DDS – term ending 01/20011.

Councilor Ortiz moved, seconded by Councilor Wurzburger, to approve these appointments. The motion was approved unanimously on a voice vote, with Councilors Bushee, Calvert, Dominguez, Heldmeyer, Ortiz, Trujillo and Wurzburger voting for the motion and none against.

Healthy Lifestyles for Children and Adolescents Task Force

Mayor Coss appointed the following individuals to the Healthy Lifestyles for Children and Adolescents Task Force:

Suzanne S.P. Gebhart, M.D., Chair (Medical) – term ending 5/2008;
Carol Rose (Educational/Nutritional) – term ending 5/2008;
Lynn Walters, M.S. (Educational/Nutritional) – term ending 5/2008;
Stephen (Steve) Shepherd (Governmental) – term ending 5/2008;
Andre Steel Jones (General Public/Youth) – term ending 5/2008;
Kathy Medina (Food and Beverage Industry) – term ending 5/2008;
Jennifer Mok Johnson, M.D., F.A.A.P. (Medical) – term ending 5/2008; and
Judi Jacquez (Educational Nutritional) – term ending 5/2008.

Councilor Calvert moved, seconded by Councilor Ortiz, to approve these appointments. The motion was approved unanimously on a voice vote, with Councilors Bushee, Calvert, Dominguez, Heldmeyer, Ortiz, Trujillo and Wurzburger voting for the motion and none against.

City Business and Quality of Life Committee

Mayor Coss appointed the following individual to the City Business and Quality of Life Committee:

Lillian Montoya-Rael – to fill unexpired term ending 3/2009.

Councilor Wurzbarger moved, seconded by Councilor Trujillo, to approve this appointment. The motion was approved unanimously on a voice vote, with Councilors Bushee, Calvert, Dominguez, Heldmeyer, Ortiz, Trujillo and Wurzbarger voting for the motion and none against.

Library Board

Mayor Coss appointed the following individual to the Library Board:

Angelo Jaramillo – to fill unexpired term ending 7/2009.

Councilor Ortiz moved, seconded by Councilor Wurzbarger, to approve this appointment. The motion was approved unanimously on a voice vote, with Councilors Bushee, Calvert, Dominguez, Heldmeyer, Ortiz, Trujillo and Wurzbarger voting for the motion and none against.

G. PUBLIC HEARINGS

- 1) **PURSUANT TO §60-6B-10 NMSA 1978, A REQUEST FOR A WAIVER OF THE 300 FOOT LOCATION RESTRICTION AND APPROVAL TO ALLOW THE SALE/CONSUMPTION OF ALCOHOLIC BEVERAGES AT EL MUSEO CULTURAL DE SANTA FE, 1615 B, PASEO DE PERALTA, WHICH IS WITHIN 300 FEET OF ALVORD ELEMENTARY SCHOOL, 551 ALARID AND LOCATED ON CITY PROPERTY. THE REQUEST IS FOR THE FOLLOWING EVENT:**
 - a) **SANTA FE WINTER ANTIQUITIES SHOW TO BE HELD ON FRIDAY, DECEMBER 28, 2007, FROM 5:30-8:30 P.M.; RODEO PLAZA LIQUORS.**

The staff report was given by Yolanda Vigil.

Public Hearing

There was no one speaking for or against this request.

The Public Hearing was closed

Councilor Calvert moved, seconded by Councilor Wurzbarger, to grant the request for a waiver of the 300 foot location restriction and approval to allow the sale/consumption of alcoholic beverages at El Museo Cultural on December 28, 2007, from 5:30 to 8:30 p.m.

The motion was approved on the following Roll Call Vote:

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

Against: None.

Absent: Bushee.

**2) CONSIDERATION OF RESOLUTION NO. 2007-105 (COUNCILOR CHAVEZ).
A RESOLUTION ADOPTING THE SOUTHWEST SANTA FE COMMUNITY ARE
MASTER PLAN AS AN AMENDMENT TO THE GENERAL PLAN. (RICHARD
MACPHERSON)**

A copy of a Memorandum prepared November 5 for the November 14, 2007 meeting, with attachment, including the proposed Southwest Santa Fe Community Area Master Plan, to the Mayor and City Council, from Richard Macpherson, Long Range Planning, Senior Planner, is incorporated herewith to these minutes as Exhibit "3."

Mayor Coss said Councilor Chavez, who can't be here this evening, has requested that we hold the public hearing this evening, and postpone action until he can be in attendance.

Richard Macpherson presented information in Exhibit "3" to the Governing Body, and demonstrated the subject site on the enlarged drawings.

Public Hearing

Those speaking to this issue

Laurie Knight, 3661 Mimbres Lane, said she lives in the County in the checkerboard jurisdiction area just south of Rodeo Road. She has attended other public hearings on this issue, and she said she believes, and it appears, that the comments from the Mimbres Lane neighborhood, marked as #2 on the map, which appears as a light yellow now, so that the density from the original map has been changed to a less dense designation – 1-3 dwellings per acre. She said they are very grateful that the comments they made at earlier public hearings seem to have been taken into consideration and that this change was made.

Donato Coviello spoke against any making any changes in the master plan before the

Governing Body does something about the enforcement, planning and mess on the Plaza which has been created by the Plaza vendors. He said the master plan calls for the City to treat the downtown as an historic area. He doesn't believe, as was stated in the newspaper, that the Plaza vendors are goodwill ambassadors for the City. He reiterated that the City needs to look to enforcement on the Plaza. He expressed extreme displeasure with the Plaza Vendors Program, and believes the City has granted them ad hoc variances, and doesn't enforce authenticity or any of the other laws which apply to the vendors. He reiterated his extreme displeasure with the behavior of the Plaza vendors and the Governing Body's management of the Plaza vendors stating that the vendors seem to believe selling on the Plaza is an entitlement. He would like to see a review of that Program as promised five years ago, and to open it for input from the public.

Fred Flatt, 950 Vuelta del Sol, said this Plan was generated at the same time that the moratorium issue for the southwest area was killed, and this was the last chance hope. He served on the Committee for 18 months which worked on this plan. He said this is all we have to straighten out the mess on Airport Road and that area. He encouraged the Council to adopt this Plan.

Mary Clyde, Painted Pony Circle, Vista Primera Area, said she understands her area is being considered for annexation into the City.

Mayor Coss advised that this isn't the subject of this hearing.

Ms. Clyde asked what is the appropriate venue to address these issues.

Mayor Coss said she could speak at the Council meeting under Petitions from the Floor. He said there is no annexation pending before the City to discuss before the Council.

Mayor Coss said there are always matters from the public at the Regional Planning Authority as part of its agenda.

The Public Hearing was closed

Mr. Macpherson said in the ENNs which were held over the past six months on this project, as Ms. Knight said, a few areas were developed slightly differently than anticipated in the Southwest area plan, in terms of lower density. He said they made a few recommendations regarding lower density housing areas within these areas, and that is part of the recommendation on approving the plan.

Councilor Bushee moved, seconded by Councilor Ortiz, to adopt Resolution No. 2007- 105, with conditions as recommended by staff and the Planning Commission.

Discussion: Mr. Macpherson clarified that the motion includes the conditions recommended by staff and the Commission.

Councilor Bushee said it does.

Councilor Heldmeyer said we offer many courtesies to Councilors when they can't attend, in terms of changing schedules. She said Councilor Chavez did not ask for us to change the schedule. He did ask to be here for the vote on this, because he is the leading Councilor, in terms of working on this and pushing it forward. She believes it is inappropriate that we are voting on this, given his request that we not vote on it until he is here.

Councilor Heldmeyer moved, seconded by Councilor Calvert, to postpone voting on this Resolution to the next meeting.

Discussion: Mayor Coss said this was the request that he made at the start of the discussion on this item because Councilor Chavez couldn't be here this evening.

Councilor Heldmeyer said Councilor Chavez is not on a vacation nor on personal business, but he is absent doing business for the City.

Councilor Bushee said, "I missed that part, but I have to tell you, I mean, this has been kicking around forever, and he's got his name on as sponsor, and I just think we just need to ... he could have taken it off the agenda, we could just....you know, he'll be recognized, I'm sure, in his District for carrying the banner for this, but can we just..."

Mayor Coss said, "I think we could put this on an afternoon agenda now that the hearing is concluded. The problem Councilor Chavez had with moving it to the next agenda is the Living Wage and some other hearings, and then the December meeting is Short Term Rentals."

Councilor Bushee said, "That makes me stand with my motion even stronger."

Mayor Coss said, "We had the hearing done, and he would just like to be present to vote on something he worked on for the last six years."

The motion to postpone the vote on this item to the next meeting failed to pass on the following Roll Call Vote:

For: Councilor Calvert, Councilor Heldmeyer, and Councilor Wurzbarger.

Against: Councilor Bushee, Councilor Dominguez, Councilor Ortiz and Councilor Trujillo.

Explaining her vote: Councilor Wurzbarger said, "I'll vote yes, as long as it isn't a long discussion, if that can be transmitted."

Explaining his vote: Councilor Dominguez said "We've had testimony that has asked us to move this forward quickly, it's about time, I think is what they said, so I'm going to vote no."

The vote to adopt Resolution No. 2007-105 was approved on the following Roll Call Vote:

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

Against: None.

Abstain: Councilor Heldmeyer.

Mayor Coss congratulated Councilor Chavez for a job well done on this Plan.

- 3) CONSIDERATION OF BILL NO. 2007-50; ADOPTION OF ORDINANCE NO. 2007- 41 (COUNCILOR TRUJILLO). AN ORDINANCE AMENDING SECTION 24-2.6 SFCC 1987, TO RESTRICT TRUCK, TRUCK TRAILER AND OTHER LARGE VEHICLE TRAFFIC ON RICHARDS AVENUE BETWEEN JAMES STREET AND SIRINGO ROAD. (RICK DEVINE)**

Mr. Devine was not in attendance to make a presentation.

Public Hearing

There was no one speaking for or against this request.

The Public Hearing was closed

Councilor Trujillo moved, seconded by Councilor Ortiz, to adopt Ordinance No. 2007-41.

The motion to adopt Ordinance No. 2007-41 was approved on the following Roll Call Vote:

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

Against: None.

15. MATTERS FROM THE CITY CLERK

There were no matters from the City Clerk.

16. COMMUNICATIONS FROM THE GOVERNING BODY.

Councilor Dominguez

Councilor Dominguez had no communications.

Councilor Calvert

Councilor Calvert had no communications.

Councilor Trujillo

Councilor Trujillo introduced a Resolution establishing a restricted cash account and related liability account for the Santa Fe Wastewater Management closure and post-closure fund, to provide funds for future closure, post closure, Phase I and Phase II and/or corrective action costs. A copy of this Resolution is incorporated herewith to these minutes as Exhibit "4." He asked that it go to the Finance, Public Utilities and Public Works Committees.

Councilor Wurzbarger

Councilor Wurzbarger introduced an ordinance, at the request of staff, with which she agrees, which amends Section 7.2 of Exhibit A of Chapter 22 SFCC 1987, to correct waivers to the Wastewater Utility Expansion Fee for affordable housing. A copy of this Ordinance is incorporated herewith to these minutes as Exhibit "5."

Councilor Bushee

Councilor Bushee introduced several Resolutions as follows:

- 1) A Resolution directing staff to explore options to protect the Juanita Street neighborhood from inappropriate development. A copy of this Resolution is incorporated herewith to these minutes as Exhibit "6."

Councilor Bushee said Councilors Calvert, Wurzbarger and Dominguez are cosponsors.

- 2) A Resolution directing the City's Green Team to review the energy ordinance recently introduced by the City of Santa Barbara, California, and to use it as a guide to attain similar or better standards. A copy of this Resolution is incorporated herewith to these minutes as Exhibit "7."

- 3) A Resolution directing staff to work with Creative Santa Fe to further our Economic Development Plan with regard to the arts sector and to bring back the details of such a plan. A copy of this Resolutions incorporated herewith to these minutes as Exhibit "8"

Councilor Wurzbarger said, for the record, she wants to ensure that she is not, at this point, listed as a cosponsor on this.

Councilor Bushee said she didn't list Councilor Wurzbarger as a sponsor.

Councilor Wurzbarger said she knows that, but Ms. Price had listed her as a cosponsor.

Councilor Ortiz

Councilor Ortiz wished everyone a happy Thanksgiving, and urged caution for those who are traveling, and hopes all of your travels are safe. He hopes, for all those staying at home, all of their family comes home for Thanksgiving.

Councilor Heldmeyer

Councilor Heldmeyer introduced a Resolution directing staff to map GPS coordinates onto the City's recreational land maps. A copy of this Resolution is incorporated herewith to these minutes as Exhibit "9."

Councilor Heldmeyer said she initially introduced a Resolution in 2001, directing staff to map GPS coordinates onto the City's recreational land maps. At the time, \$35,000 was put aside to do this. She said then staff changed, including City Managers, and it fell through the cracks. She said it seemed that the simplest thing to do was to reintroduce the Resolution. She said both the Fire and Police Departments believe this is an important safety issue, and more people are carrying GPS when they hike and such. She said it is important to be able to find people, or to find a fire, or an injured person in our wilderness areas. She said we can do this in collaboration with some of the other governmental entities which also own wilderness areas.

Councilor Heldmeyer said ten years ago the City talked about neighborhood conservation districts, and promised the Railyard neighborhoods that we would put a neighborhood conservation district ordinance in place so they could have a neighborhood conservation district if they chose to do so. She explained the nature of these districts, and how this is done. She said two years ago, she introduced this change to the ordinance which has floated around City Hall waiting for someone to do something with it. She has finally convinced staff that the time has come to start trying to put this ordinance into effect which would apply to many of the core downtown neighborhoods which are over-zoned.

Councilor Heldmeyer said, beginning the week after Thanksgiving, there will be a series of public meetings, one in each District, which will be advertised in the paper. Those attending will be asked what they like about their neighborhoods, and if they feel that is at risk because of the kind of development which has happened, is happening, or may happen in the future, and to discuss this ordinance to see if it is a way to deal with neighborhood issues about inappropriate development. She hopes the public attends these meetings. She said the draft ordinance was introduced at Council. She hopes this is something which neighborhoods find useful to deal with a lot of the problems which are caused by inappropriate zoning, laws, and other things the Council has done over the years which have had negative impacts on many neighborhoods.

Councilor Heldmeyer said the ordinance will then go through the usual City process, and she hopes it can be adopted.

Mayor Coss

Mayor Coss introduced two Resolutions:

- (1) A Resolution to formalize the negotiations to purchase the Siler Road land. A copy of this Resolution is incorporated herewith to these minutes as Exhibit "10." He asked that it go to Public Works and Finance, and then back to the City Council.
- (2) A Resolution on the management pay raises which have been much discussed in the newspapers lately, which is a proposed change to a Council Policy adopted last May and it is appropriate to introduce this as a Resolution. He would like the Resolution to go to the Finance Committee and then to the City Council. A copy of this Resolution is incorporated herewith to these minutes as Exhibit "11."

Mayor Coss said there were some questions about some resolutions and ordinances which were introduced at Council some time ago, and introduced the following Resolutions on behalf of Councilor Chavez, which are the latest versions of those which were introduced previously:

- (1) A Resolution dealing with a fee schedule for the review of applications for electric facilities. A copy of this Resolution is incorporated herewith to these minutes as Exhibit "12."
- (2) A Resolution on the Electric Facilities Plan. A copy of this Resolution is incorporated herewith to these minutes as Exhibit "13."
- (3) A Resolution regarding underground of electric, telecommunication and cable utility lines. A copy of this Resolution is incorporated herewith to these minutes as Exhibit "14."

- (4) An Ordinance establishing requirements regarding electric facilities and making such other changes as necessary. A copy of this Ordinance is incorporated herewith to these minutes as Exhibit "15."

Mayor Coss said he is reintroducing these this evening, noting these have been working through the Committees, and are ready to go to the Public Works Committee.

Councilor Bushee said she and Councilor Ortiz originally sponsored the "underground one," and she asked at Public Utilities that staff come back and justify the two lines which were being added, to bring that concern to the sponsors. She couldn't get an explanation at the Committee as to why it was being reopened. She said it has not been introduced at Council. She is still waiting for staff to report back with regard to the reason that ordinance needed to be reopened.

Mayor Coss said Jeanne Price has been working on that one. He understands all of these were introduced, but it has been some time. They have now been worked on, so they are reintroducing them to take care of that.

Councilor Bushee said "that" one had never been introduced.

Mayor Coss said, "Well now it is."

Councilor Bushee said she still wants staff to get back to the Committee as to why this has been reopened.

Mayor Coss thanked Councilors Wurzbarger, Calvert and Bushee for attending the Arts Recognition Awards, and congratulated the winners of those awards chosen by the Arts Commission for this recognition.

Mayor Coss wished everyone a safe and happy Thanksgiving.

H. ADJOURN

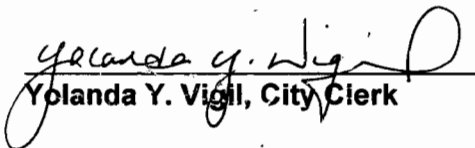
There being no further business to come before the Governing Body, and upon completion of the Agenda, the meeting was adjourned at approximately 7:50 p.m.

Approved by:

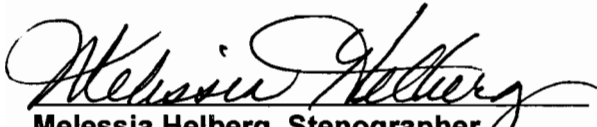


Mayor David Coss

ATTESTED TO:


Yolanda Y. Vigil, City Clerk

Respectfully submitted:


Melessia Helberg, Stenographer

CITY COUNCIL MEETING
EXECUTIVE SESSION
November 14, 2007

The governing body of the City of Santa Fe met in an executive session duly called on November 14, 2007 beginning at 6:10 p.m.

The following item was discussed:

1) Potential Settlement of Annexation Litigation, Pursuant to §10-15-1 (H)(7) NMSA 1978.

PRESENT

Mayor Coss
Councilor Bushee
Councilor Calvert
Councilor Dominguez
Councilor Heldmeyer
Councilor Ortiz
Councilor Trujillo
Councilor Wurzbarger

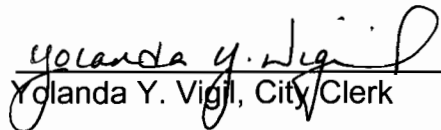
ABSENT

Councilor Chavez

STAFF PRESENT

Galen Buller, City Manager
Frank Katz, City Attorney
Yolanda Y. Vigil, City Clerk
Jack Hiatt, Acting Land Use Director

There being no further business to discuss, the executive session adjourned at 7:00 p.m.



Yolanda Y. Vigil, City Clerk